



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Steve Koper, AICP, Assistant Community Development Director
Madeleine Nelson, Assistant Planner

DATE: August 12, 2024

SUBJECT:

Consideration of Ordinance No.1494-24 vacating a portion of Right-of-Way located east of SW Boones Ferry Road, south of SW Norwood Road, north of SW Greenhill Lane, identified on Tax Lot 106 of Tax Map 2S.1.35D and authorizing the City Manager to take any and all actions necessary to implement the Ordinance.

RECOMMENDATION:

Based on the analysis and findings, as well as the application materials demonstrating compliance with the applicable review criteria, staff respectfully recommends Council adopt the Ordinance to vacate the City's interest.

EXECUTIVE SUMMARY:

The vacation of public property is governed by Oregon Revised Statutes (ORS) Chapter 271. Under these statutes, the city governing body may initiate vacation proceedings and make such vacation without a petition or consent of property owners.

Under ORS Chapter 271, the City must hold a public hearing prior to vacating an interest in real property. The public hearing before Council on this date is to consider whether the City should vacate its interest in a portion of Right-of-Way located east of SW Boones Ferry Road, south of SW Norwood Road, north of SW Greenhill Lane, identified on Tax Lot 106 of Tax Map 2S.1.35D. Under state law, the City's interest in this property may be vacated if the public interest is not prejudiced.

On March 20, 2023, the City obtained the real property public right-of-way for street, park, and public utility purposes. The Deed of Dedication is Washington County Document No. 2023-011722. The Roadway and Utility Easement is Washington County Document No. 2023-011723.

The subject site comprises approximately 18,005 square-foot tract of land in the Institutional (IN) Planning District. The subject site is vacant undeveloped land. The future use of the site includes the development of a government-owned linear public park. Government-owned parks are permitted outright in the Institutional Planning District.

OUTCOMES OF DECISION:

Adopting the ordinance vacates the City's interests in the real property in question and authorizes the City Manager to take other actions, such as recording a copy of the ordinance with the County, to effectuate the intent of the ordinance.

ALTERNATIVES TO RECOMMENDATION:

Council can decide not to approve the ordinance and the portion of right-of-way will remain.

ATTACHMENTS:

- Attachment 1 – Presentation
- Attachment 2 – Ordinance 1494-24
- Exhibit A – Legal Description
- Exhibit B – Vicinity Map
- Exhibit C – 2023 Deed of Dedication
- Exhibit D – Roadway & Utility Easements
- Exhibit E – Noticing Materials