

ORDINANCE NO. 1442-20

AN ORDINANCE ANNEXING TERRITORY AT SW NORWOOD ROAD, TAX MAP 2S135D LOT 100, INTO THE CITY OF TUALATIN; WITHDRAWING THE TERRITORY FROM THE WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT; AND ANNEXING TERRITORY INTO THE BOUNDARY OF CLEAN WATER SERVICES (ANN 20-0003)

WHEREAS, P3 Properties, LLC (owner), and represented by AKS Engineering, submitted a petition for annexation of approximately 25.18 acres of property located south of SW Norwood Road, Tax Map 2S135D Lot 100, hereafter called the "Property," into the City of Tualatin;

WHEREAS, the City of Tualatin is authorized to annex territory under ORS Chapter 222 and Metro Code Chapter 3.09;

WHEREAS, the annexation of the Property has been requested by 100 percent of the property owners, 100 percent of the electors, and qualifies for annexation under ORS 222.125;

WHEREAS, Washington County has not opposed the annexation in accordance with the Urban Growth Management Agreement between the County and the City;

WHEREAS, Metro does not oppose the annexation;

WHEREAS, under ORS 199.510(2)(c), when a city receives services from a district and is part of that district, any territory annexed to the city is to be included in the boundaries of the district and subject to all liabilities of the district in the same manner and to the same extent as other territory included in the district;

WHEREAS, the City receives sewer, storm, and surface water management services from Clean Water Services and is part of the Clean Water Services district, as referenced ORS 199.510(2)(c);

WHEREAS, the Property is in the Washington County Enhanced Sheriff Patrol District;

WHEREAS, ORS 222.520(1) authorizes cities to withdraw territory from districts concurrent with the annexation decision;

WHEREAS, notice of public hearing on the annexation petition was given as required by Tualatin Development Code 32.260;

WHEREAS, the Council conducted a public hearing relating to the annexation where Council heard and considered the testimony and evidence presented by the City staff, the applicant, and those appearing at the public hearing;

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. The Property identified in the legal description attached as Exhibit 1 and as more fully depicted in the map in Exhibit 2, which are both incorporated by reference, is hereby annexed to and made a part of the City of Tualatin.

Section 2. The findings attached as Exhibit 3, which are incorporated herein by reference, are hereby adopted.

Section 3. The City Recorder is directed to forward copies of this Ordinance to the Oregon Department of Revenue.

Section 4. Within five days of receipt of the required information from the Oregon State Department of Revenue, the City Recorder is directed to send copies of this Ordinance and the approval from the Oregon Department of Revenue to Metro for filing with the Oregon Secretary of State.

Section 5. The annexation of the Property is effective from the date the annexation is filed with the Oregon Secretary of State, as provided in ORS 222.180.

Section 6. On the effective date of the annexation, the Property is withdrawn from the Washington County Enhanced Sheriff Patrol District.

Section 7. On the effective date of the annexation, under ORS 199.510(2)(c), the property is also being annexed into the boundaries of Clean Water Services for the provision of sanitary sewer, storm, and surface water management.

Section 8. The City Recorder is directed to forward copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities operating within the City in accordance with ORS 222.005.

Adopted by the City Council this ____ day of _____, 2020.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

BY _____
City Attorney

ATTEST:

BY _____
City Recorder



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #7598

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT A

City of Tualatin Annexation Legal Description

A tract of land located in the Southeast One-Quarter of Section 35, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Beginning at the East One-Quarter corner of said Section 35; thence along the north line of the southeast One-Quarter of said Section 35, North 88°38'39" West 266.75 feet to the westerly right-of-way line of Interstate 5 (300.00 feet from the centerline of the southbound lanes) and the True Point of Beginning; thence along said westerly right-of-way line, South 17°24'51" West 1370.12 feet to the southerly line of Document Number 2015-012686 and the City of Tualatin City Limits; thence along said southerly line and said City Limits, North 88°44'14" West 671.69 feet to an angle point; thence continuing along said southerly line and said City Limits, South 01°30'50" West 16.50 feet to an angle point; thence continuing along said southerly line and said City Limits, North 88°41'14" West 16.50 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 457.76 feet to the southerly line of Deed Book 825 Page 873; thence along said southerly line and said City Limits, South 88°44'14" East 300.00 feet to the southeast corner thereof; thence along the easterly line of said Deed and said City Limits, North 01°30'50" East 200.00 feet to the northeast corner thereof; thence along the northerly line of said Deed and said City Limits, North 88°44'14" West 300.00 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 676.50 feet to the north line of said southeast One-Quarter of said Section 35, also being the southerly right-of-way line of SW Norwood Road (20.00 feet from centerline); thence along said north line and said southerly right-of-way line and said City Limits, South 88°38'39" East 1063.55 feet to the True Point of Beginning.

The above described tract of land contains 27.11 acres, more or less.

04/08/2020



Michael S. Kalina



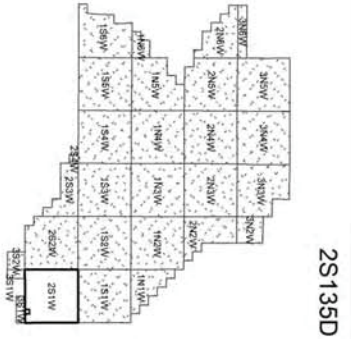
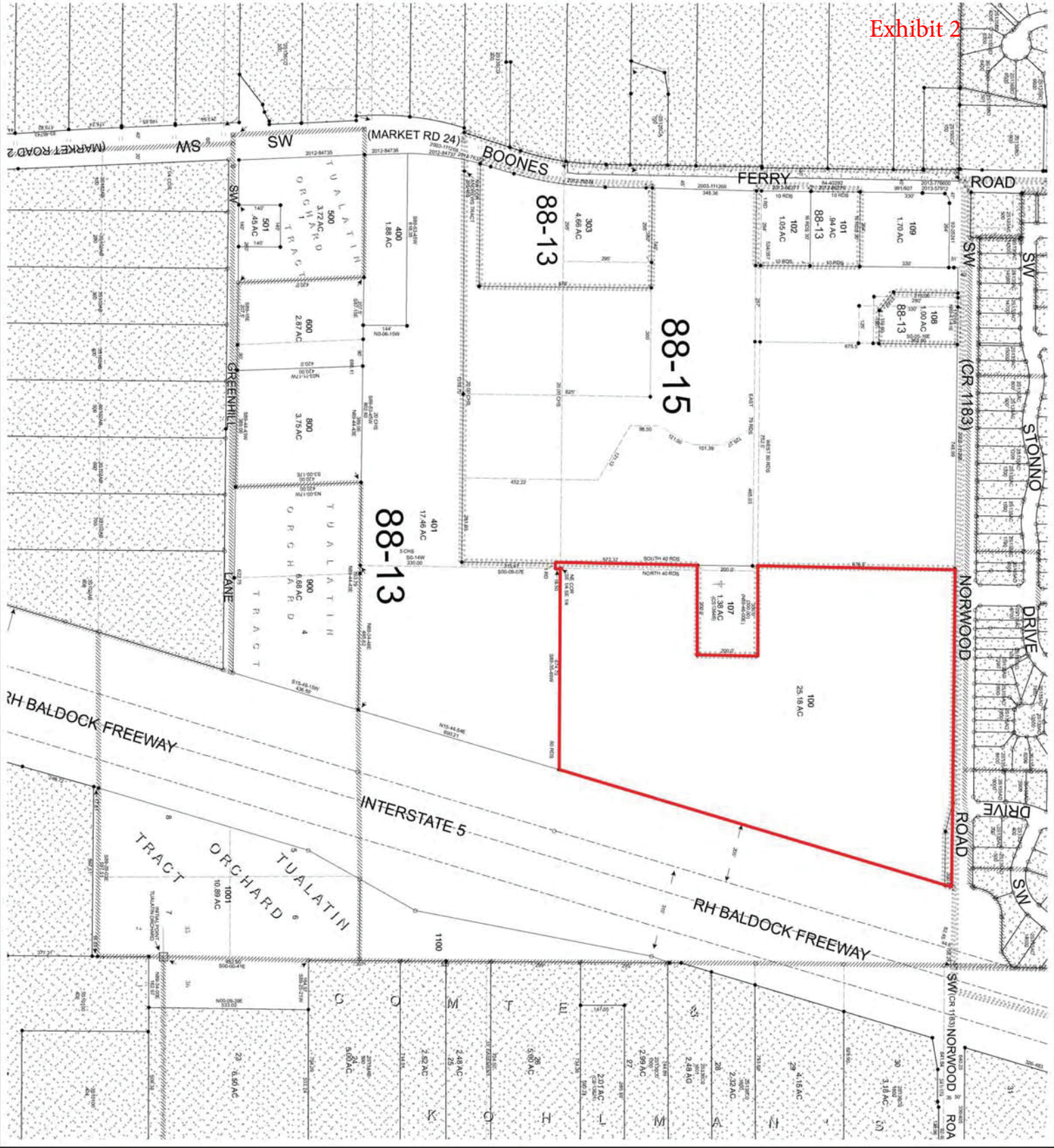
RENEWS: 6/30/21

ANNEXATION CERTIFIED

BY TF

MAY 07 2020

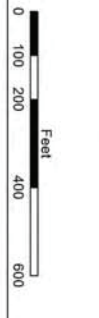
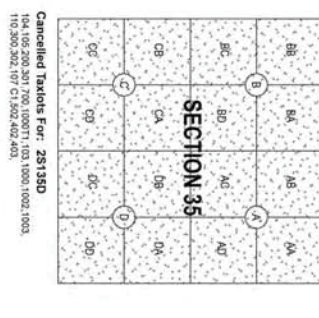
WASHINGTON COUNTY A & T
CARTOGRAPHY



WASHINGTON COUNTY OREGON
SE 1/4 SECTION 35T2S, R1W, W.M.
SCALE 1" = 200'

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.washington.or.us

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13	14	15	16	17	18
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WASHINGTON COUNTY
ASSESSMENT
CARTOGRAPHY
TOXIDION

PLOT DATE: 11/20/20
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

TUALATIN
2S135D

Map data provided by either GPS tracking or a computerized program
are for reference only and may not reflect the most current property boundaries.
Please contact the appropriate local government for the most current information.



August 10, 2020

Analysis and Findings

Case #:	ANN 20-0003
Project:	Norwood Road Property Annexation
Location:	Tax Map 2S135D Lot 100 (South of SW Norwood Road; west of I-5)
Owner:	P3 Properties, LLC
Applicant:	AKS Engineering
Other Party:	Venture Properties

Introduction

A. Applicable Criteria

Annexations are reviewed under Tualatin Development Code (TDC) Chapter 33.010, *Annexations*. This code refers to Metro Code 3.09, *Local Government Boundary Changes*, and the applicable provisions of ORS Chapter 222, which also govern annexations.

B. Project Description

The subject property is a 25.18-acre parcel located south of SW Norwood Road and immediately west of the Interstate 5 right of way, Tax Map 2S135D Lot 100. The subject property is within unincorporated Washington County, adjacent to the existing City of Tualatin boundary on the north, west, and south property lines. The property owner has petitioned for annexation into the City of Tualatin. The scope of this review is limited to the suitability of annexing the parcel into the City of Tualatin and Clean Water Services. No development is being reviewed as part of this application.

In conjunction with approval of the proposed annexation, the subject property would be withdrawn from the Washington County Enhanced Sheriff Patrol District (ESPD).

C. Site Description

The subject property is largely wooded and includes a downward slope from west to east, lowering from an elevation over 360 feet at the southwest corner, to the lowest point near 320 feet in elevation near the northeast. Mapping resources from Clean Water Services show an unnamed stream in this lower part of the site.

The east end of the property entirely borders the Urban Growth Boundary and Interstate 5 right of way, which includes about 250 feet of vegetated area prior to reaching the developed freeway. The west end of the property borders a City-owned property containing two water towers, and the campus of Horizon Community Church. To the south is a recently annexed property that is dominated by land that appears to have been used for agriculture and whose owners are anticipated to pursue future subdivision development. To the north, the property borders SW Norwood Road; on the other side of the road is a

residential neighborhood primarily developed in the 1990's with a mix of attached and detached dwellings.

D. Attachments

- A. Application
- B. Community Plan Map 9-1
- C. Community Plan Figure 11-3
- D. Community Plan Map 12-1
- E. Community Plan Map 13-1

TDC Chapter 33, Applications and Approval Criteria

Section 33.010 Annexations

To grant an annexation application, the Council must find:

(a) The territory to be annexed is within the Metro Urban Growth Boundary;

Finding:

As shown in Attachment B, the subject property is within the Metro Urban Growth Boundary and within Tualatin's Urban Planning Area. This standard is met.

(b) The owners of the territory to be annexed have petitioned to be annexed;

Finding:

As shown in Attachment A, the property owners have petitioned to have the territory annexed. This standard is met.

(c) The application conforms to the applicable criteria in Metro Code 3.09; and

Chapter 3.09 Local Government Boundary Changes

Chapter 3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

[...]

B. Not later than 15 days prior to the date set for a hearing the reviewing entity shall make available to the public a report that addresses the criteria identified in subsection (D) and includes the following information:

- 1. The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;**

Finding:

Water and Sewer:

The City of Tualatin Sewer Master Plan (2019) plans for new sewer connections in the vicinity of the subject territory; upon development, the developer would be required to provide these connections. The nearest sanitary sewer mains are an 8" main located near the intersection of SW 89th Ave and SW Norwood Rd, and an 8" main located near the intersection of SW Vermillion Drive and SW Norwood Rd. Both locations are adjacent to the north property line of the subject territory. The Sewer Master Plan shows a new force main in SW Boones Ferry Road and new pump station in the vicinity of the subject territory; the City of Tualatin is working with Clean Water Services on the funding and planning details to realize these improvements. As a result, the property is able to connect to sanitary sewer service consistent with the City's Sewer Master Plan. Upon annexation, the territory would be incorporated into the Clean Water Services district, the sewer district serving the City of Tualatin.

Clean Water Services also evaluates stormwater management needs at the time of development. The Basalt Creek Concept Plan notes the existence of roadside drainage ditches and culverts, which may need to be evaluated with new development. As noted by the Concept Plan, on-site stormwater detention and treatment at local facilities will be prioritized during the development review process and funded by private development. Public stormwater systems for road networks will be developed concurrent with road development. To this extent, the annexation is consistent with the Basalt Creek Concept Plan as it applies to the 1975 Tualatin Drainage Plan and Tualatin Community Plan Chapter 14.

The City of Tualatin Water System Master Plan (TDC Map 12-1) shows future system improvements serving the subject territory. A 12" water main is located in SW Norwood Road, adjacent to the property over the full extent of the northern property line, and adjacent to the western property line south from SW Norwood Road to the adjacent City of Tualatin water towers located west of the subject territory. Upon development, the applicant would be required to provide these new service lines. As a result, the property is able to connect to water service consistent with the City's Water Master Plan.

Transportation:

The subject territory is accessed via SW Norwood Road, which is classified as a Major Collector under Washington County jurisdiction. SW Norwood Road is developed as a two-lane roadway within an approximately 80-foot wide right-of-way; a pedestrian path exists on the north side of the right-of-way in the vicinity of the subject territory's northern property line. The City of Tualatin Transportation System Plan (TSP) has planned for conceptual local streets to serve the subject territory (TDC Figure 11-3, Attachment C), connecting to SW Norwood Road, and creating a through connection to SW Boones Ferry Road through future development. At the time of development on the subject territory, the applicant would be required to construct local streets and connections, and provide additional analysis illustrating their adequacy. As a result, the property is able to connect to the transportation network consistent with the City's TSP. Additional local streets to the south and connecting to SW Lower Boones Ferry would be provided when that territory, also within the City of Tualatin, is developed.

The territory is currently with the TriMet transit district, and would be continue to be so upon annexation.

Services:

The territory is currently served by the Washington County Enhanced Sheriff Patrol District; upon annexation, the property would be directly served by the City of Tualatin Police Department. The territory is currently within the Tualatin Valley Fire and Rescue district, and would continue to be so upon annexation into the City.

The territory is currently with the Sherwood School District and would be continue to be so upon annexation. The territory is currently under the jurisdiction of Washington County for planning, zoning, building, transportation planning; jurisdiction would transfer to the City of Tualatin along with other city services upon annexation. The subject property is not currently within an independent parks district, and would be served by the City of Tualatin.

This standard is met.

2. Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

Finding:

The proposed boundary change will withdraw the property from the Washington County Enhanced Sheriff Patrol District. City of Tualatin police services will be provided. City of Tualatin would provide future services to future roads created by private development within the subject territory. This standard is met.

3. The proposed effective date of the boundary change.

[...]

Finding:

The annexation of the subject territory is effective from the date the annexation is filed with the Oregon Secretary of State, as provided in ORS 222.180. This standard is met.

D. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of section 3.09.045.

Finding:

These standards are addressed below.

3.09.045 Expedited Decisions

D. To approve a boundary change through an expedited process, the city shall:

1. Find that the change is consistent with expressly applicable provisions in:

a. Any applicable urban service agreement adopted pursuant to ORS 195.065;

Finding:

ORS 195.065 considers urban services agreements pertaining to sanitary sewer, water, fire protection, parks, open space, recreation, and streets, roads, and mass transit.

The City of Tualatin has an established Urban Planning Area Agreement (UPAA) with Washington County, which currently has jurisdiction over the subject property. The UPAA acknowledges that the City of Tualatin is responsible for comprehensive planning, including public facility planning, within the Urban Planning Area. It also establishes a process for determining the likely provider for urban services through concept planning; this is generally the City except where the City holds Intergovernmental Agreements (IGAs) with other service providers.

The subject territory is within, and would remain within, the Tualatin Valley Fire and Rescue district. The territory is not within an independent parks, open space or recreation district other than Metro, of which it will remain a part.

The City of Tualatin has an established IGA with CWS delineating responsibilities for public sanitary sewer and stormwater management. Simultaneous annexation into the Clean Water Services District is proposed with assent from CWS staff.

No additional urban services agreements apply. This standard is met.

b. Any applicable annexation plan adopted pursuant to ORS 195.205;

Finding:

No applicable annexation plan exists for this area. This standard is not applicable.

c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

Finding:

No applicable cooperative planning agreement exists for this area. This standard is not applicable.

d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

Finding:

Transportation System Plan: *The City of Tualatin Transportation System Plan (TSP) includes conceptual local streets to serve the subject territory (TDC Figure 11-3, Attachment C), connecting to SW Norwood Road, and creating a through connection to SW Boones Ferry Road through future development. At the time of development on the*

subject territory, the applicant would be required to construct local streets and connections, and provide additional analysis illustrating their adequacy. Additional connections to SW Boones Ferry would be provided with development on those separate properties. As a result, the property is able to connect to the transportation network consistent with the City's TSP.

Sewer Master Plan: *The City of Tualatin Sewer Master Plan (2019) plans for new sewer connections in the vicinity of the subject territory; upon development, the developer would be required to provide these connections. The nearest sanitary sewer mains are an 8" main located near the intersection of SW 89th Ave and SW Norwood Rd, and an 8" main located near the intersection of SW Vermillion Drive and SW Norwood Rd. Both locations are adjacent to the north property line of the subject territory. The Sewer Master Plan shows a new force main in SW Boones Ferry Road and new pump station in the vicinity of the subject territory; the City of Tualatin is working with Clean Water Services on the funding and planning details to realize these improvements. As a result, the property is able to connect to sanitary sewer service consistent with the City's Sewer Master Plan. Upon annexation, the territory would be incorporated into the Clean Water Services district, the sewer district serving the City of Tualatin.*

Water Master Plan: *The City of Tualatin Water System Master Plan (TDC Map 12-1, Attachment D) shows future system improvements serving the subject territory. A 12" water main is located in SW Norwood Road, adjacent to the property over the full extent of the northern property line, and adjacent to the western property line south from SW Norwood Road to the adjacent City of Tualatin water towers located west of the subject territory. Upon development, the applicant would be required to provide these new service lines. As a result, the property is able to connect to water service consistent with the City's Water Master Plan.*

The proposed annexation is consistent with these plans. This standard is met.

e. Any applicable comprehensive plan;

Finding:

The City of Tualatin's Comprehensive Plan contains the Community Plan Map 9-1, (Attachment B) showing this territory as part of the Urban Planning Area.

The provisions of the Comprehensive Plan that relate to annexations, found in TDC Chapter 4, Community Growth, are fully reflected in the criteria presented in the implementing sections of the TDC Chapter 33.010, Annexations, and Chapter 32.260, Annexation Procedures.

Chapter 11—Transportation, Chapter 12—Water Services, Chapter 13—Sewer Service, and Chapter 14—Drainage Plan and Surface Water Management respectively provide additional details about service provision in this vicinity. As described above, TDC Figure

11-3 plans for conceptual streets to serve this property from SW Norwood Road, and in the future, SW Boones Ferry Road. Map 12-1 (Attachment D) outlines the future provision of water service over the subject territory with connections to SW Norwood Road. Map 13-1 (Attachment E) shows connections and future provision for sewer service to the subject territory. Chapter 14 establishes a method for cooperation with DEQ and Clean Water Services with the Storm Water Management Ordinance applied at the time of future development.

This standard is met.

f. Any applicable concept plan; and

Finding:

The City of Tualatin has adopted the Basalt Creek Concept Plan through Resolution 5392-18 and Ordinance No. 1418-19. The subject property is with the Basalt Creek Concept Plan area. The land use designation of Medium Low Density Residential, identified in the plan, would be applied upon annexation. The proposed annexation is consistent with this plan. This standard is met.

2. Consider whether the boundary change would:

- a. Promote the timely, orderly and economic provision of public facilities and services;**
- b. Affect the quality and quantity of urban services; and**
- c. Eliminate or avoid unnecessary duplication of facilities or services.**

Finding:

The boundary change would promote the timely, orderly, and economic provision of public facilities and services. As detailed under discussion of 3.09.050 (B)(1), there is adequate provision of connecting services, and additional infrastructure can be provided primarily through future development. The proposed annexation follows an approved annexation of property to the south connecting to SW Boones Ferry Road; approval of this annexation is therefore especially timely since it would be supportive of the planned transportation connection between SW Norwood Road and SW Boones Ferry Road as depicted in Figure 11-3 (Attachment C), said connection requiring development on both properties to transpire. Enabling development of those properties at a similar time is likely to improve the efficiency of new services and facilities.

Standards A through C are met.

E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Finding:

The subject territory is wholly within the Urban Growth Boundary. This standard is met.

(d) The application is consistent with applicable provisions of ORS Chapter 222.

ORS 222.111(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.”

Finding:

As shown on the Community Plan Map 9-1 (Attachment B), the subject property is not within a city and is contiguous to the City of Tualatin. This standard is met.

ORS 222.520(1) Whenever a part less than the entire area of a district named in ORS 222.510 becomes incorporated as or annexed to a city in accordance with law, the city may cause that part to be withdrawn from the district in the manner set forth in ORS 222.120 or at any time after such incorporation or annexation in the manner set forth in ORS 222.524. Until so withdrawn, the part of such a district incorporated or annexed into a city shall continue to be a part of the district.

Finding:

The subject property is in the Washington County Enhanced Sheriff Patrol District. As part of this annexation, the subject properties will be withdrawn from the Enhanced Sheriff Patrol District. Police services will be provided by the City of Tualatin. Because the proposed boundary change is consistent with state and local law, this standard is met.

Conclusion and Recommendation:

Based on the application and the above analysis and findings, the proposed annexation complies with applicable Oregon Revised Statutes, Metro Code, and TDC. Accordingly, staff recommends City Council approval of File No. ANN 20-0003 and adoption of corresponding Ord. No. 1442-20.

SW Norwood Road Application for Annexation

Date: May 2020
Revised June 2020

Submitted to: City of Tualatin
18800 SW Martinazzi Avenue
Tualatin, OR 97062

Applicants: Venture Properties, Inc.
4230 SW Galewood Street, Suite 100
Lake Oswego, OR 97035

AKS Job Number: 7598



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibits

- Exhibit A:** City of Tualatin Annexation Application
 - Exhibit B:** Petition for Annexation
 - Exhibit C:** Legal Description & Map
 - Exhibit D:** Property/Property Owner Information
 - Exhibit E:** County Assessors Certifications
 - Exhibit F:** Quarter Section Map
 - Exhibit G:** Measure 37 & 49 Waiver Form
 - Exhibit H:** Mailing Labels for Public Notice
 - Exhibit I:** Neighborhood/Developer Meeting Information
-

Land Use Application for a Annexation

Submitted to:	City of Tualatin Planning Division 18800 SW Martinazzi Avenue Tualatin, OR 97062
Applicants:	Venture Properties, Inc. 4230 SW Galewood Street, Suite 100 Lake Oswego, OR 97035
Property Owner:	P3 Properties, LLC 1707 3 rd Street SE Puyallup, WA, 98372
Owner's Contact:	Paul Pennington PO Box 691 White Salmon, WA 98372
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact: Mimi Doukas, AICP, RLA Email: mimid@aks-eng.com Phone: (503) 563-6151
Site Location:	Unaddressed property south of SW Norwood Road, west of Interstate 5, east of SW Boones Ferry Road, and north of SW Greenhill Lane, Tualatin, OR
Assessor's Map:	Washington County Assessor's Map 2S 1 35D Lot 100.
Site Size:	An annexation request affecting: ±23.93 acres (Lot 100).
Land Use District:	Washington County zoning: Future Development 20-acre District (FD-20) After annexation: Medium-Low Density Residential (RML)



I. Executive Summary

Venture Properties, Inc. (Applicant) is seeking approval for the annexation of 23.93 acres of real property (Tax Lot 100, Washington County Assessor's Map 2S 1 35D) to the City of Tualatin. Tax Lot 100 is currently located within unincorporated Washington County but also within the City of Tualatin Urban Growth Boundary (UGB). The site is contiguous to the city limits to the north and west. The property is zoned Future Development 20-Acre District (FD-20). Upon its annexation, the property would be zoned Medium-Low Density Residential (RML) by the City. The subject property is within the Basalt Creek Concept Plan (April 2019) area.

The applicant intends to sequentially submit residential subdivision applications for the properties listed which would provide needed housing for the City of Tualatin.

The proposal satisfies the applicable approval criteria for annexations outlined within the Tualatin Development Code (TDC).

This application includes the City application forms and written materials necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

II. Site Description/Setting

The annexation area is comprised of real property approximately 23.93 acres in size. The property is located within the UGB and will be designated RML upon its annexation. The lot lies east of SW Boones Ferry Road, west of Interstate 5, north of SW Greenhill Lane, and south of SW Norwood Road in the northeastern corner of the Basalt Creek Planning Area.

The property is currently vacant and undeveloped. See attached Exhibit C for legal description and map of the proposed annexation territory boundaries.

III. Applicable Review Criteria

TUALATIN DEVELOPMENT CODE

Chapter 32 – Procedures

TDC 32.010. – Purpose and Applicability

- (1) *Purpose.* The purpose of this Chapter is to establish standard procedures for the review and processing of land use applications and legislative land use proposals, as well as ministerial actions. This Chapter is intended to enable the City, the applicant, and the public, where applicable, to reasonably review applications and participate in the local decision-making process in a timely and effective way. Table 32-1 provides a key for determining the review procedure and the decision-making body for particular applications.
- (2) *Applicability of Review Procedures.* All land use and development permit applications and decisions, will be made by using the procedures contained in this Chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or application. There are five types of permit/application procedures as described in subsections (a) through (e) below. Table 32-1 lists the City's land use and development applications and corresponding review procedure(s).
 - (d) *Type IV-A Procedure (Quasi-Judicial Review—City Council Public Hearing).* Type IV-A procedure is used when the standards and criteria require discretion, interpretation, or policy or legal judgment and is the procedure used for site-specific land use actions initiated by an applicant. Type IV-A decisions are made by the City Council and require public notice and a public hearing. Appeals of Type IV-A decisions are heard by the Land Use Board of Appeals (LUBA).

Table 32-1

Application/ Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/ Developer Mtg Required	Applicable Code Chapter
Annexations						
Quasi-Judicial	TDC 32.260	CC	LUBA	Yes	Yes	TDC 33.010

Response: The applicant has submitted an application for annexation to the City of Tualatin. The application involves one parcel within the Basalt Creek Planning Area south of SW Norwood Road. The requested decision affects a limited number of properties and will require a neighborhood meeting, public notice, and a public hearing.

TDC 32.110. – Pre-Application Conference.

- (1) *Purpose of Pre-Application Conferences.* Pre-application conferences are intended to familiarize applicants with the requirements of the TDC; to provide applicants with an opportunity discuss proposed projects in detail with City staff; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to assist applicants in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing any applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.

-
- (2) *When Mandatory.* Pre-application conferences are mandatory for all land use actions identified as requiring a pre-application conference in Table 32-1. An applicant may voluntarily request a pre-application conference for any land use action even if it is not required.
 - (3) *Timing of Pre-Application Conference.* A pre-application conference must be held with City staff before an applicant submits an application and before an applicant conducts a Neighborhood/Developer meeting.

Response: The applicant and their representatives have attended a pre-application conference with the City of Tualatin to discuss the overall project and this specific application. The required pre-application conference was held with City of Tualatin Staff on February 12, 2020, prior to the application submittal date. These criteria are met.

- (4) *Application Requirements for Pre-Application Conference.*
 - (a) *Application Form.* Pre-application conference requests must be made on forms provided by the City Manager.
 - (b) *Submittal Requirements.* Pre-application conference requests must include:
 - (i) A completed application form;
 - (ii) Payment of the application fee;
 - (iii) The information required, if any, for the specific pre-application conference sought; and
 - (iv) Any additional information the applicant deems necessary to demonstrate the nature and scope of the proposal in sufficient detail to allow City staff to review and comment.
- (5) *Scheduling of Pre-Application Conference.* Upon receipt of a complete application, the City Manager will schedule the pre-application conference. The City Manager will coordinate the involvement of city departments, as appropriate, in the pre-application conference. Pre-application conferences are not open to the general public.
- (6) *Validity Period for Mandatory Pre-Application Conferences; Follow-Up Conferences.* A follow-up conference is required for those mandatory pre-application conferences that have previously been held when:
 - (a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within six months of the pre-application conference;
 - (b) The proposed use, layout, and/or design of the proposal have significantly changed; or
 - (c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.

Response: The required pre-application conference was held on February 12, 2020, less than six months prior to the application's submittal. These criteria are met.

TDC 32.120. - Neighborhood/Developer Meetings.

- (1) *Purpose.* The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet to review a development proposal and identify issues regarding the proposal so they can be considered prior to the application submittal. The meeting is intended to allow the developer and neighbors to share information and concerns regarding the project. The applicant may consider whether to incorporate solutions to these issues prior to application submittal.

-
- (2) *When Mandatory.* Neighborhood/developer meetings are mandatory for all land use actions identified in Table 32-1 as requiring a neighborhood/developer meeting. An applicant may voluntarily conduct a neighborhood/developer meeting even if it is not required and may conduct more than one neighborhood/developer meeting at their election.
 - (3) *Timing.* A neighborhood/developer meeting must be held after a pre-application meeting with City staff, but before submittal of an application.

Response: For this type of application, a Neighborhood/Developer Meeting is required, and was therefore held on June 25, 2020. The application was submitted prior to holding the Neighborhood/Developer Meeting due to the complications of arranging a public meeting during the current public health crisis. With the City of Tualatin’s Temporary Guidance for Neighborhood/Developer Meetings, a meeting was held and these criteria are satisfied.

- (4) *Time and Location.* Required neighborhood/developer meetings must be held within the city limits of the City of Tualatin at the following times:
 - (a) If scheduled on a weekday, the meeting must begin no earlier than 6:00 p.m.
 - (b) If scheduled on a weekend, the meeting must begin between 10:00 a.m. and 6:00 p.m.

Response: Per the City of Tualatin’s “COVID-19 Public Health Response Temporary Guidance for Neighborhood/Developer Meetings” Procedures 1 and 2, the Applicant has held a Neighborhood/Developer Meeting established on a digital platform (Zoom) that is publicly accessible and does not require a user login or subscription to join the meeting. The digital platform also allowed for a call-only option for non-internet users. The meeting was scheduled for June 25, 2020 at 6:00 p.m., meeting the above weekday scheduling requirements.

- (5) *Notice Requirements.*
 - (a) The applicant must provide notice of the meeting at least 14 calendar days and no more than 28 calendar days before the meeting. The notice must be by first class mail providing the date, time, and location of the meeting, as well as a brief description of the proposal and its location. The applicant must keep a copy of the notice to be submitted with their land use application.

Response: Notice of the Neighborhood/Developer Meeting was mailed first class with a description of the proposal and instructions on how to join the meeting on June 9, 2020. This date was 17 days prior to the virtual meeting, in keeping with TDC and the City’s Virtual Neighborhood/Developer Meeting Procedures. The notice included instructions on how to view materials to be presented during the meeting, preliminary details of the major elements of the proposal, and whether there would be future applications. The meeting materials were available more than two days prior to the meeting and will be available for at least 10 days after the meeting concludes. These requirements have been or will be satisfied.

- (b) The applicant must mail notice of a neighborhood/developer meeting to the following persons:
 - (i) All property owners within 1,000 feet measured from the boundaries of the subject property;

-
- (ii) All property owners within a platted residential subdivision that is located within 1,000 feet of the boundaries of the subject property. The notice area includes the entire subdivision and not just those lots within 1,000 feet. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name, the notice area need not include the additional phases; and
 - (iii) All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9.
 - (c) The City will provide the applicant with labels for mailing for a fee.
 - (d) Failure of a property owner to receive notice does not invalidate the neighborhood/developer meeting proceedings.

Response: The applicant obtained mailing labels from the City of Tualatin. All property owners within 1,000 feet of the text amendment affected property boundaries were provided with notice, including all property owners within a platted residential subdivision located within 1,000 feet of the boundaries. Additionally, all designated representatives of Byrom CIO (CIO-6) and the City of Tualatin were provided notice electronically. These mailing lists, copies of notices, affidavits of mailing and posting, and emailed copies of notices are included within the attached exhibits. These provisions are met.

- (6) *Neighborhood/Developer Sign Posting Requirements.* The applicant must provide and post on the subject property, at least 14 calendar days before the meeting. The sign must conform to the design and placement standards established by the City for signs notifying the public of land use actions in TDC 32.150.

Response: Signs conforming to the design and placement standards established by the City were posted on all subject properties June 9, 2020, 17 days prior to the virtual Neighborhood/Developer Meeting.

- (7) *Neighborhood/Developer Meeting Requirements.* The applicant must have a sign-in sheet for all attendees to provide their name, address, telephone number, and email address and keep a copy of the sign-in sheet to provide with their land use application. The applicant must prepare meeting notes identifying the persons attending, those commenting and the substance of the comments expressed, and the major points that were discussed. The applicant must keep a copy of the meeting notes for submittal with their land use application.

Response: The required attendee information and meeting notes are attached to this submission. The meeting notes include the required information: major points, issues, and responses concerning the application, including identifying those attending. During the meeting, all submitted questions and comments received prior to or during the meeting were read aloud. These requirements are met.

TDC 32.130. - Initiation of Applications.

- (1) *Type I, Type II, Type III, and Type IV-A Applications.* Type I, Type II, Type III, and Type IV-A applications may be submitted by one or more of the following persons:
 - (a) The owner of the subject property;
 - (b) The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent;

-
- (c) A lessee in possession of the property, when the application is accompanied by the owners' written consent; or
 - (d) The agent of any of the foregoing, when the application is duly authorized in writing by a person authorized to submit an application by paragraphs (a), (b) or (c) of this subsection, and accompanied by proof of the agent's authority.

Response: This application has been submitted by the owner and contract purchasers of the property. This criterion is met.

TDC 32.140. - Application Submittal.

- (1) *Submittal Requirements.* Land use applications must be submitted on forms provided by the City. A land use application may not be accepted in partial submittals. All information supplied on the application form and accompanying the application must be complete and correct as to the applicable facts. Unless otherwise specified, all of the following must be submitted to initiate completeness review under TDC 32.160:
 - (a) *A completed application form.* The application form must contain, at a minimum, the following information:
 - (i) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;
 - (ii) The address or location of the subject property and its assessor's map and tax lot number;
 - (iii) The size of the subject property;
 - (iv) The comprehensive plan designation and zoning of the subject property;
 - (v) The type of application(s);
 - (vi) A brief description of the proposal; and
 - (vii) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).
 - (b) A written statement addressing each applicable approval criterion and standard;
 - (c) Any additional information required under the TDC for the specific land use action sought;
 - (d) Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;
 - (e) Recorded deed/land sales contract with legal description.
 - (f) A preliminary title report or other proof of ownership.
 - (g) For those applications requiring a neighborhood/developer meeting:
 - (i) The mailing list for the notice;
 - (ii) A copy of the notice;
 - (iii) An affidavit of the mailing and posting;
 - (iv) The original sign-in sheet of participants; and
 - (v) The meeting notes described in TDC 32.120(7).
 - (h) A statement as to whether any City-recognized Citizen Involvement Organizations (CIOs) whose boundaries include, or are adjacent to, the

subject property were contacted in advance of filing the application and, if so, a summary of the contact. The summary must include the date when contact was made, the form of the contact and who it was with (e.g. phone conversation with neighborhood association chairperson, meeting with land use committee, presentation at neighborhood association meeting), and the result;

- (i) Any additional information, as determined by the City Manager, that may be required by another provision, or for any other permit elsewhere, in the TDC, and any other information that may be required to adequately review and analyze the proposed development plan as to its conformance to the applicable criteria;

Response: The application for annexation with the required information is attached as Exhibit A. The subject property information, names and addresses of the applicant and owners, the authorized representative, the size and zoning designation of the subject property, as well as a description of the proposal, type of application, and required signatures are included on the attached forms. No additional information was requested.

The site is adjacent to the Byrom Citizen Involvement Organization (CIO) to the north and west. The CIO was not contacted prior to the submittal of this application. These criteria are met.

TDC 32.240. - Type IV-A Procedure (Quasi-Judicial Review—City Council Public Hearing).

Type IV-A decisions are quasi-judicial decisions made by the City Council after a public hearing. A hearing under these procedures provides a forum to apply standards to a specific set of facts to determine whether the facts conform to the applicable criteria and the resulting determination will directly affect only a small number of identifiable persons. Except as otherwise provided, the procedures set out in this section must be followed when the subject matter of the evidentiary hearing would result in a quasi-judicial decision. City Council decisions may be appealed to the state Land Use Board of Appeals pursuant to ORS 197.805—197.860.

- (1) *Submittal Requirements.* Type IV-A applications must include the submittal information required by TDC [32.140\(1\)](#).

Response: The required materials, as outlined by Tualatin Development Code (TDC) 32.140 (1) and addressed above, have been provided and are attached to this application. This criterion is met.

TDC 32.260. - Annexation Procedures.

An Annexation brings property from outside the City Limits into the City Limits. At the same time, the City also removes the property from any county special districts that are no longer needed. For example, property in Washington County is withdrawn from the Washington County Enhanced Sheriff's Patrol District because police services will be provided by the Tualatin Police Department.

- (1) *Procedure Type—Annexations.*
 - (a) Quasi-Judicial Annexations will be conducted by City Council under the Type IV-A process in TDC 32.240, as modified by this Section. The 120-day rule does not apply to annexations.
- (2) *Submittal Information and Completeness.*
 - (a) *Quasi-Judicial Annexation.* For quasi-judicial annexation applications, submittal requirements must be in accordance with TDC 32.240(1) and will be reviewed for completeness in accordance with TDC 32.240(2).

Response: The application for annexation has been submitted with the required information as outlined. These criteria are met.

Chapter 33 – Applications and Approval Criteria

TDC 33.010. - Annexations.

- (1) *Purpose.* The purpose of this Section is to establish the application requirements for annexing territory to the City Limits, consistent with Metro Code 3.09 and Oregon law.
- (2) *Applicability.* The requirements of this section apply to all applications for annexation to the City of Tualatin.
- (3) *Procedure Type.* Annexations are processed in accordance with the annexation procedure in [TDC Chapter 32.260](#).

Response: The application narrative addresses each of the application requirements for the proposed annexation of territory into the city limits of the City of Tualatin. The application is also consistent with Metro Code 3.09 and Oregon law, addressed later within this document. These criteria are satisfied.

- (4) *Specific Submittal Requirements.* In addition to the general application submittal requirements in [TDC 32.140](#) (Application Submittal), an applicant(s) for a quasi-judicial annexation must submit the following:
 - (a) The Application for Annexation form;
 - (b) The Petition to Annex to the City of Tualatin form;
 - (c) A legal description of the subject territory including any abutting public street right-of-way that is not yet in the City Limits;
 - (d) The Certification of Legal Description and Map form;
 - (e) The Certification of Property Ownership form;
 - (f) The Certification of Registered Voters form;
 - (g) The Property Owner Information Sheet form;
 - (h) The City application fee, and the Metro application fee in a separate check made payable to Metro;
 - (i) The three column by ten row matrix sheet listing the Assessors Map Number and Tax Lot Number, name and mailing address for:
 - (i) The owner (fee title) of the subject territory, and
 - (ii) Recipients pursuant to [TDC 32.240](#) (3) and the governing jurisdiction of any public street right-of-way to be annexed;
 - (j) The Annexation Property Information Sheet form;
 - (k) A copy of the County Assessors Maps showing the subject territory, any public street right-of-way to be annexed and the lots within 1,000 feet of the subject territory including any public street right-of-way. The subject territory and right-of-way to be annexed must be outlined with a wide, light colored ink marker;
 - (l) If necessary, a letter from the County or State Road Authority stating its consent to annex the right-of-way described in the legal description; and
 - (m) Any information required by the City Manager in addition to the above.

Response: The applicant has submitted the required materials for annexation applications in accordance with TDC 32.140 and 33.010. No additional materials have been requested. This criterion is met.

(5) *Approval Criteria.* To grant an annexation application, the Council must find:

(a) The territory to be annexed is within the Metro Urban Growth Boundary;

Response: As shown within Exhibit C, the territory to be annexed is within the Metro Urban Growth Boundary (UGB) and within Tualatin’s Urban Planning Area. This criterion is met.

(b) The owners of the territory to be annexed have petitioned to be annexed;

Response: A Petition to Annex to the City of Tualatin that is signed by 100 percent of the owners of the territory to be annexed is attached as part of Exhibit B. A Certification of Ownership is included with Exhibit D. This criterion is met.

(c) The application conforms to the applicable criteria in Metro Code 3.09; and

Response: The applicable criteria of Metro Code 3.09 have been listed below, addressed, and satisfied.

(d) The application is consistent with applicable provisions of ORS Chapter 222.

Response: The applicable criteria of Oregon Revised Statutes (ORS) Chapter 222 have been listed below, addressed, and satisfied.

METRO CODE

Title III. Planning

3.09 Local Government Boundary Changes

3.09.040 Requirements for Petitions

A. A petition for a boundary change must contain the following information:

1. The jurisdiction of the reviewing entity to act on the petition;
2. A map and a legal description of the affected territory in the form prescribed by the reviewing entity;
3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and

Response: The required information has been included within the application to the City of Tualatin.

3.09.045 Expedited Decisions

A. The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

Response: The proposed annexation is a Minor Boundary Change as identified in Metro Code 3.09.020(I.); 100 percent of the property owners have signed a consent to the change, and there are no electors. As such, the City may use the Expedited Decision process.

D. To approve a boundary change through an expedited process, the city shall:

-
1. Find that the change is consistent with expressly applicable provisions in:
 - a. Any applicable urban service agreement adopted pursuant to ORS 195.065;
 - b. Any applicable annexation plan adopted pursuant to ORS 195.205;
 - c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;
 - d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;
 - e. Any applicable comprehensive plan;
 - f. Any applicable concept plan; and

Response: The proposed annexation is consistent with intergovernmental planning agreements between the jurisdictions of the City of Tualatin, the City of Wilsonville, Washington County, and Metro. The area was included within the City’s adopted Basalt Creek Concept Plan and related documents. The City has also addressed future transportation needs in the area through its adopted Transportation System Plan (February 2014). Wastewater within this area is handled by Clean Water Services (CWS) which has adopted an updated Sanitary Sewer Master Plan (August 2019) to address this area’s needs. The City of Tualatin has an intergovernmental agreement with CWS for cooperation and the provision of these services. These criteria are met.

2. Consider whether the boundary change would:
 - a. Promote the timely, orderly and economic provision of public facilities and services;

Response: The proposed boundary change would promote the timely, orderly, and economic provision of public facilities and services. The territory to be annexed is included within the Basalt Creek Concept Plan, an adopted part of the Tualatin Comprehensive Plan, and other implemented plans such as the City’s Sanitary Sewer Master Plan. The property is contiguous to the city limits and annexation of the property is integral to providing urban services to the area. This criterion has been met.

- b. Affect the quality and quantity of urban services; and

Response: The annexation of property into the City of Tualatin would not in itself affect the quality or quantity of urban services. Future development of the site could and would affect the quality and quantity of urban services. This provisions of this section have been satisfied.

- c. Eliminate or avoid unnecessary duplication of facilities or services.

Response: The proposed annexation would not create or begin unnecessary duplication of facilities or services, nor would it eliminate or avoid unnecessary duplication of facilities or services. Many of the service districts which currently serve the property would continue to do so as the property was annexed and developed. Upon its annexation, this territory will be withdrawn from some districts and jurisdiction will be given to the City of Tualatin.

Washington County currently provides planning and building services for this property as well as Sheriff's protection. Following annexation, these services will be provided by the City of Tualatin. This criterion is met.

- E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Response: The territory proposed for annexation lies entirely within the UGB. This criterion is met.

3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

- D. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of section 3.09.045.

Response: The criteria listed have been addressed above, considered, and satisfied.

OREGON REVISED STATUTES

ORS Chapter 222 - City Boundary Changes; Mergers; Consolidations; Withdrawals

222.111 Authority and procedure for annexation.

- (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.”

Response: The subject property is not within a city and is contiguous to the City of Tualatin. This criterion is met.

222.520 Annexation of less than entire district; assumption of obligations by city conditional.

- (1) Whenever a part less than the entire area of a district named in ORS 222.510 becomes incorporated as or annexed to a city in accordance with law, the city may cause that part to be withdrawn from the district in the manner set forth in ORS 222.120 or at any time after such incorporation or annexation in the manner set forth in ORS 222.524. Until so withdrawn, the part of such a district incorporated or annexed into a city shall continue to be a part of the district.

Response: The subject property is currently within the Washington County Enhanced Sheriff's Patrol District (ESPD). Upon annexation, the property would be withdrawn from the ESPD. Law enforcement services would be provided by the City of Tualatin. This standard is met.

IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Tualatin Development Code and the Tualatin Community Plan, Metro Code, and applicable Oregon Revised Statutes. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this application for annexation to the City of Tualatin.

Exhibit A: City of Tualatin Annexation Application



City of Tualatin

www.tualatinoregon.gov

ANNEXATION APPLICATION INSTRUCTIONS AND REQUIREMENTS

PURPOSE

Property owners can initiate their own annexation process if the territory is contiguous to the existing city limits. Multiple parcels can be processed as a single application as long as the parcels are neighboring.

Please read all instructions before filing an application with the City.

APPLICATION REQUIREMENTS

The following information is required with all Annexation applications. If any information is missing, the application will be deemed incomplete until all required information is submitted. Once an application is deemed complete, staff review can begin.

1. Attend a required **Pre-Application meeting** with the Community Development staff to discuss the application requirements. The application to request a Pre-Application meeting and fee schedule is available on the City website.
2. Hold a **Neighborhood/Developer meeting** and provide documentation as described in [TDC 32.120](#).
3. The **Annexation Application** shall be submitted with one hardcopy original with electronic copies of the annexation packet and supporting documentation, and a nonrefundable fee. Metro also requires a fee for annexations. Provide a separate check made out to "Metro":
<http://www.oregonmetro.gov/tools-partners/data-resource-center/annexation-and-boundary-change-information>.
4. A **Narrative** addressing criteria in [33.010\(5\)](#):
 - (a) *The territory to be annexed is within the Metro Urban Growth Boundary;*
 - (b) *The owners of the territory to be annexed have petitioned to be annexed;*
 - (c) *The application conforms to the applicable criteria in Metro Code 3.09; and*
 - (d) *The application is consistent with applicable provisions of ORS Chapter 222.*
5. **Petition to Annex to the City of Tualatin.** Consent to annex is necessary to initiate the annexation proceeding. Attached is a petition form for your use. This form shall be signed by the majority of electors and land owners or, where there is a recorded land contract, the purchaser thereunder of the property to be annexed. If there are multiple ownerships, each signer is counted toward a proportion to the size of their ownership. If a corporation owns the land, the corporation is considered the individual property owner.

After completing the petition and corresponding Legal Description (7), have the appropriate County Departments certify the petition using the attached certification forms (8-10)
6. **Legal Description.** The applicant shall provide a legal description of the property to be annexed. The legal description should include any abutting public rights-of-way. See attached *Important Information on Annexation Legal Descriptions* for more information.

A lot, block and subdivision description may be substituted for the meets and bounds description if the area is platted and no metes and bounds description is available, and if this is acceptable to the County Assessor's

Office. If the legal description contains any deed or book and page references, legible copies of these must be submitted with the legal description.

- 7. **Certification of Legal Description and Map Form.** Have the County Assessors certify the legal description and corresponding map.
- 8. **Certification of Property Ownership Form.** Have the County Assessors Department certify the signatures of the property owners.
- 9. **Certification of Registered Voters Form.** Have the County Elections Department certify the signatures of the registered voters.
- 10. **Property Owner Information Form.** If the proposed annexation involves 10 or fewer property owners/registered voters, complete the attached form. The purpose of this form is to give the City a legible *list of names and addresses of all property owners/registered voters in the area to be annexed regardless of whether these owners/voters petitioned for annexation.*
- 11. An **Annexation Property Information Sheet.**
- 12. **Quarter Section Map.** Submit the latest quarter section map that indicates the subject territory to be annexed. Highlight the area to annexed on the map.
- 13. A completed **Measure 37 & 49 Waiver Form** is required for all annexation applications. Notarized signatures and a copy of the recorded document must be submitted.
- 14. **Mailing Labels for Public Notice.** As part of the application submittal, the applicant is required to provide mailing labels and list of property owners within 1,000 feet of the subject property. This list shall include the Assessors Map Number, Tax Lot Number, name and mailing address for all recipients listed in TDC 32.140(3).

The Community Development Department is able to provide the applicant with a complete Mailing Area list for a fee.
- 15. Include a completed and signed **Certification of Sign Posting.**

NEXT STEPS

After the application requirements are submitted and the application is deemed complete, staff will gather materials and comments for the staff report. Preparing the report will include review by a variety of service providers (water, wastewater, stormwater, parks, police, and fire) to ensure that public facilities and services can be provided. The report will also address how the application is consistent with the approval criteria in TDC 33.010(5). The annexation staff report will be available for review fifteen days prior to the public hearing.

The applicant should plan to attend their City Council hearing for annexation. The City Council decision will be made by Resolution adoption at the following City Council hearing. A Notice of Adoption will be sent within five days of the hearing. Lastly a completed annexation agreement may be required.



CITY OF TUALATIN
Community Development Department-Planning Division
Land Use Application—Type IV

PROPOSAL NAME SW Norwood Road Annexation

PROPOSAL SUMMARY *(Brief description)*

Annexation of 25.18 AC located within the City of Tualatin UGB and assignment of RML zoning.

PROPERTY INFORMATION

Location *(address if available)*: No assigned address - south of SW Norwood Road, east of SW Boones Ferry

Tax Map & Lot #(s): 2S135D0-00100

Planning District: RML

Total site size: 25.18 AC

Developed

Undeveloped

APPLICANT/CONTACT INFORMATION

Applicant or Primary Contact Name: Mimi Doukas, AICP, RLA

Mailing Address: 12965 SW Herman Road, Suite 100

City/State: Tualatin, OR

Zip: 97062

Phone: 503-563-6151

Email: mimid@aks-eng.com

Applicant's Signature: 

Date: 6/18/2020

I hereby acknowledge that I have read this application and understand the requirements for approving and denying the application, that the information provided is correct, that I am the owner or authorized agent of the owner, and that plans submitted are in compliance with the City of Tualatin Development (TDC) and Municipal (TMC) Codes.

PROPERTY OWNER/DEED HOLDER INFORMATION

Name: P3 Properties LLC by Paul Pennington

Mailing Address: PO Box 691

City/State: White Salmon, WA

Zip: 98672

Phone: Please contact Applicant's Representative

Email: Please contact Applicant's Representative

Property Owner Signature: 

Date: 04/15/2020

Power of attorney or letter of authorization required if application not signed by the property owner/deed holder.

LAND USE APPLICATION TYPE

- Annexation (ANN) Plan Map Amendment (PMA)
- Conditional Use Permit (CUP) Plan Text Amendment (PTA)
- Central Urban Renewal Master Other _____
- Historic Landmark Designation or Removal of Designation (HIST)

FOR STAFF USE ONLY	
Case No.:	_____
Date Received:	_____
By:	_____
Fee Amount \$:	_____
Received by:	_____

Exhibit B: Petition for Annexation

Exhibit C: Legal Description & Map



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #7598

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT A
City of Tualatin
Annexation Legal Description

A tract of land located in the Southeast One-Quarter of Section 35, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Beginning at the East One-Quarter corner of said Section 35; thence along the north line of the southeast One-Quarter of said Section 35, North 88°38'39" West 266.75 feet to the westerly right-of-way line of Interstate 5 (300.00 feet from the centerline of the southbound lanes) and the True Point of Beginning; thence along said westerly right-of-way line, South 17°24'51" West 1370.12 feet to the southerly line of Document Number 2015-012686 and the City of Tualatin City Limits; thence along said southerly line and said City Limits, North 88°44'14" West 671.69 feet to an angle point; thence continuing along said southerly line and said City Limits, South 01°30'50" West 16.50 feet to an angle point; thence continuing along said southerly line and said City Limits, North 88°41'14" West 16.50 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 457.76 feet to the southerly line of Deed Book 825 Page 873; thence along said southerly line and said City Limits, South 88°44'14" East 300.00 feet to the southeast corner thereof; thence along the easterly line of said Deed and said City Limits, North 01°30'50" East 200.00 feet to the northeast corner thereof; thence along the northerly line of said Deed and said City Limits, North 88°44'14" West 300.00 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 676.50 feet to the north line of said southeast One-Quarter of said Section 35, also being the southerly right-of-way line of SW Norwood Road (20.00 feet from centerline); thence along said north line and said southerly right-of-way line and said City Limits, South 88°38'39" East 1063.55 feet to the True Point of Beginning.

The above described tract of land contains 27.11 acres, more or less.

04/08/2020

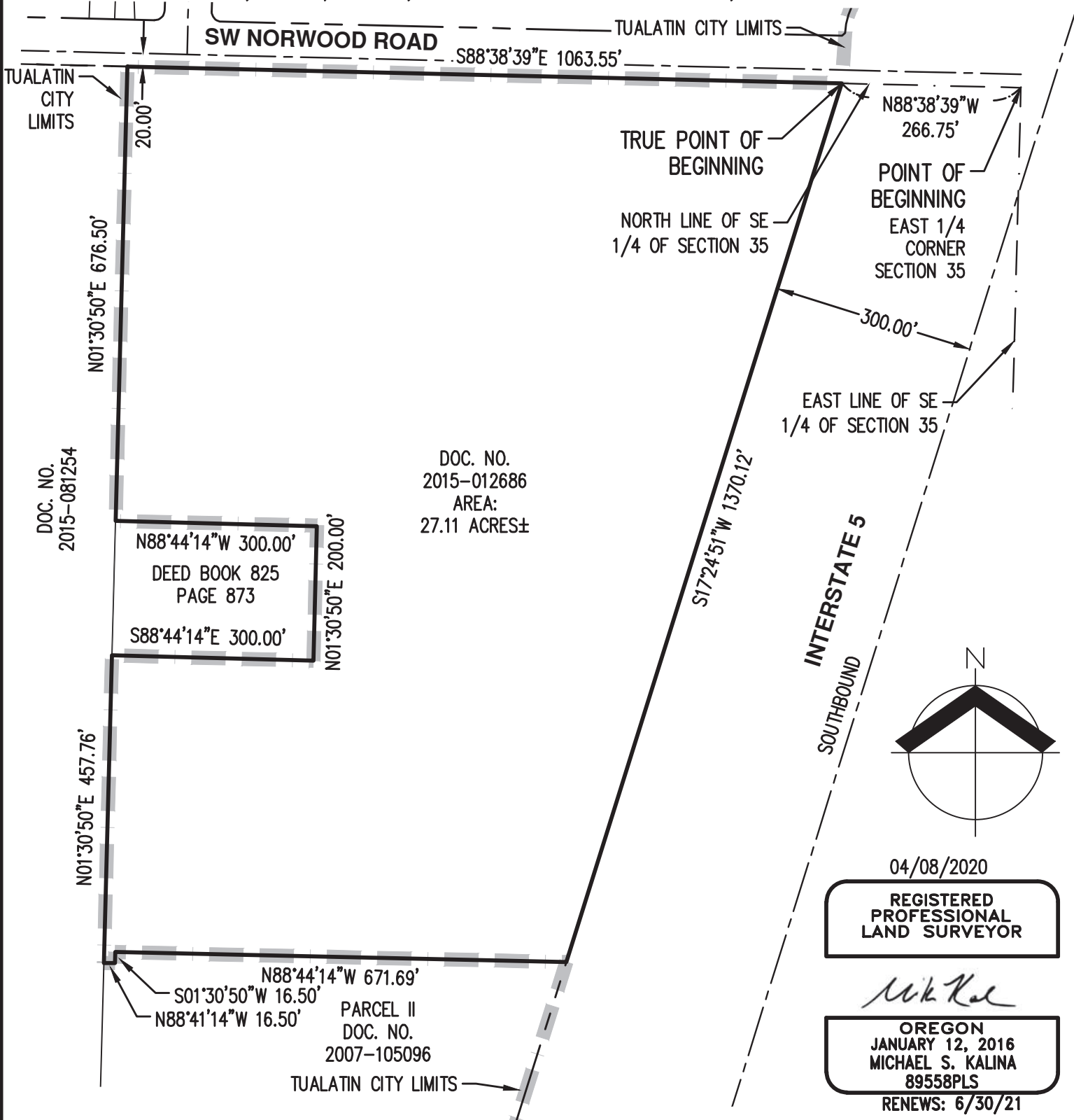
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/21

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SE 1/4 OF SEC. 35,
T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



DOC. NO.
2015-012686
AREA:
27.11 ACRES±

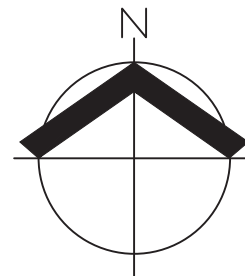
DOC. NO.
2015-081254

N88°44'14"W 300.00'
DEED BOOK 825
PAGE 873
S88°44'14"E 300.00'

N88°44'14"W 671.69'
S01°30'50"W 16.50'
N88°41'14"W 16.50'

PARCEL II
DOC. NO.
2007-105096

INTERSTATE 5
SOUTHBOUND



04/08/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael S. Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/21

SW NORWOOD ROAD
CITY OF TUALATIN ANNEXATION

EXHIBIT
B

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



DRWN: MSK
CHKD: MJ
AKS JOB:
7598

SCALE: 1" = 200 FEET

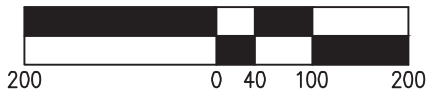


Exhibit D: Property/Property Owner Information

PROPERTY OWNER INFORMATION

(This form is NOT the petition)

Metro Code 3.09.040 requires the names and address of all property owners and/or registered voters of the property, regardless of support shown on petition to annex. This is not for notification purposes. A signature on this form does not indicate support or opposition to the request.

NAME OF OWNER/VOTER (V)

PROPERTY DESIGNATION

(Indicate Section, Township, Range and Lot No.)

MAILING ADDRESS

PROPERTY ADDRESS (If different)

(1) P3 Properties, LLC PO Box 691, White Salmon, WA 98672

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 100

(2) _____

(3) _____

(4) _____

(5) _____

(6) _____

(7) _____

(8) _____

(9) _____

(10) _____

ANNEXATION PROPERTY INFORMATION SHEET

EXISTING CONDITIONS IN AREA TO BE ANNEXED:

Land area, in acres: Approximately 25.18 AC

General description of territory *(Include topographic features such as slopes, vegetation, drainage basins, and floodplain areas which are pertinent to this proposal)*: Generally flat vacant property. Slopes along eastern portion
of property adjacent to Interstate 5.

Describe land uses on surrounding parcels *(Use tax lots as reference points)*

North: SW Norwood Road & RML zone - single-family residential properties.

South: RML zone - generally vacant lands with some single-family residences, SW
Greenhill Lane

East: Interstate 5, rural residential and vacant farmland

West: Institutional (Horizon - TL 106), RML zone (incorporated) and SFR zone
(unincorporated) single-family residences (TLs 101, 102, 108, 303), Public (Church - TL
109), SW Boones Ferry Road

EXISTING LAND USE:

Number of existing units/structures:

Single-family: 0 Multi-family: 0 Commercial: 0 Industrial: 0

Describe existing units/structures: N/A - Property is undeveloped.

What is the current use(s) of the land proposed to be annexed: N/A - Property is undeveloped.

Public facilities or other uses: N/A - Property is undeveloped.

Total current year assessed valuation – Land \$: \$1,948,650 Structures \$: 0

Total existing population: 0

Is the territory contiguous to the City limits: Yes - City limits adjacent to east and north.

Is the subject territory inside or outside of the Metro Regional Urban Growth Boundary: Inside

URBAN SERVICE PROVIDERS:

If the territory described in the proposal is presently included within the boundaries of any of the following types of governmental units, please indicate so by stating the name or names of the governmental units involved.

County: Washington County

Highway Lighting District: N/A

Fire District: Tualatin Valley Fire & Rescue

Sanitary District: N/A

Water District: N/A

Grade School District: Sherwood School District 88J

High School District: Sherwood School District 88J

Library District: WCCLS

Drainage District: N/A

Parks & Recreation District: N/A

Other: N/A

Is the territory served by any of the providers listed above (describe existing connections to public services): N/A



FIRST AMERICAN TITLE Property Research Report

SUBJECT PROPERTY

R560164
2S135D000100
Washington

OWNER

P3 Properties LLC
By Paul Pennington

DATE PREPARED

04/02/2020

PREPARED BY

samaya@firstam.com



First American Title

Customer Service 503.219.8746
cs.oregon@firstam.com

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First American Title™

Customer Service Department

Phone: 503.219.TRIO (8746)

Fax: 503.790.7872

Email: cs.oregon@firstam.com

Date: 4/2/2020

OWNERSHIP INFORMATION

Owner: P3 Properties LLC

CoOwner: By Paul Pennington

Site: OR 97062

Mail: PO Box 691 White Salmon WA 98672

Parcel #: R560164

Ref Parcel #: 2S135D000100

TRS: 02S / 01W / 35 / SE

County: Washington

PROPERTY DESCRIPTION

Map Grid: 715-E1

Census Tract: 032110 Block: 1004

Neighborhood: Cpo 5 Sherwood-Tualatin S1

School Dist: 88J Sherwood

Impr Type:

Subdiv/Plat:

Land Use: 6404 - Designated Forestland - Vacant - Rural Residential

Std Land Use: OTHR - Other

Zoning: Tualatin-RML - Medium-Low Density Residential

Lat/Lon: 45.35193877 / -122.76768864

Watershed: Fanno Creek-Tualatin River

Legal: ACRES 25.18, FORESTLAND-POTENTIAL
ADDITIONAL TAX LIABILITY

ASSESSMENT AND TAXATION

Market Land: \$0.00

Market Impr: \$0.00

Market Special: \$1,948,650.00

Market Total: \$1,948,650.00 (2019)

% Improved: 0.00%

Assessed Total: \$12,050.00 (2019)

Levy Code: 88.13

Tax: \$186.50 (2019)

Millage Rate: 15.4786

Exemption:

Exemption Type:

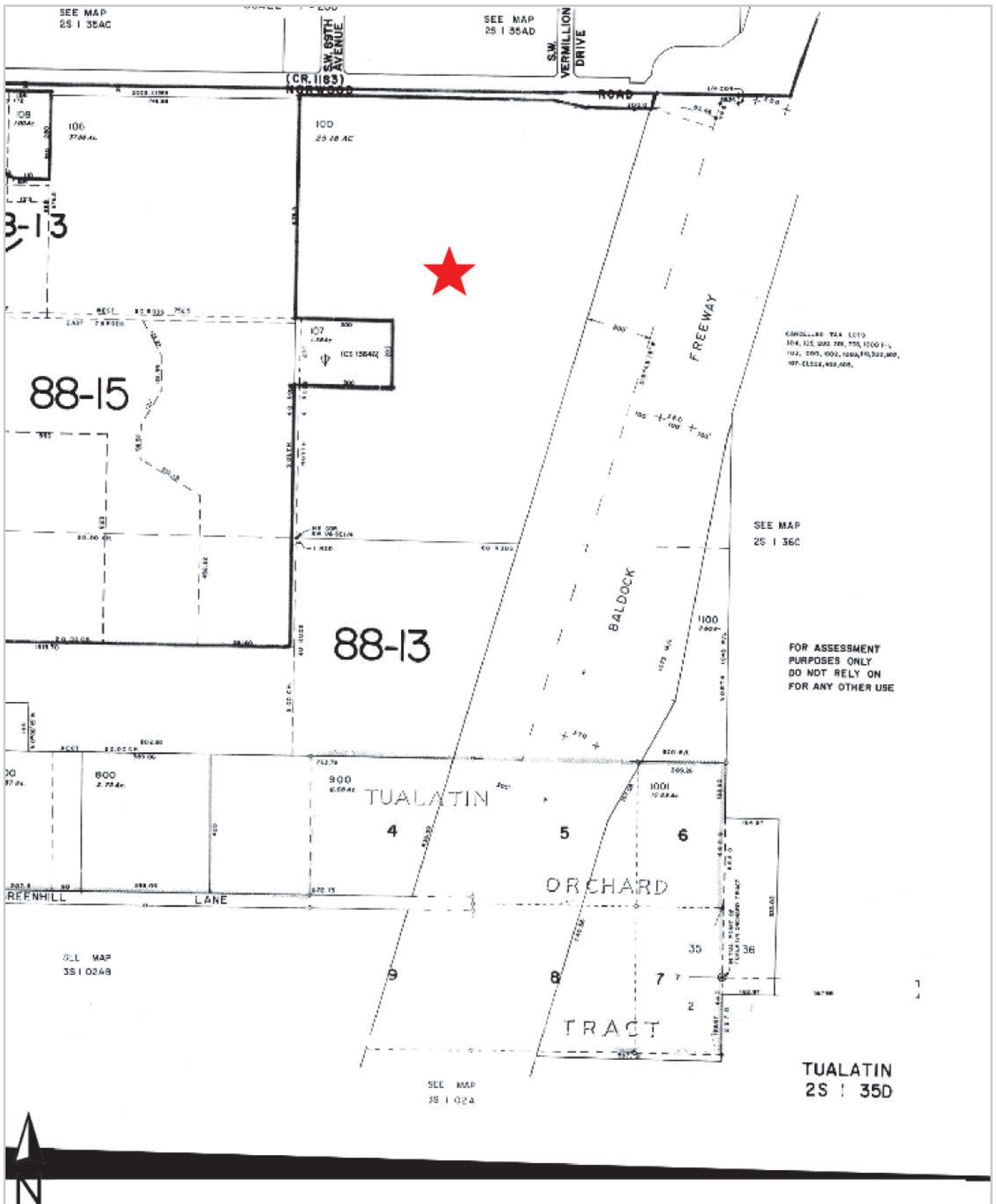
PROPERTY CHARACTERISTICS

Bedrooms:	Total SqFt:	Year Built:
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 25.18 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 1,096,841 SqFt
Total Units: 1	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls: Wood
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
P3 PROPERTIES LLC	2/25/2015	0000012686		Grant		Conv/Unk
PENNINGTON,PAUL	8/19/2013	0000075740		Quit Claim		
PENNINGTON,PAUL	7/11/2013	0000063209		Quit Claim		
PENNINGTON,DORTHEA	1/8/2013	0000001861		Trust	\$135,000.00	

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



First American Title™

02/25/2015 11:18:23 AM

D-DBS Cnt=1 Str=12 S PFEIFER
\$15.00 \$5.00 \$11.00 \$20.00 - Total = \$51.00



02016302201500126860030038

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



15
36

After recording return to:
P3 Properties, LLC
c/o Paul Pennington
P.O. Box 691
White Salmon, WA 98672

Until further notice, all tax statements should be sent to:
P3 Properties, LLC
c/o Paul Pennington
P.O. Box 691
White Salmon, WA 98672

Tax Account No. 2S135D0 00100
Ref No. R0560164

True actual consideration paid is \$ 0

BARGAIN AND SALE DEED

Paul Pennington, Janet Pennington Peterson, and Gay Pennington Paschoal, as equal tenants in common, Grantors, do hereby convey unto P3 Properties, LLC, an Oregon limited liability company, Grantee, all of their right, title, and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Washington County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424,

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 2/12/2015

Paul Pennington 2/9/2015
Paul Pennington

Janet Pennington Peterson
Janet Pennington Peterson

Gay Pennington Paschoal
Gay Pennington Paschoal

STATE OF Washington)
County of Klickitat) §

This instrument was acknowledged before me on 2-9-2015, 2014, by Paul Pennington.

DIANE MURPHY
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JUNE 16, 2015

Diane Murphy
Notary Public for ~~Oregon~~ Washington

STATE OF OREGON)
County of Benton) §

This instrument was acknowledged before me on 2/12/2015, by Janet Pennington Peterson.

OFFICIAL STAMP
MIRANDA ASHLEY HOWARD
NOTARY PUBLIC-OREGON
COMMISSION NO. 933427
MY COMMISSION EXPIRES OCTOBER 28, 2018

Miranda Ashley Howard
Notary Public for Oregon

STATE OF OREGON)
County of Washington) §

This instrument was acknowledged before me on Feb 5, 2015, 2014, by Gay Pennington Paschoal.

OFFICIAL STAMP
THERESA WEAVER
NOTARY PUBLIC - OREGON
COMMISSION NO. 934162
MY COMMISSION EXPIRES DECEMBER 10, 2018

Theresa Weaver
Notary Public for Oregon

EXHIBIT "A"

All interest in 25.18 acres of land, located at S.W. Norwood Ave., Tualatin, Oregon 97062, more particularly described as:

The North half of the Northwest quarter of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 35, Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon,

EXCEPTING tract conveyed to the State of Oregon, by and through its State Highway Commission, in deed book 325, page 183, as follows: A parcel of land lying in the Northeast quarter of the Southeast quarter of Section 35, T2S, R1W, W.M.; the said parcel being that portion of said Northeast quarter of the Southeast quarter lying Easterly of a line parallel to and 100 feet Westerly of the centerline of the West Portland-Hubbard Highway as said highway has been relocated, which centerline is described as follows:

Beginning at Engineer's centerline Station 349/00, said Station being 115.27 feet North and 78.52 feet East of the East quarter corner of said section 35; thence South 15°49'15" West 1600 feet to Station 365/00; said centerline crossing the East and South lines of said Northeast quarter of the Southeast quarter approximately at Section 351/83 and Station 363/91 respectively;

ALSO EXCEPTING that tract conveyed to the State of Oregon, by and through its State Highway Commission, by deed in book 341, page 233; ALSO EXCEPTING the following described premises: Beginning at an iron bar marking the center of Section 35, T2S, R1W, W.M., Washington County, Oregon; thence South along the West line of the Southeast quarter of said Section 35 to the Southwest corner of tract conveyed to Merle Pennington and Dorthea Pennington by deed of record in book 417 at page 314, Deed Records of Washington County; thence East along the South line of said tract so conveyed 16 rods and 30 feet to a point; thence North parallel to the West line of said Southeast quarter of said Section 35 to the North line of said Southeast quarter of Section 35; thence West along the North line of said Southeast quarter 16 rods and 30 feet to the point of beginning;

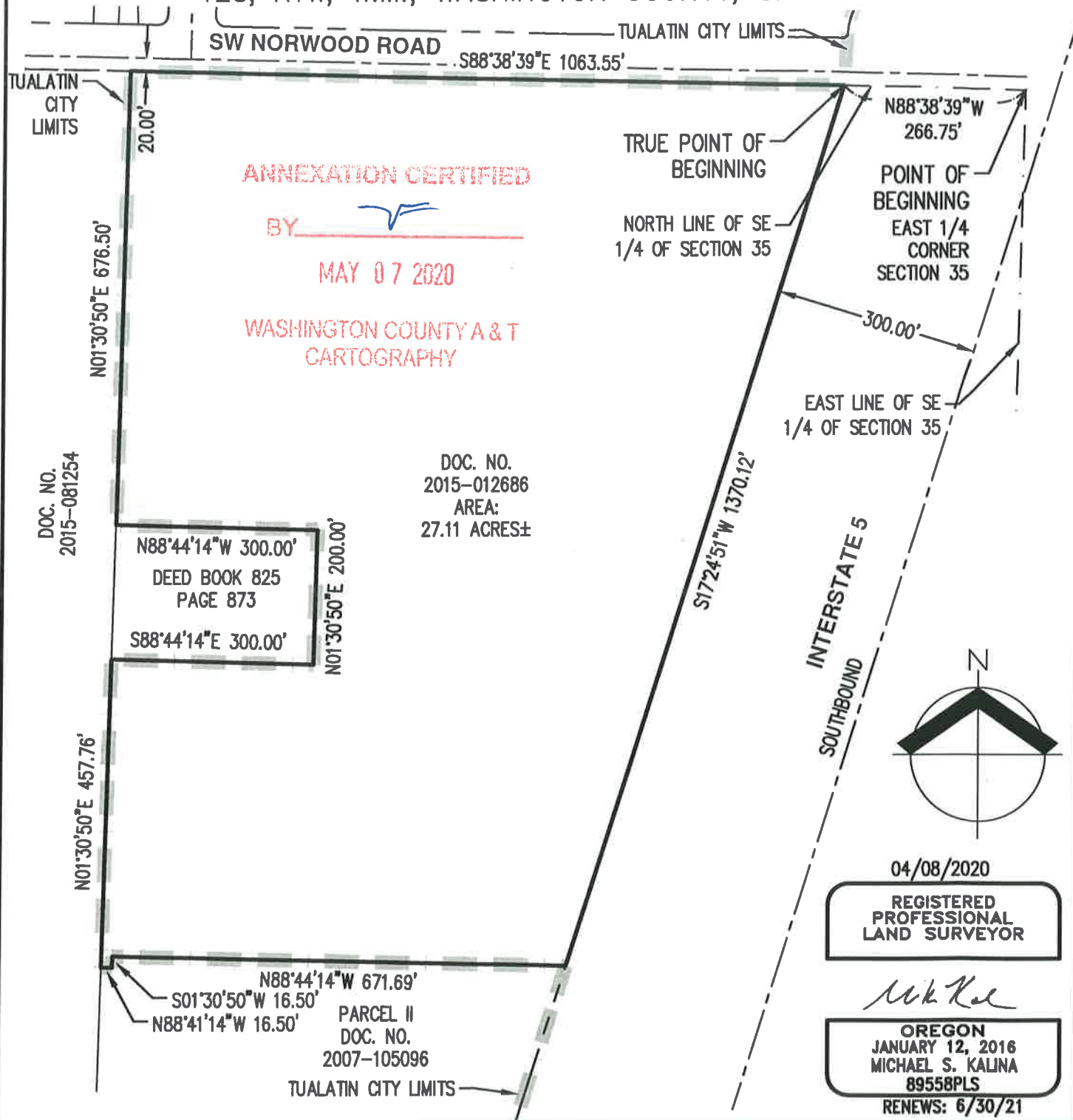
ALSO EXCEPTING the following parcels: Parcel conveyed to Shope, described in instrument of record in book 575, page 110, October 13, 1965, Washington County Records; parcel conveyed to School District 88J, described in instrument of record in Book 767, page 495, December 17, 1969, Washington County Records; and parcel conveyed to City of Tualatin described in instrument of record in Book 825, Page 873, 1971, Washington County Records.

Also identified as Washington County Tax Lot 100 on Tax Map 2S135D

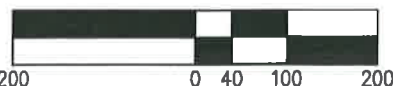
Exhibit E: County Assessors Certifications

EXHIBIT B

A TRACT OF LAND LOCATED IN THE SE 1/4 OF SEC. 35,
T2S, R1W, W.M., WASHINGTON COUNTY, OREGON



SCALE: 1" = 200 FEET



SW NORWOOD ROAD
CITY OF TUALATIN ANNEXATION

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



EXHIBIT
B

DRWN: MSK
CHKD: MJ
AKS JOB:
7598



AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 F: (503) 563-6152

AKS Job #7598

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT A
 City of Tualatin
 Annexation Legal Description

A tract of land located in the Southeast One-Quarter of Section 35, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Beginning at the East One-Quarter corner of said Section 35; thence along the north line of the southeast One-Quarter of said Section 35, North 88°38'39" West 266.75 feet to the westerly right-of-way line of Interstate 5 (300.00 feet from the centerline of the southbound lanes) and the True Point of Beginning; thence along said westerly right-of-way line, South 17°24'51" West 1370.12 feet to the southerly line of Document Number 2015-012686 and the City of Tualatin City Limits; thence along said southerly line and said City Limits, North 88°44'14" West 671.69 feet to an angle point; thence continuing along said southerly line and said City Limits, South 01°30'50" West 16.50 feet to an angle point; thence continuing along said southerly line and said City Limits, North 88°41'14" West 16.50 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 457.76 feet to the southerly line of Deed Book 825 Page 873; thence along said southerly line and said City Limits, South 88°44'14" East 300.00 feet to the southeast corner thereof; thence along the easterly line of said Deed and said City Limits, North 01°30'50" East 200.00 feet to the northeast corner thereof; thence along the northerly line of said Deed and said City Limits, North 88°44'14" West 300.00 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 676.50 feet to the north line of said southeast One-Quarter of said Section 35, also being the southerly right-of-way line of SW Norwood Road (20.00 feet from centerline); thence along said north line and said southerly right-of-way line and said City Limits, South 88°38'39" East 1063.55 feet to the True Point of Beginning.

The above described tract of land contains 27.11 acres, more or less.

04/08/2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Michael S. Kalina

OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS

RENEWS: 6/30/21

ANNEXATION CERTIFIED

BY TF

MAY 07 2020

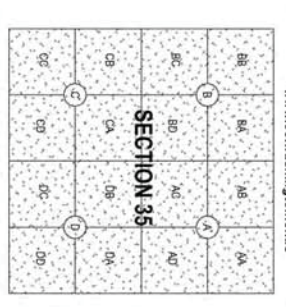
WASHINGTON COUNTY A & T
 CARTOGRAPHY



WASHINGTON COUNTY OREGON
 SE 1/4 SECTION 35T2S, R1W, W.M.
 SCALE 1" = 200'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT www.co.washington.or.us

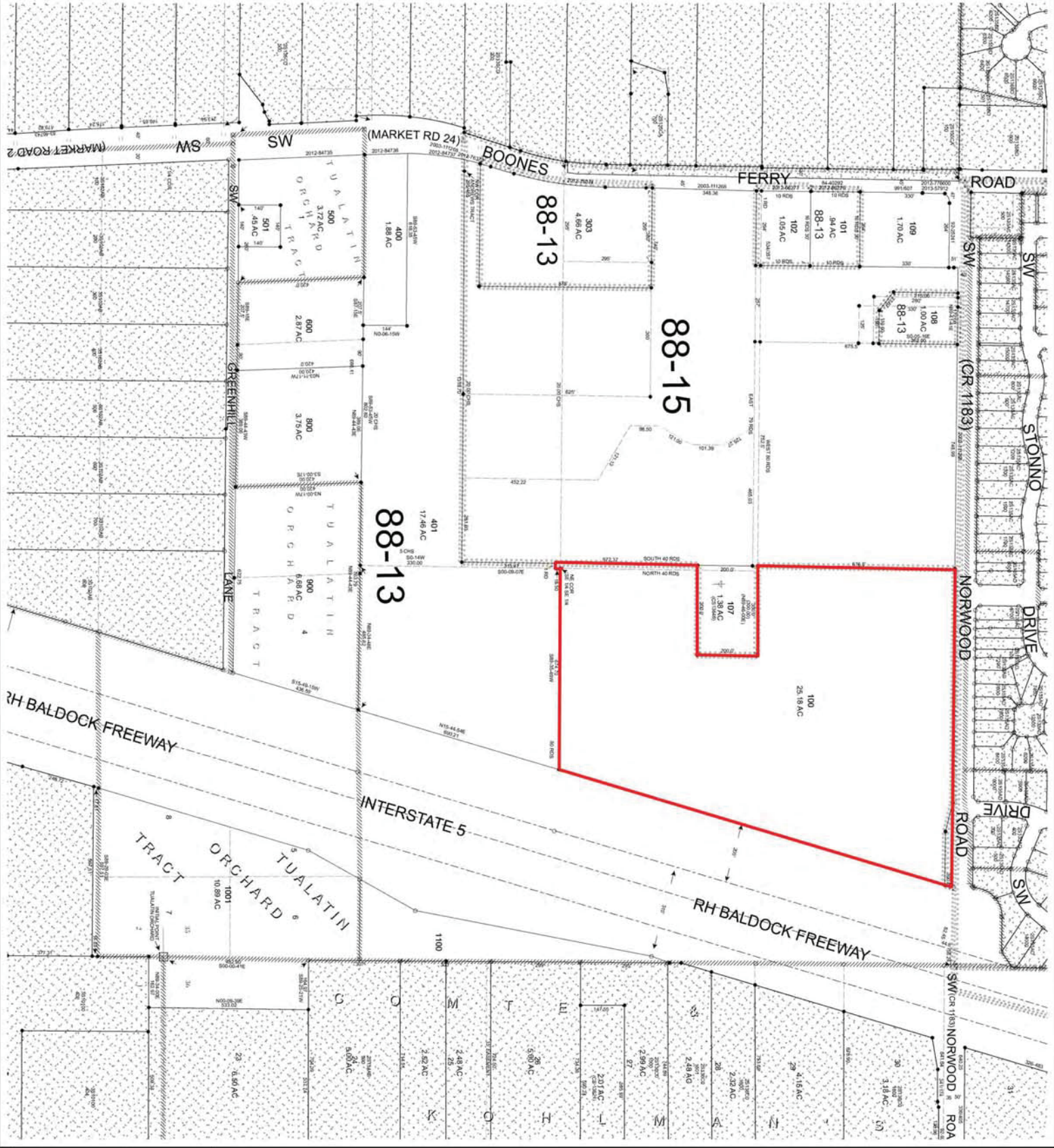


WASHINGTON COUNTY OREGON
Assessment
CARTOGRAPHY
Taxation

PLOT DATE: 11/20/20
 FOR ASSESSMENT PURPOSES
 ONLY - DO NOT RELY ON
 FOR OTHER USE

Map areas shaded by either gray hatching or a cross-hatched pattern are for reference only and may not reflect the most current property boundaries. Property boundaries are depicted by the dashed lines. The shaded areas are not to scale.

TUALATIN
 2S135D



CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I certify that the description of the property included within the attached petition (located on Assessor's Map 2S 1 3S D) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

TED FOSTER

Printed Name

GIS TECH

Title

ANNEXATION CERTIFIED

BY TF

[Signature]

Signature

5/7/20

Date

MAY 07 2020

CARTOGRAPHY

Department

WASHINGTON

County of

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

CERTIFICATION OF PROPERTY OWNERSHIP

I certify that the attached petition for annexation of the described territory to the City of Tualatin contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

TED FOSTER GIS TECH
Printed Name Title

[Signature] 5/7/20
Signature Date

CARTOGRAPHY WASHINGTON
Department County of

ANNEXATION CERTIFIED

BY [Signature]

MAY 07 2020

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

**Owner means the owner of the title to real property or the contract purchaser of the real property.*

CERTIFICATION OF REGISTERED VOTERS

I certify that the attached petition for annexation of described territory to the City of Tualatin contains the names of at least a majority of the electors registered in the territory to be annexed.

Printed Name Title

Signature Date

Department County of



**CERTIFICATION OF REGISTERED VOTERS
FOR ANNEXATION PURPOSES***

I hereby certify that the attached petition for the annexation of the territory listed herein to the City of Tualatin contains, as of the date listed, the following information:

- 1 Number of signatures on petition.
- 0 Number of active **registered voters** within the territory **to be** annexed.
- 0 Number of **VALID signatures of active registered voters** on the petition.

Tax lot number(s): 2S135D000100

DIVISION: ELECTIONS
COUNTY: WASHINGTON

DATE: June 18, 2020

NAME: Angie Muller

TITLE: Administrative Specialist II



Angie Muller
(Signature of Election Official)

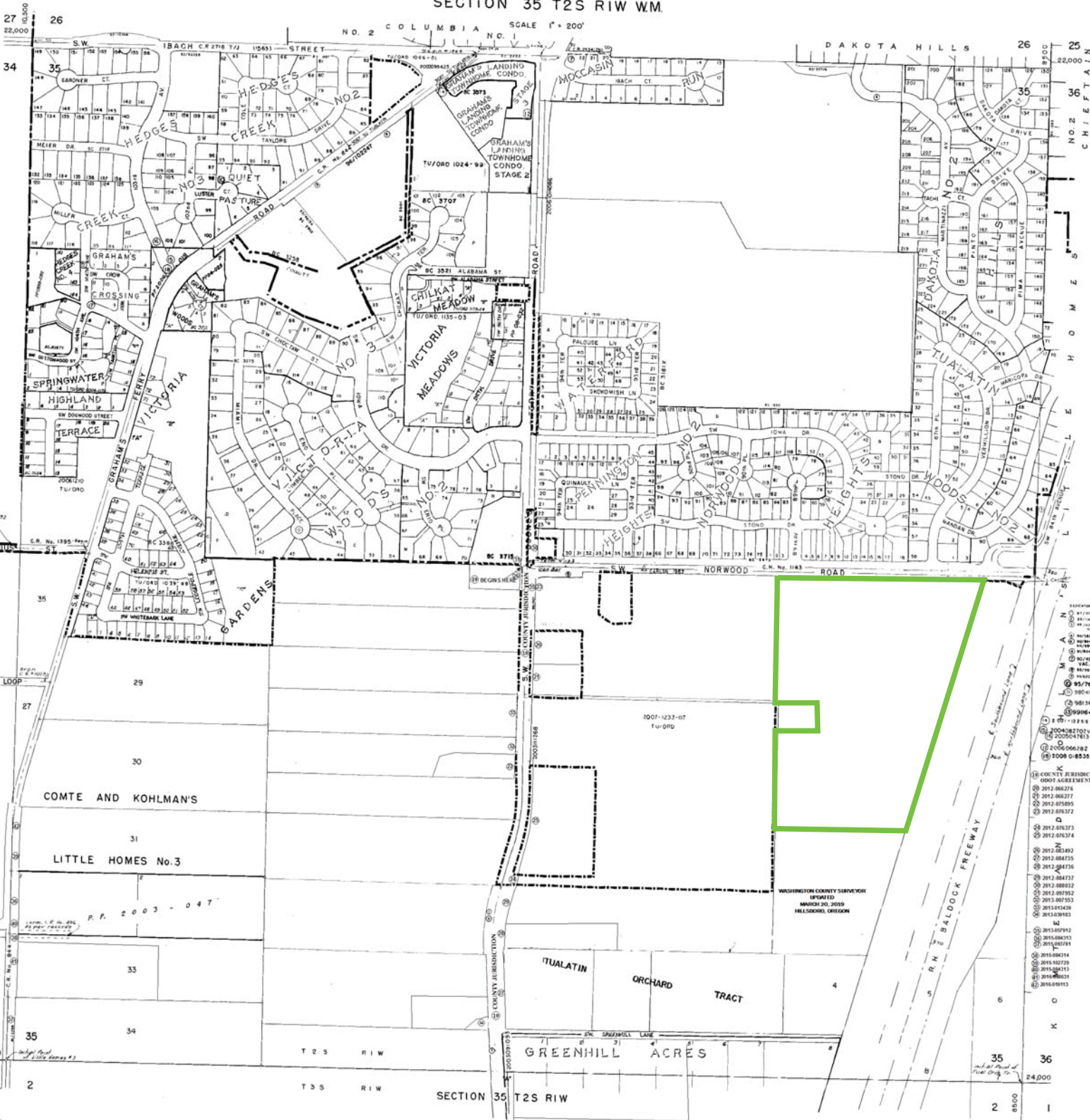
*This 'Certification of Registered Voters for Annexation Purposes' DOES NOT, in any way, make the determination if this petition meets the annexation requirements of the city/district listed.

Annexation certification sht rev2-032906

Exhibit F: Quarter Section Map

SECTION 35 T2S RIW WM.

NO. 2 COLUMBIA NO. 1 SCALE 1" = 200'



- 10 COUNTY JURISDICTION
 0001 AGREEMENT NO. 79
 2012 06276
 2012 06277
 2012 073895
 2012 073872
 2012 073873
 2012 073874
 2012 073892
 2012 073875
 2012 073876
 2012 073877
 2012 073878
 2012 073879
 2012 073880
 2012 073881
 2012 073882
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 2012 073895
 2012 073896
 2012 073897
 2012 073898
 2012 073899
 2012 073900

SE 1/4 SECTION 35 T2S R1W W.M.
WASHINGTON COUNTY OREGON

2S 1 35D
TUALATIN

SEE MAP
2S 1 35AC

SCALE 1" = 200'

SEE MAP
2S 1 35AD

88-13

CR 1183
S.W. 89TH AVENUE

SW
VERMILLION
DRIVE

SEE MAP
2S 1 35CA

CANCELLED TAX LOTS
104, 105, 106, 107, 108, 109, 110, 111,
112, 113, 114, 115, 116, 117, 118, 119,
120, 121, 122, 123, 124, 125, 126, 127, 128,
129, 130

SEE MAP
2S 1 36C

FOR ASSESSMENT
PURPOSES ONLY
DO NOT RELY ON
FOR ANY OTHER USE

SEE MAP
2S 1 35D

SEE MAP
3S 1 02AB

SEE MAP
3S 1 02A



1/8/18 9/10/18

Exhibit G: Measure 37 & 49 Waiver Form

I, Margaret Garza, Interim Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Margaret Garza, Interim Director of Assessment and Taxation, Ex-Officio

NAME OF DOCUMENT FOR RECORDING:
Waiver Of Rights And Remedies
Grantor: (Petitioner(s))
Grantee: City of Tualatin
Consideration: None.
Tax Statement to be mailed to: No change.
After Recording, Return To: City of Tualatin,
Attn: City Recorder, 18880 SW Martinazzi,
Tualatin, OR 97062

MEASURE 37 & 49 WAIVER OF RIGHTS AND REMEDIES

Whereas, Paul Pennington ("Petitioner", including collectively all petitioners) has petitioned to the City of Tualatin ("City") to commence certain proceedings, i.e., annexation, planning district change, and/or plan text amendment for the following described real property,

See attached legal description

Whereas, under Ballot Measure 37 (effective December 2, 2004), as amended by Ballot Measure 49 (effective December 6, 2007), a property owner may seek just compensation or waiver of certain land use regulations if a public entity enacts or enforces the land use regulations after the property owner acquired the property; and

Whereas, Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances; and

Whereas, City does not wish to approve the Petitioner's requested proceedings if such approval could result in the owner or the owner's successors or assigns filing a claim for compensation for the land use regulations in effect upon the effective date of the proceedings or a claim seeking to require the City to waive its land use regulations, which are being newly imposed upon the property as a result of the Petitioner's requested proceedings; and

Whereas, Petitioner wishes to obtain the City's approval of Petitioner's requested proceedings and therefore agrees to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

Now, therefore, Petitioner warrants that the Petitioner executing this Waiver Agreement holds the full and complete present ownership or any interest therein in the property, and agrees as follows:

1. As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: Annexation, planning district change, and/or plan text amendment which may include designation of the property as subject to additional applicable land use regulations and overlay zones and districts, which may include, but are not limited to the Mixed Use Commercial Overlay District, Industrial Business Park Overlay District, Flood Plain District, Wetlands Protection District, Greenway Protection Overlay District and Natural Areas, and/or design districts ("proceedings"), the undersigned Petitioner, on behalf of Petitioner, Petitioner's heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Tualatin, its officers, agents, employees and assigns that the Petitioner hereby waives, releases and

FIRST AMERICAN BLD RSW 2020-20

forever discharges, and agrees that Petitioner shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004) and Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from city land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.

2. This covenant, waiver, release, and discharge binds the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release, and discharge will run with the land, and this instrument or a memorandum of it may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Waiver filed by the City of Tualatin.
3. If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Petitioner acknowledges that the proceedings may be initiated by the City of Tualatin at any time in the discretion of the City and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
4. This document is executed of my own free will and without duress. I/we respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect our legal rights and remedies.

DATED this 15 day of April, 2020

<u>P3 Properties, LLC by Paul Pennington</u> (signature)	<u>[Signature]</u> (signature)
Petitioner Name: <u>P3 Properties, LLC by Paul Pennington</u>	Petitioner Name: <u></u>
Date Signed: <u>April 15, 2020</u>	Date Signed: <u></u>

Petitioner (corporation, etc.) Name: <u>P3 Properties, LLC</u>
By: <u>Paul Pennington</u>
Name of Signor: <u>Paul Pennington</u>
Office/Title of Signor: <u>Member</u>

State of ~~Oregon~~ Washington
County of Clatsop

On this 14 day of May, 20, before me the undersigned Notary Public, personally appeared

Paul Pennington

(Name of Petitioners signing; not Notary name)

- Personally known to me
- Proved to me on the basis of satisfactory evidence
- To be the person who executed the within instrument
- As Member or on behalf of the entity therein named, pursuant to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal (Do not write outside of the box)	Place Notary Seal Below	
Notary Signature: <u>Cindy Jewell</u> Notary name (legible): <u>Cindy Jewell</u>	<table border="1"><tr><td>CINDY JEWELL NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES JULY 15, 2020</td></tr></table>	CINDY JEWELL NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES JULY 15, 2020
CINDY JEWELL NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES JULY 15, 2020		

This document is accepted pursuant to authority and approved for recording.

City of Tualatin, Oregon

City Manager

Annexation Application
Community Development Department • Planning Division

Petitioner (corporation, etc.) Name: P3 Properties, LLC
By: Paul Pennington
Name of Signor: Paul Pennington
Office/Title of Signor: Member

State of ~~Oregon~~ Washington
County of ~~Klickitat~~

On this 14 day of May, 20, before me the undersigned Notary Public, personally appeared

Paul Pennington
(Name of Petitioners signing; not Notary name)

- Personally known to me
- Proved to me on the basis of satisfactory evidence
- To be the person who executed the within instrument
- As Member or on behalf of the entity therein named, pursuant to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal (Do not write outside of the box)	Place Notary Seal Below
Notary Signature: <u>Cindy Jewell</u> Notary name (legible): <u>Cindy Jewell</u>	<div style="border: 1px solid black; padding: 5px; text-align: center;">CINDY JEWELL NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES JULY 15, 2020</div>

This document is accepted pursuant to authority and approved for recording.

City of Tualatin, Oregon

Sherilyn Lombos
Digitally signed by Sherilyn Lombos
DN: cn=Sherilyn Lombos, o=City of Tualatin,
ou, email=slombos@tualatin.gov, c=US
Date: 2020.06.12 11:51:20 -07'00'
City Manager

15
36

EXHIBIT "A"

Washington County, Oregon 2015-012686
02/25/2015 11:18:23 AM
D-DBS Cnt=1 Stn=12 S PFEIFER
\$15.00 \$5.00 \$11.00 \$20.00 - Total = \$51.00



02016302201500126860030038

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.



Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk

After recording return to:
P3 Properties, LLC
c/o Paul Pennington
P.O. Box 691
White Salmon, WA 98672

Until further notice, all tax statements should be sent to:
P3 Properties, LLC
c/o Paul Pennington
P.O. Box 691
White Salmon, WA 98672

Tax Account No. 2S135D0 00100
Ref No. R0560164

True actual consideration paid is \$ 0

BARGAIN AND SALE DEED

Paul Pennington, Janet Pennington Peterson, and Gay Pennington Paschoal, as equal tenants in common, Grantors, do hereby convey unto P3 Properties, LLC, an Oregon limited liability company, Grantee, all of their right, title, and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Washington County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424,

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009,
AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED: 2/12/2015

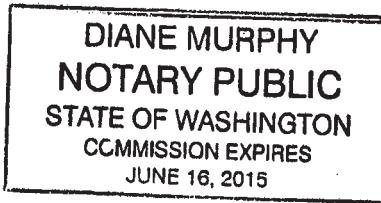
Paul Pennington 2/9/2015
Paul Pennington

Janet Pennington Peterson
Janet Pennington Peterson

Gay Pennington Paschoal
Gay Pennington Paschoal

STATE OF Washington)
County of Klickitat) §

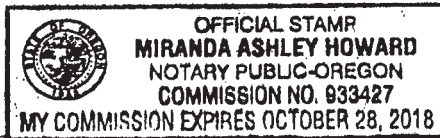
This instrument was acknowledged before me on 2-9-2015, 2014, by Paul Pennington.



Diane Murphy
Notary Public for ~~Oregon~~ Washington

STATE OF OREGON)
County of Benton) §

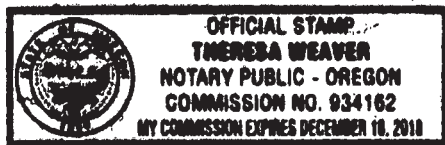
This instrument was acknowledged before me on 2/12/2015, by Janet Pennington Peterson.



Miranda Ashley Howard
Notary Public for Oregon

STATE OF OREGON)
County of Washington) §

This instrument was acknowledged before me on Feb 5, 2015, 2014, by Gay Pennington Paschoal.



Theresa Weaver
Notary Public for Oregon

EXHIBIT "A"

All interest ... in 25.18 acres of land, located at S.W. Norwood Ave., Tualatin, Oregon 97062, more particularly described as:

The North half of the Northwest quarter of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 35, Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon,

EXCEPTING tract conveyed to the State of Oregon, by and through its State Highway Commission, in deed book 325, page 183, as follows: A parcel of land lying in the Northeast quarter of the Southeast quarter of Section 35, T2S, R1W, W.M.; the said parcel being that portion of said Northeast quarter of the Southeast quarter lying Easterly of a line parallel to and 100 feet Westerly of the centerline of the West Portland-Hubbard Highway as said highway has been relocated, which centerline is described as follows:

Beginning at Engineer's centerline Station 349/00, said Station being 115.27 feet North and 78.52 feet East of the East quarter corner of said section 35; thence South 15°49'15" West 1600 feet to Station 365/00; said centerline crossing the East and South lines of said Northeast quarter of the Southeast quarter approximately at Section 351/83 and Station 363/91 respectively;

ALSO EXCEPTING that tract conveyed to the State of Oregon, by and through its State Highway Commission, by deed in book 341, page 233; ALSO EXCEPTING the following described premises: Beginning at an iron bar marking the center of Section 35, T2S, R1W, W.M., Washington County, Oregon; thence South along the West line of the Southeast quarter of said Section 35 to the Southwest corner of tract conveyed to Merle Pennington and Dorthea Pennington by deed of record in book 417 at page 314, Deed Records of Washington County; thence East along the South line of said tract so conveyed 16 rods and 30 feet to a point; thence North parallel to the West line of said Southeast quarter of said Section 35 to the North line of said Southeast quarter of Section 35; thence West along the North line of said Southeast quarter 16 rods and 30 feet to the point of beginning;

ALSO EXCEPTING the following parcels: Parcel conveyed to Shope, described in instrument of record in book 575, page 110, October 13, 1965, Washington County Records; parcel conveyed to School District 88J, described in instrument of record in Book 767, page 495, December 17, 1969, Washington County Records; and parcel conveyed to City of Tualatin described in instrument of record in Book 825, Page 873, 1971, Washington County Records.

Also identified as Washington County Tax Lot 100 on Tax Map 2S135D



AKS ENGINEERING & FORESTRY, LLC
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062
 P: (503) 563-6151 F: (503) 563-6152

AKS Job #7598

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

EXHIBIT A
 City of Tualatin
 Annexation Legal Description

A tract of land located in the Southeast One-Quarter of Section 35, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, and being more particularly described as follows:

Beginning at the East One-Quarter corner of said Section 35; thence along the north line of the southeast One-Quarter of said Section 35, North 88°38'39" West 266.75 feet to the westerly right-of-way line of Interstate 5 (300.00 feet from the centerline of the southbound lanes) and the True Point of Beginning; thence along said westerly right-of-way line, South 17°24'51" West 1370.12 feet to the southerly line of Document Number 2015-012686 and the City of Tualatin City Limits; thence along said southerly line and said City Limits, North 88°44'14" West 671.69 feet to an angle point; thence continuing along said southerly line and said City Limits, South 01°30'50" West 16.50 feet to an angle point; thence continuing along said southerly line and said City Limits, North 88°41'14" West 16.50 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 457.76 feet to the southerly line of Deed Book 825 Page 873; thence along said southerly line and said City Limits, South 88°44'14" East 300.00 feet to the southeast corner thereof; thence along the easterly line of said Deed and said City Limits, North 01°30'50" East 200.00 feet to the northeast corner thereof; thence along the northerly line of said Deed and said City Limits, North 88°44'14" West 300.00 feet to the easterly line of Document Number 2015-081254; thence along said easterly line and said City Limits, North 01°30'50" East 676.50 feet to the north line of said southeast One-Quarter of said Section 35, also being the southerly right-of-way line of SW Norwood Road (20.00 feet from centerline); thence along said north line and said southerly right-of-way line and said City Limits, South 88°38'39" East 1063.55 feet to the True Point of Beginning.

The above described tract of land contains 27.11 acres, more or less.

04/08/2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Michael S. Kalina

OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS

RENEWS: 6/30/21

ANNEXATION CERTIFIED

BY TF

MAY 07 2020

WASHINGTON COUNTY A & T
 CARTOGRAPHY

Exhibit I: Neighborhood/Developer Meeting Information

AFFIDAVIT OF MAILING NOTICE

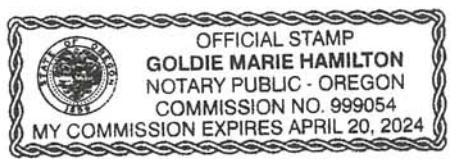
STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

I, Mitchell Godwin being first duly sworn, depose and say:

That on the 9 day of June, 20 20, I served upon the persons shown on Exhibit "A" (Mailing Area List), attached hereto and by this reference incorporated herein, a copy of the Notice of Neighborhood/Developer Meeting marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail with postage fully prepared thereon.

Mitchell Godwin
Signature

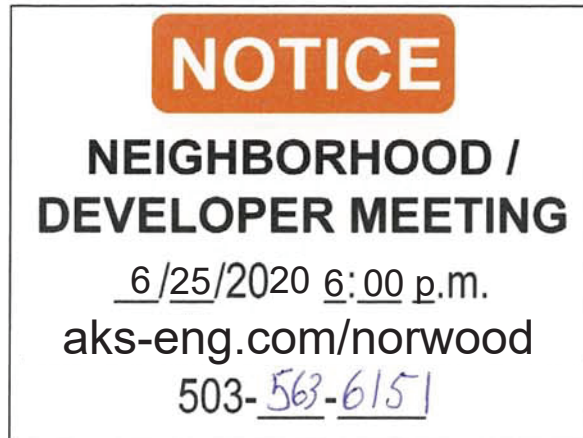
SUBSCRIBED AND SWORN to before me this 9 day of June, 20 20.



Goldie Marie Hamilton
Notary Public for Oregon
My commission expires: April 20, 2024

RE: _____

CERTIFICATION OF SIGN POSTING



In addition to the requirements of TDC 32.150, the 18" x 24" sign must display the meeting date, time, and address as well as a contact phone number. The block around the word "NOTICE" must remain **orange** composed of the **RGB color values Red 254, Green 127, and Blue 0**. A PowerPoint template of this sign is available at: <https://www.tualatinoregon.gov/planning/land-use-application-sign-templates>.

As the applicant for the SW Norwood Road Annexation (ANN 20-0003) project, I hereby certify that on this day, 6/9/2020 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: Mitchell Godwin

(Please Print)

Applicant's Signature: Mitchell Godwin

Date: 6/9/20

I. Executive Summary

Venture Properties, Inc. (Applicant) is seeking approval for the annexation of 23.93 acres of real property (Tax Lot 100, Washington County Assessor's Map 2S 1 35D) to the City of Tualatin. Tax Lot 100 is currently located within unincorporated Washington County but also within the City of Tualatin Urban Growth Boundary (UGB). The site is contiguous to the city limits to the north and west. The property is zoned Future Development 20-Acre District (FD-20). Upon its annexation, the property would be zoned Medium-Low Density Residential (RML) by the City. The subject property is within the Basalt Creek Concept Plan (April 2019) area.

The applicant intends to sequentially submit residential subdivision applications for the properties listed which would provide needed housing for the City of Tualatin.

The proposal satisfies the applicable approval criteria for annexations outlined within the Tualatin Development Code (TDC).

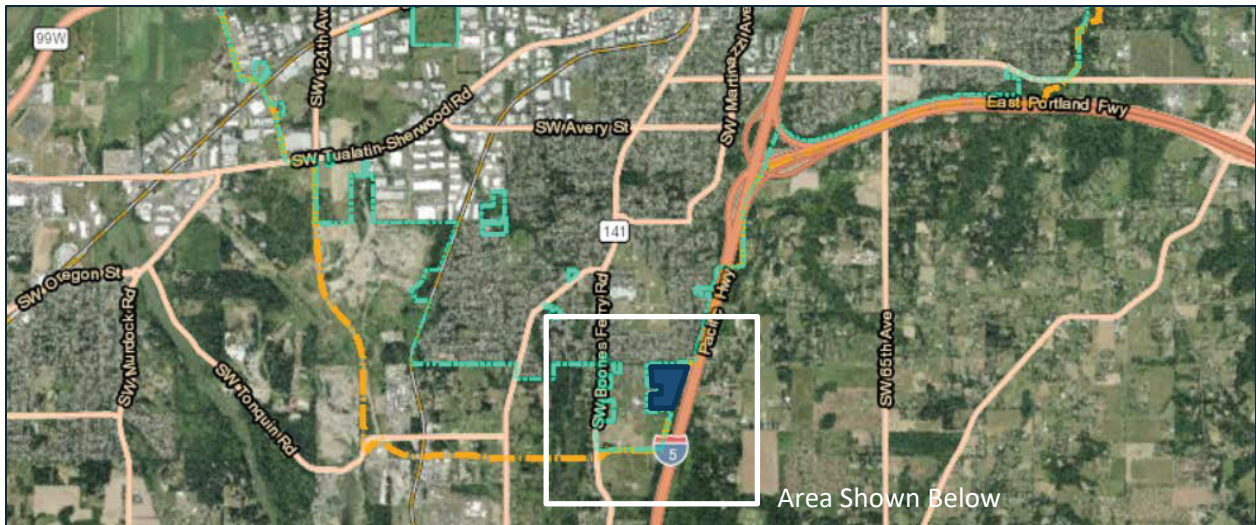
This application includes the City application forms and written materials necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

II. Site Description/Setting

The annexation area is comprised of real property approximately 23.93 acres in size. The property is located within the UGB and will be designated RML upon its annexation. The lot lies east of SW Boones Ferry Road, west of Interstate 5, north of SW Greenhill Lane, and south of SW Norwood Road in the northeastern corner of the Basalt Creek Planning Area.

The property is currently vacant and undeveloped. See attached Exhibit C for legal description and map of the proposed annexation territory boundaries.

Proposed Property for Annexation



Instructions for Joining & Participating in the Public Neighborhood Meeting for the SW Norwood Annexation

Virtual Meeting provided via Zoom Webinar

Thursday, June 25, 2020 at 6:00 PM PST

Please Register in Advance

(a list of attendees must be submitted to the City):

- Go to www.aks-eng.com/norwood/ and follow the link to register.
- Complete the online registration form.
- You will receive a confirmation email containing a link to join the Zoom webinar at the scheduled time as well as additional instructions.
- Meeting materials will be available at www.aks-eng.com/norwood/ two days prior to the meeting and at least 10 days after the meeting concludes.

How to Join the Meeting:

Join by computer, tablet, or smartphone

- **This is the preferred method as it allows you to see the Presenter's materials on screen.**
- Click on the "Click Here to Join" link provided in your registration confirmation email.
- (If you registered at www.aks-eng.com/norwood/ but did not receive a confirmation email, please check your junk/spam folder before contacting the Meeting Administrator.)
- You may be prompted to "download and run Zoom" or to install the App (ZOOM cloud meetings). Follow the prompts or bypass this process by clicking "join from your browser".
- You should automatically be connected to the virtual neighborhood meeting.

Join by telephone

- Dial any of the toll-free Zoom numbers below to connect to the neighborhood meeting:

+1-669-900-6833	+1-346-248-7799
+1-929-205-6099	+1-253-215-8782
+1-301-715-8592	+1-312-626-6799

- If you experience trouble connecting, please pick another number and try again.
- After dialing in, enter this Zoom ID when prompted: **886 7684 6067**
- The Password if needed is: **6151**

MEETING ADMINISTRATOR:

For technical assistance or to submit a question for the meeting:

Email mimid@aks-eng.com

During the Meeting

Audio Help

- Meeting attendees will be muted throughout the presentation. This will allow everyone to hear the presentation clearly without added distractions.
- Make sure that the speakers on your device are turned on and not muted.
- If you do not have speakers on your computer, you can join by phone (using the “Join by telephone” instructions) to hear the presentation while watching the presentation on your computer monitor.

Questions & Answers

Your questions are important to us. There will be time reserved during the meeting to take questions, using one of the submission options below. Our presentation team will make their best effort to answer all question(s) during the meeting.

Prior to the Meeting:

- You can Email your question(s) in advance to the Meeting Administrator.
Email mimid@aks-eng.com

During the Meeting:

- **Preferred Method:** Use the “Q&A” button on the bottom of the presentation screen to submit a question in real time.
- Email your question to the Meeting Administrator:
Email mimid@aks-eng.com

After the Meeting:

- We will continue to take questions after the meeting has ended. Please submit your question(s) to the Meeting Administrator:
Email mimid@aks-eng.com
- All questions received after the meeting and prior to midnight on June 23, 2020 will be answered in an email to all registered meeting participants by end of business the following day.

Helpful Hints/Troubleshooting

We want to start on time! Please join the meeting 5-10 minutes prior to the 6:00 PM start time to ensure successful connection.

- You do not need a Zoom account to join the meeting.
- You will need a valid email address at the time of registration to receive the confirmation email and link to join the webinar or receive answers to any questions submitted after the meeting.
- For first-time Zoom users, we recommend downloading and installing the Zoom App well in advance, by clicking on the “Click Here to Join” link in your confirmation email.
- For technical assistance, please contact the Meeting Administrator (contact above).
- If you have difficulties connecting by computer, tablet, or smartphone, we suggest disconnecting and instead use the “Join by telephone” instructions to listen in.

The meeting
will start
shortly...

Visit

If you haven't already, please visit
<https://www.aks-eng.com/norwood/>
to register for this event.

Call

If you are having audio difficulties, please call
+1-253-215-8782
Zoom ID **886 7684 6067**, Password **6151**
OR one of the telephone numbers listed on the Virtual Meeting
Instructions sheet at the above website.

Submit

You can submit questions by typing them into the **Group Chat
Box** – they will go directly to the Meeting Moderator. Questions
will be answered after the presentation.
During the Question/Answer period, you can also **“Raise Your
Hand”** to be called on to provide your questions and comments.

SW Norwood Annexation Neighborhood Meeting

Thursday, June 25, 2020



**12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151**

Introductions

Applicant

Venture Properties, Inc.

Kelly Ritz, President

Al Jeck, Project Manager

Property Owner

P3 Properties, LLC

Land Use and Civil

Engineering

AKS Engineering & Forestry

Mimi Doukas, AICP, RLA

Glen Southerland, AICP



VentureProperties
INCORPORATED



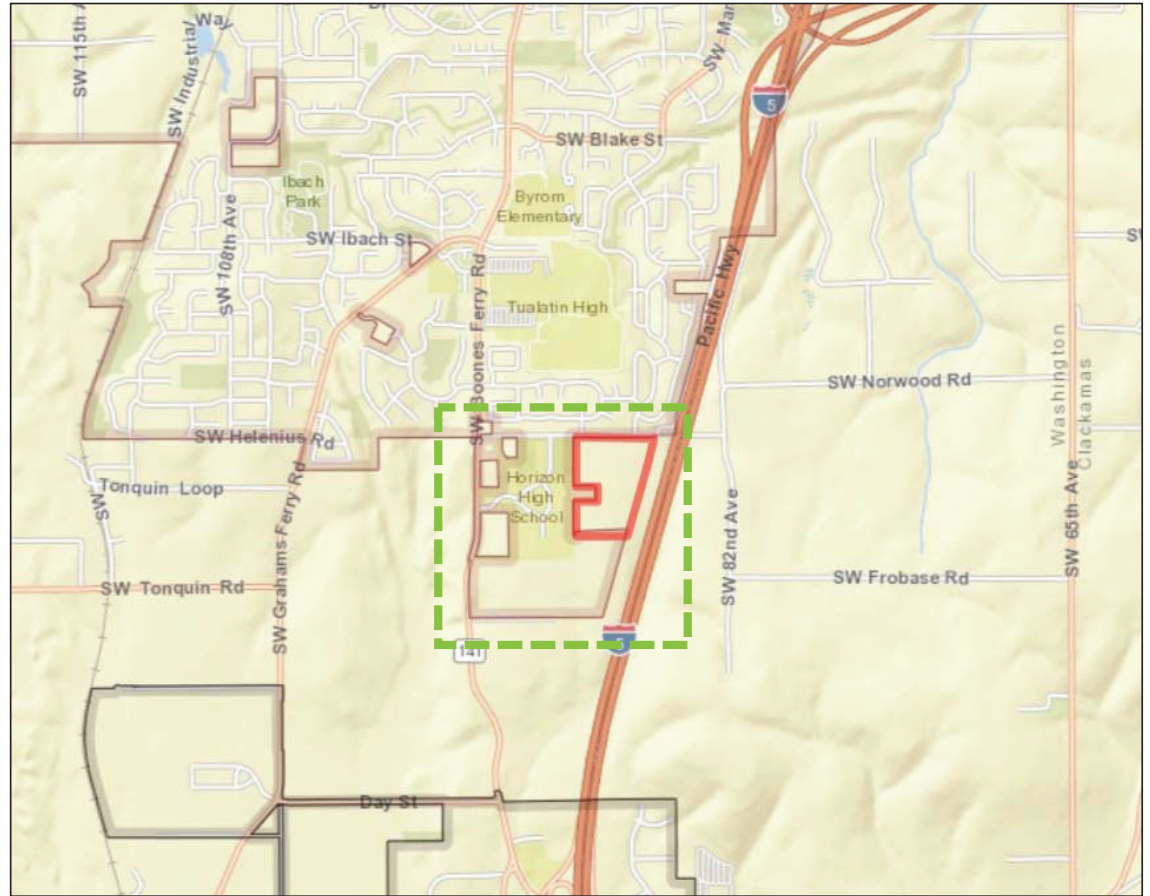
What is being proposed?

The Applicant is proposing an annexation of property to the City of Tualatin.

- Addition of ±23.93 acres to City of Tualatin
- Zoning:
 - Current County Zoning: Future Development, 20-acre (FD-20)
 - City of Tualatin Zoning: Residential Medium-Low Density (RML)
- Services:
 - City of Tualatin
 - Clean Water Services
 - Sherwood School District



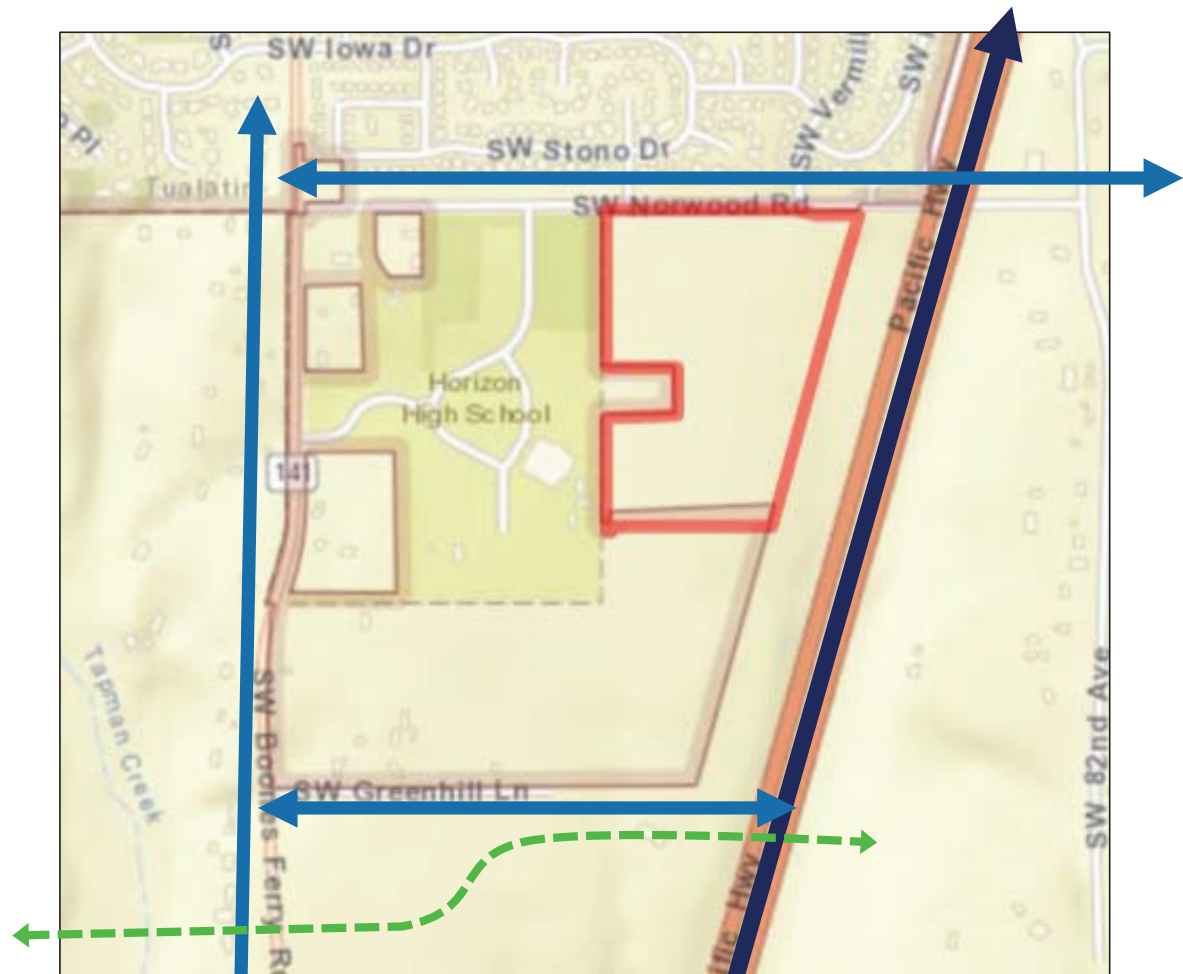
Area Proposed for Annexation



6/27/2020



Area Proposed for Annexation

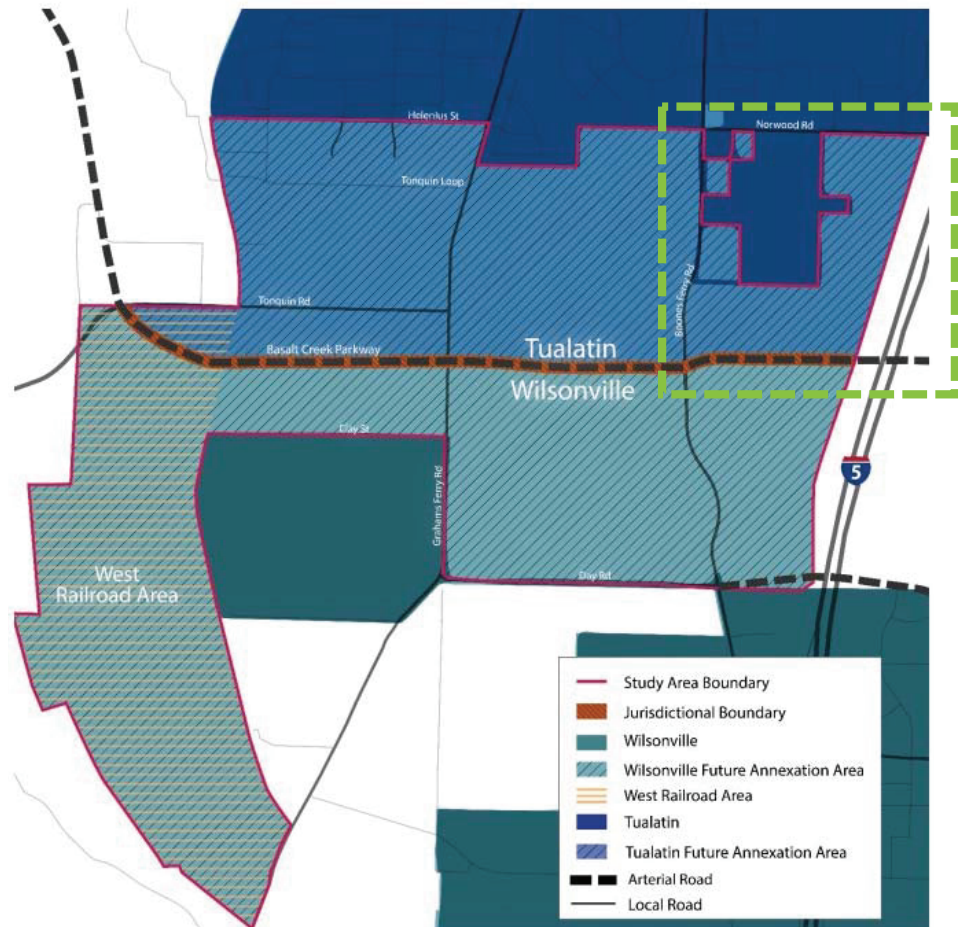


6/27/2020

AKS
ENGINEERING & FORESTRY

Basalt Creek Planning Area

Figure 1 Basalt Creek Planning Area and jurisdictional boundaries.



6/27/2020

What's in store for this site?

After the Annexation decision, the Applicant will submit a land use application for subdivision.



The Process



Questions Received So Far

Q:

A:



Questions?

Mimi Doukas, AICP, RLA

AKS Engineering & Forestry
12965 SW Herman Road, Suite 100
Tualatin, OR 97068

MimiD@aks-eng.com

(503) 563-6151

You can submit questions by typing them into the **Group Chat Box** – they will go directly to the Meeting Moderator.

Press **“Raise Your Hand”** to be called on to provide your questions and comments.

June 26, 2020



Neighborhood Meeting Summary: SW Norwood Annexation

Meeting Date: June 25, 2020
Time: 6:00 PM
Location: Virtual Meeting via Zoom Webinar

The following serves as a summary of the Neighborhood Meeting process. On June 9, 2020, property owners within 1,000 feet of the proposed annexation were sent notification of the application. This notification included the project location, project details, and the neighborhood meeting date and time. Information on how to join the meeting remotely was provided in the notification letter. A sign was posted on the subject property to notify the public of the proposed project and upcoming meeting.

On June 25, 2020, Mimi Doukas and Glen Southerland from AKS Engineering & Forestry, LLC and Kelly Ritz and Al Jeck from Venture Properties, LLC were the meeting presenters. Mimi provided an overview of the property to be annexed and the specific area applicable to the application. Information about the City's review process and opportunities for public input were provided.

Attendees were given the opportunity to ask questions live or write questions in the Q&A dialog box. Following these questions, emails that had been sent prior to the meeting were read aloud and answered. The following topics were discussed:

- The public participation process for annexations
- Access and traffic impacts on surrounding streets, particularly SW Norwood Road
- Tree and greenbelt removal – noise buffering visual value, and habitat
- Density requirements of the RML district
- The number of dwellings that could be built on the property
- Allowed uses for the RML zone – includes apartments and attached housing
- The possibility of school overcrowding and the possibility of redistricting

The meeting concluded at approximately 7:11 pm.

Materials presented during the meeting and other informational items were uploaded to www.aks-eng.com/norwood greater than two days prior to the Neighborhood/Developer Meeting. These materials will be available on the project website for at least 10 days following the Neighborhood/Developer Meeting.

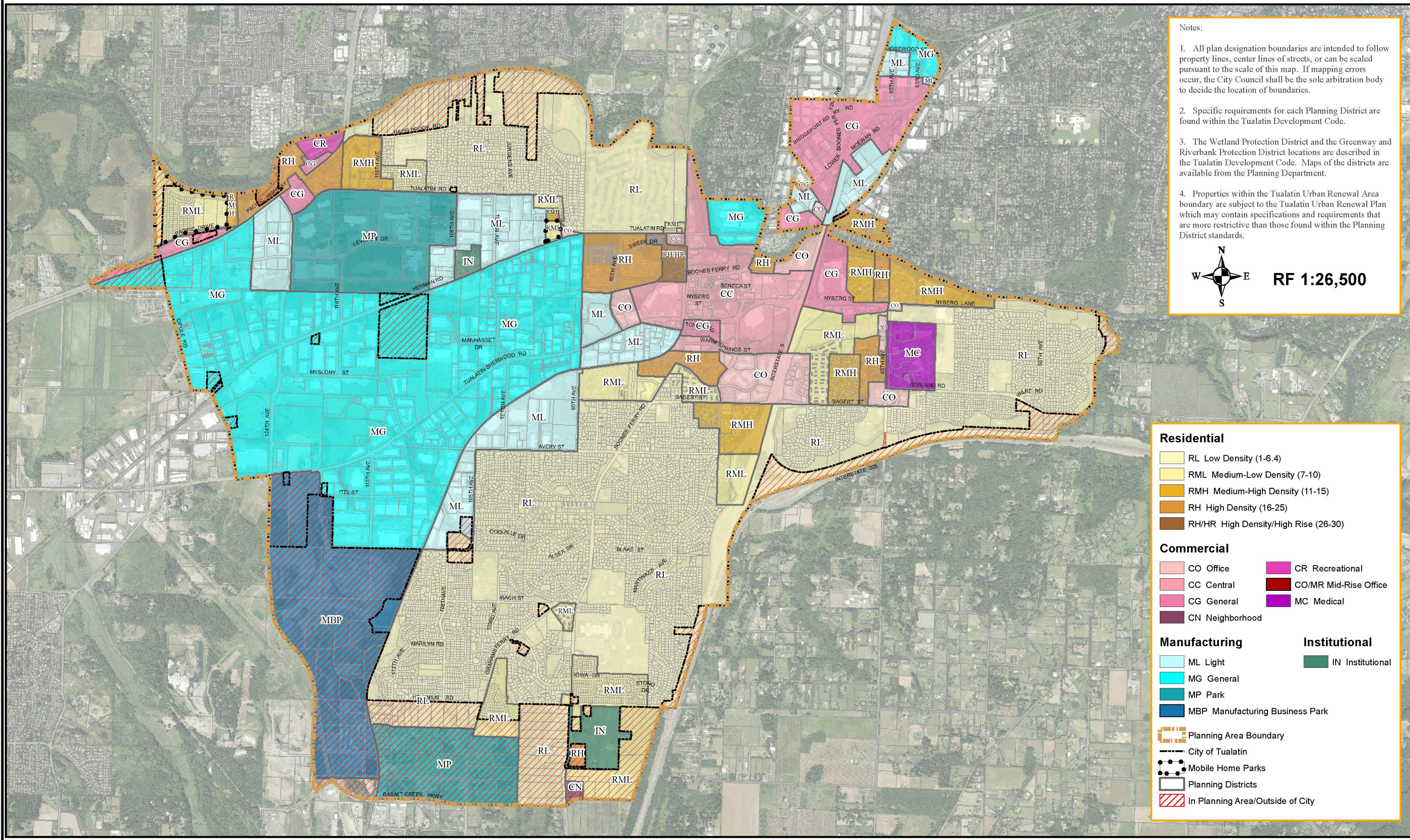
Sincerely,
AKS ENGINEERING & FORESTRY, LLC

A handwritten signature in blue ink that reads 'M Doukas'.

Mimi Doukas, AICP, RLA – Associate
12965 SW Herman Road, Suite 100 | Tualatin, OR 97062
P: 503.563.6151 | www.aks-eng.com | MimiD@aks-eng.com

Map 9-1 Community Plan Map

Exhibit B. Community Plan Map 9-1





- Notes:
1. All plan designation boundaries are intended to follow property lines, center lines of streets, or can be scaled pursuant to the scale of this map. If mapping errors occur, the City Council shall be the sole arbitration body to decide the location of boundaries.
 2. Specific requirements for each Planning District are found within the Tualatin Development Code.
 3. The Wetland Protection District and the Greenway and Riverbank Protection District locations are described in the Tualatin Development Code. Maps of the districts are available from the Planning Department.
 4. Properties within the Tualatin Urban Renewal Area boundary are subject to the Tualatin Urban Renewal Plan which may contain specifications and requirements that are more restrictive than those found within the Planning District standards.



Residential	
	RL Low Density (1-6.4)
	RML Medium-Low Density (7-10)
	RMH Medium-High Density (11-15)
	RH High Density (16-25)
	RH/HR High Density/High Rise (26-30)
Commercial	
	CO Office
	CC Central
	CG General
	CN Neighborhood
	CR Recreational
	CO/MR Mid-Rise Office
	MC Medical
Manufacturing	
	ML Light
	MG General
	MP Park
	MBP Manufacturing Business Park
Institutional	
	IN Institutional
Map Symbols	
	Planning Area Boundary
	City of Tualatin
	Mobile Home Parks
	Planning Districts
	In Planning Area/Outside of City

Figure 11-3: Local Street Plan

-  Local Street Connection
-  Planning Area Boundary

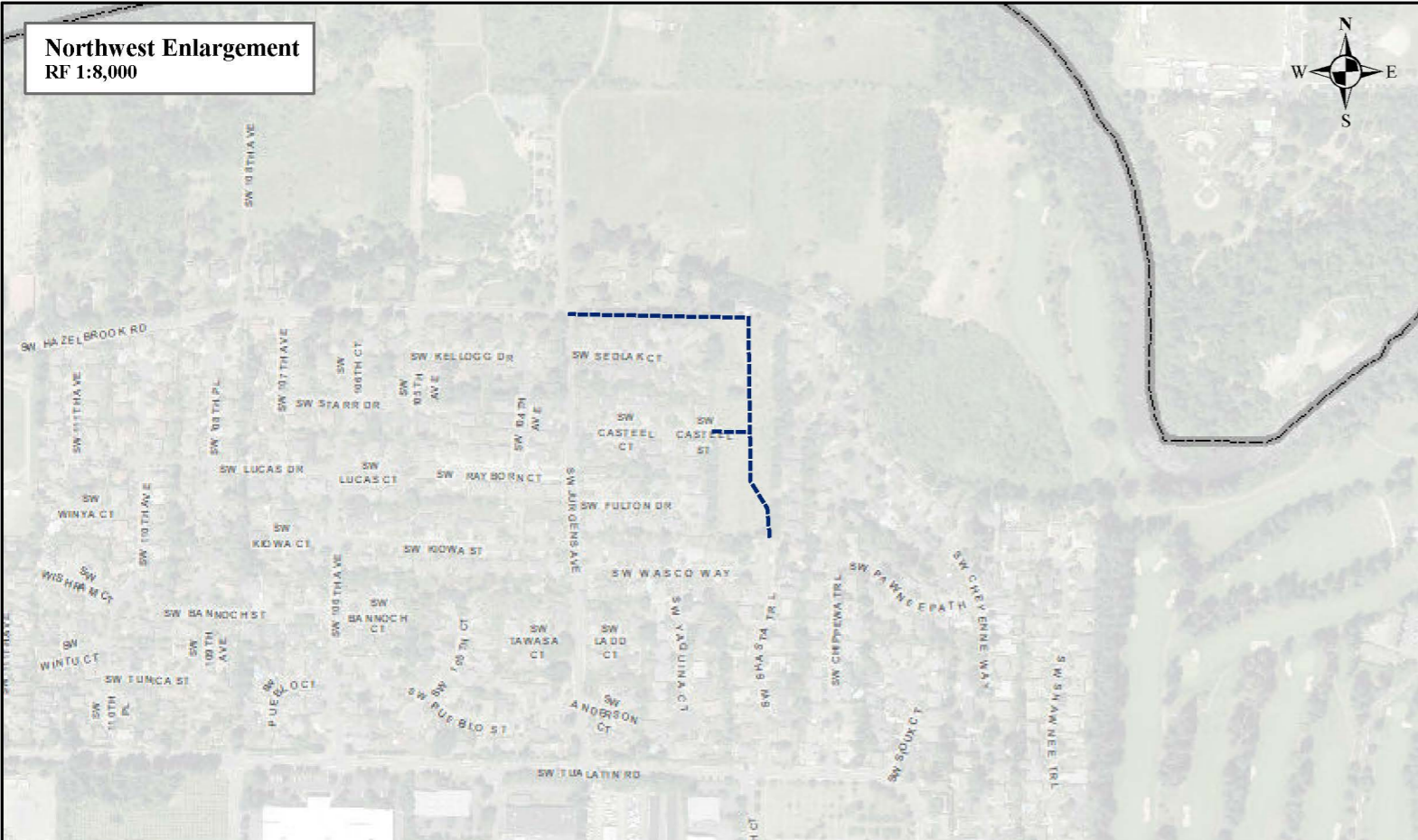
Air Photo: Summer 2017

Note:
Future roadway alignments are approximate and subject to additional engineering and design.

This map is derived from various digital databasesources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -TualGIS
Printed TBD



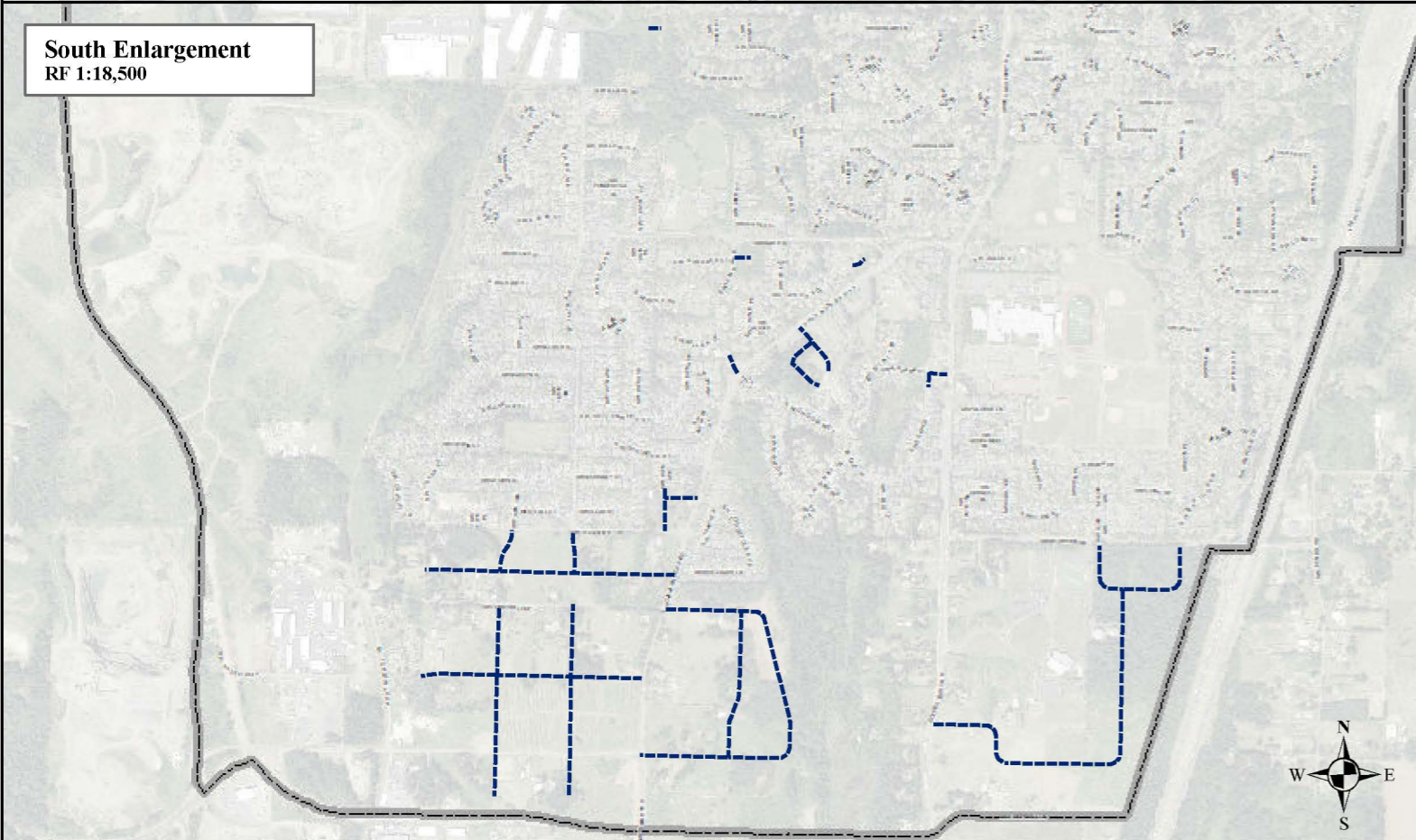
Northwest Enlargement
RF 1:8,000



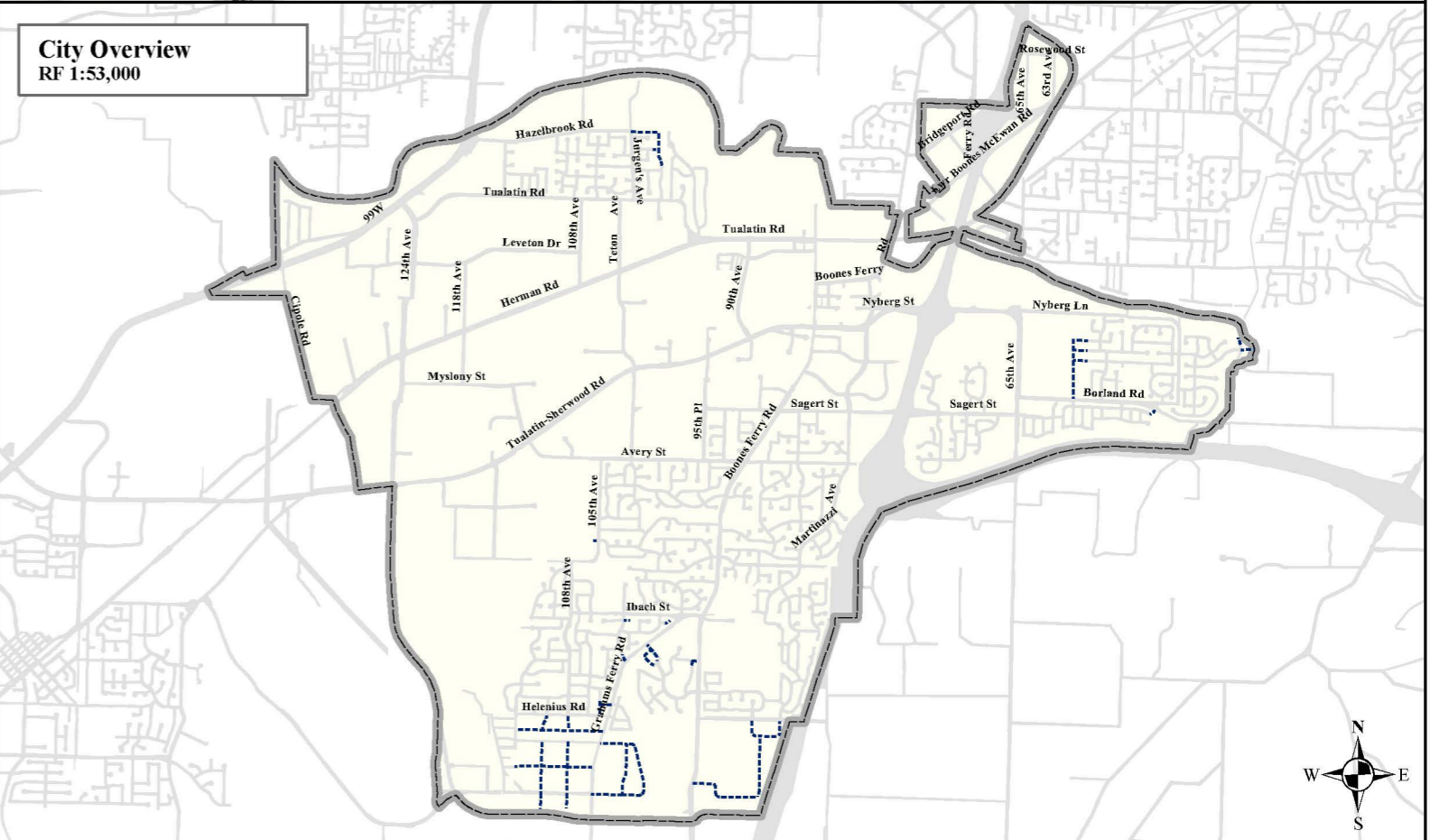
East Enlargement
RF 1:9,000

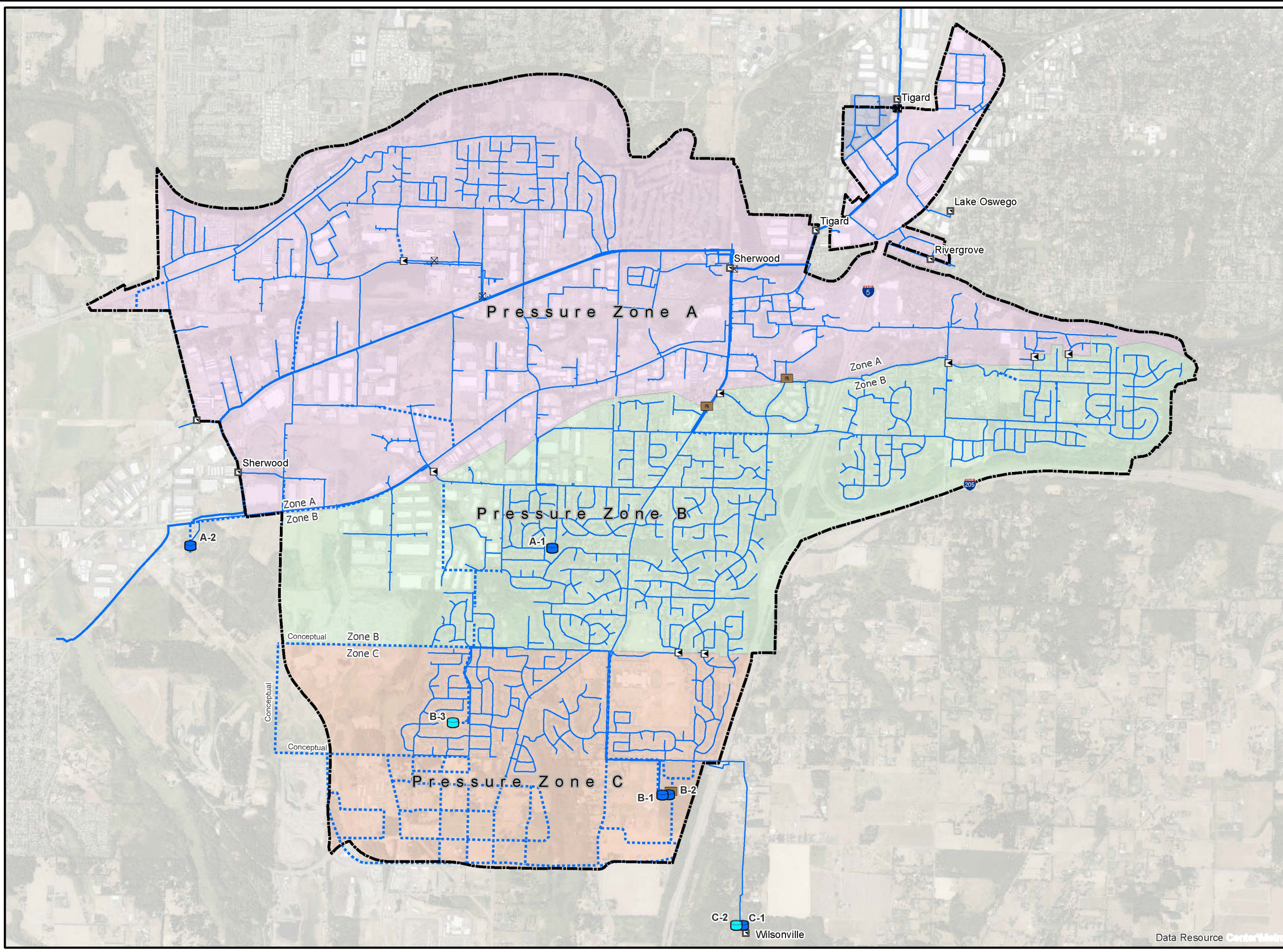








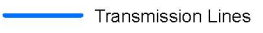



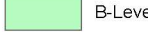


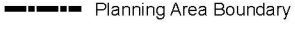
South Enlargement
RF 1:18,500



City Overview
RF 1:53,000








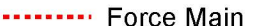



-  Pump Stations
-  Pressure Reducing Valve
-  Pressure Reducing-Sustaining Valve
-  Existing Reservoirs
-  Future Reservoirs
-  Water System Interties
-  Transmission Lines
-  Distribution System
-  Future System Improvements
-  A-Level
-  B-Level
-  C-Level
-  Bridgeport
-  Planning Area Boundary



RF 1:26,500

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City of Tualatin
Sewer System Master Plan
Map 13-1

-  Conceptual Lift Station
-  Lift Station
-  Gravity Pipe
-  Force Main
-  Conceptual Gravity Pipe
-  Conceptual Force Main
-  Planning Area Boundary



RF 1:26,500

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