# CHECKLIST FOR ANNEXATION REQUEST TO THE CITY OF SHERWOOD

Submit the following to the City of Sherwood Planning Department, 22560 SW Pine Street, Sherwood, OR 97140: (503) 625-5522.

☑ **Fee- $7,500**. Applicants are required to pay the $7,500 filing fee which will be applied to all costs related to processing the annexation application. Money not used for costs will be returned to the applicant.

☑ An original and one copy of the enclosed packet titled **Annexations to City of Sherwood.**

☑ **Mailing labels:** Submit two (2) sets of mailing labels for property owners within 1000 feet of the outside edge of the territory to be annexed. Mailing labels can be obtained from a private title insurance company.

☑ Additionally, you must submit a list of all property owners and registered voters in the area to be annexed regardless of whether they signed the annexation petition or not.

### Annexations to the City of Sherwood

There are generally four methods of owner initiated annexation. These methods are described below, and the information needed to initiate either method is covered in this application. It should be noted that a vote of the citizens of the City of Sherwood are required in three of the four methods.

**Double Majority-** An annexation where the majority of electors and a majority of the landowners in the proposed annexation area have agreed to annex into the City. In this instance, a majority of the landowners, and at least 51% of the registered voters within the area to be annexed must support the annexation. This method requires a vote of the citizens of the City of Sherwood.

**Triple Majority-** An annexation method that requires consent from a majority of the land owners who own a majority of real property and a majority of the assessed value of land within the area that is to be annexed. This method does not require that 51% of the registered voters in the area to be annexed support the application. This method requires a vote of the citizens of the City of Sherwood.

**Super Majority-** An annexation method where more than 50% of the registered voters within the affected territory, and 100% of the property owners within the affected territory support annexation. This method requires a vote of the citizens of the City of Sherwood.

**SB1573 Method-** When 100% of the property owners file a petition to be annexed, and if all criteria outlined in SB1573 are satisfied, then the requirement from the City Charter for a mandated City wide vote is exempted (this is required in all three other methods). The City Council becomes the acting authority and no vote of the public is required or permitted.

## *I. Application Process for Property Owners and Registered Voters*

PLEASE READ ALL INSTRUCTIONS BEFORE FILING A PETITION WITH THE CITY

Step 1. Petition

Please complete the attached Petition form.

**Who May Sign**: An elector registered to vote in the territory to be annexed; a property owner who is the legal owner of record or, where there is a recorded land contract, the purchaser thereunder. If there is multiple ownership each signer is counted in proportion to the size of their ownership. If a corporation owns land, the corporation is considered the individual owner and the form must be signed by an officer of the corporation who has the right to sign on behalf of the corporation.

Have the County Assessor's Office:

1. Certify the property owner signatures using the attached *Certification of Property Ownership* form (all methods).
2. Certify the assessed value for the properties on the attached *Certification of Assessed Value* form (for the Triple Majority Method only).
3. Buy two ¼ Section Maps showing the property to be annexed (all methods).
4. Certify the map and legal description using the attached *Certification of Assessed Value* form (all methods).
5. Proceed to the County Elections Department and have them certify the signatures of the registered voters by completing the attached *Certification of Registered Voters* form (for the Double Majority and Super Majority Method only). Do this even if the property is vacant. In that case they certify that there are no registered voters in the affected territory.

Step 2. Legal Description

The legal description noted above must be a metes and bounds legal description of the territory to be annexed. This description should be inserted in or attached to the Petition. In addition, one separate copy of the metes and

bounds description should be submitted to the City along with the application. (A lot, block and subdivision description may be substituted for the metes 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.

Step 3. Map

As noted above you must submit two copies of the 1/4 Section map. This should be the latest County Assessor's quarter section map (or maps) which indicates the territory to be annexed. Outline the area to be annexed on the maps with a red marker or pencil.

Step 4. Notice List & Labels

You must submit two (2) sets of mailing labels for property owners within 1000 feet of the outside edge of the territory to be annexed. Mailing labels can be obtained from a private title insurance company. Additionally, you must submit a list of all property owners and registered voters in the area to be annexed regardless of whether they signed the annexation petition or not.

Step 5. Information Sheet

Complete the attached *Boundary Change Data Sheet*.

Step 6. Work Sheet

A *Worksheet* is attached. Fill out the worksheet to help verify that all requirements are met.

Step 7. Annexation Questionnaire

Complete the *Annexation Questionnaire.*

Step 8. Draft a Narrative

The application must include a detailed narrative of how the project complies with criteria for approval. There are three levels of criteria/requirements, State, Regional and City. It is the applicant's responsibility to justify the petition.

For the State, Oregon Revised Statutes guide the process for annexations, ORS 222. See:
https://www.oregonlegislature.gov/bills_laws/ors/ors222.html.

For the fourth method outlined above, Senate Bill 1573 was added to, and made a part of, ORS 222.111 to 222.180 and provides specific criteria for deciding city boundary changes. See:
https://www.oregonlaws.org/ors/222.111.

For the regional level Metro is governing agency. Metro has criteria for reviewing annexations (Metro Code 3.09). See:
http://www.oregonmetro.gov/sites/default/files/309_eff_071112__final.pdf.

In addition, the City of Sherwood Comprehensive Plan goals and policies, specifically those in Chapter 3 and Chapter 8 are applicable and should be addressed in the narrative. See:
https://www.sherwoodoregon.gov/planning/page/comprehensive-plan-ii.

Step 9. Submit Application to City

Submit all materials to City Planning Department.

## *II. City Review*

BELOW IS A SUMMARY OF THE STEPS WHICH WILL BE TAKEN REGARDING ANNEXATIONS INITIATED BY ANY OF THESE FOUR METHODS.

Step 1. Compliance Review

Submitted materials will be checked for compliance with requirements of state statutes and the Metro Code Section 3.09 requirements.

Step 2. Public Hearing Date Set

The proposal will be set for a hearing by the city council at the next hearing date for which all the requirements of the Metro Code and state statutes can be met. The **setting** of the hearing date must occur within 45 days of the day the proposal is judged to be complete pursuant to Metro rules.

Step 3. Public Hearing Notice

Notice of the public hearing will be sent to service providers in the area, to the applicant, to adjacent property owners and to appropriate neighborhood or community organizations. Notice of the hearing will be posted in and around the territory to be annexed. The hearing will also be advertised twice in a newspaper of general circulation in the area

Step 4. Staff Study and Report

A staff report will be prepared. This report will cover all applicable criteria specified in State ORS 222, the Metro Code, and all applicable criteria and goals form the City of Sherwood Comprehensive Plan. This report will be made available to the public 15 days prior to the hearing.

Step 5. Public Hearing

The City Council holds a public hearing. At the hearing the Council will consider applicable criteria. For the SB1573 Method, this is the final decision making body that acts on the petition.

For the other three methods, at the conclusion of the public hearing, if Council supports the annexation, they will forward the issue to the voters at the next available election (usually no less than 60 days).

All annexations, except those that use the SB1573 Method, in Sherwood require a majority approval of the voters. After the election, the Council will accept the certified election results and, if approved, by the voters, proclaim the annexation.

## *III. Additional Information*

1. In order to officially change the boundary, Staff must send the order must be sent to Secretary of State, County Recorder and County Assessor, State Revenue Department, and City Recorder. Other interested parties (such as the utilities) are notified as well. Staff will mail the notice of decision to several local, regional, and State agencies and departments as required by law to complete the annexation.

2. Annexation to the City of Sherwood boundary allows for City Services. Additional service district boundary annexations may be necessary (e.g. Clean Water Services, Metro Regional Boundary, etc.).

3. All annexations fees to the City are deposit based, meaning the City will charge all required time and materials against the funds, and request additional form the applicant should additional funds be required.

4. Metro requires a fee to process city-approved annexations for individual applicants. That fee will be paid by the City as a pass through, and varies depending on the size and type of the annexation. The Metro fee will be taken from the applicants application deposit.

# BOUNDARY CHANGE DATA SHEET

## I. EXISTING CONDITIONS IN AREA TO BE ANNEXED OR WITHDRAWN

A. General location: On the north side of SW Sugarpine Drive

B. Land Area: Acres 10,559 SF or Square Miles _____

C. General description of territory. (Include topographic features such as slopes, vegetation, drainage basins, floodplain areas, which are pertinent to this proposal.)

Forested with some floodplain and wetland areas, mostly sloped towards the southern portion of the site with a maximum slope of 14%

D. Describe Land uses on surrounding parcels. Use tax lots as reference points.

North: Residentially Developed Lands and Cedar Creek Riparian corridor

East: Yet underdeveloped, future residential development within the Brookman Road Concept Plan Area

South: SW Brookman Road runs along the southern boundary. South of Brookman Rd are rural & single family residential properties.

West: Fully developed with single family residences

E. Existing Land Use:

Number of single-family units 0 Number of multi-family units 0

Number of commercial structures 0 Number of industrial structures 0

Public facilities or other uses N/A

What is the current use the land proposed to be annexed: Forested/ undeveloped and a platted single family home site

F. Total current year Assessed Valuation: $_____

G. Total existing population: 0

## II. REASON FOR BOUNDARY CHANGE

A. The Metro Code spells out criteria for consideration (Metro Code 3.09.050). Considering these criteria, please provide the reasons the proposed boundary change should be made. Please be very specific. Use additional pages if necessary.

To ensure property within the Plat of Cedarcreek Gardens is fully located within the City as intended.

B. If the property to be served is entirely or substantially undeveloped, what are the plans for future development? Be specific. Describe type (residential, industrial, commercial, etc.), density, etc.

The property is fully developed and includes a portion of a lot for a residential home and a portion for an open space tract

## III. LAND USE AND PLANNING

A. Is the subject territory inside or outside of the Metro Regional Urban Growth Boundary?

Inside the Metro Regional Urban Growth Boundary

B. What is the applicable County Planning Designation? _____

Or City Planning Designation? MDRL medium density residential -low

Does the proposed development comply with applicable regional, county or city comprehensive plans? Please describe.

Other than being able to construct a single family home on a recently platted pjt project, No other development is proposed

C. What is the zoning on the territory to be served?

MDRL

D. Can the proposed development be accomplished under current county zoning?

✔ Yes _____ No

If No, has a zone change been sought from the county either formally or informally?

_____ Yes _____ No

Please describe outcome of zone change request if answer to previous questions was Yes.

A single family home can be constructed on a recently platted parcel, part of which is currently outside of the city.

E. Please indicate all permits and/or approvals from a City, County or Regional Government which will be needed for the proposed development. If already granted, please indicate date of approval and identifying number:

| APPROVAL | PROJECT FILE NO. | DATE OF APPROVAL | FUTURE REQUIREMENT |
|---|---|---|---|
| Metro UGB Amendment | | | |
| City of County Plan Amendment | | | |
| Pre-Application Hearing (City or County) | | | |
| Preliminary Subdivision Approval | | | |
| Final Plat Approval | | | |
| Land Partition | | | |
| Conditional Use | | | |
| Variance | | | |
| Sub-Surface Sewage Disposal | | | |
| Building Permit | | | X |

Please submit copies of proceedings relating to any of the above permits or approvals which are pertinent to the annexation.

F. If a city and/or county-sanctioned citizens' group exists in the area of the annexation, please list its name and address of a contact person.

N/A

## IV. SERVICES AND UTILITIES

A. Please indicate the following:

1. Location and size of nearest water line that can serve the subject area.

SW SugarPine Drive

Proposed water line included in Cedar Creek Garden Development within existing streets

2. Location and size of nearest sewer line which can serve the subject area.

SW Sugarpine Drive

Proposed sewer line included in Cedar Creek Garden Development within existing streets

3. Proximity of other facilities (storm drains, fire engine companies, etc.) which can serve the subject area.

SW SugarPine Drive Fire station is located at 15440 SW Oregon Street

Proposed facilities included in Cedar Creek Garden Development within existing streets

4. The time at which services can be reasonably provided by the city or district.
   Currently Available

5. The estimated cost of extending such facilities and/or services and what is to be the method of financing. (Attach any supporting documents.)
   Cost of extending facilities to be paid by developer

6. Availability of desired service from any other unit of local government. (Please indicate the government.)

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

City Sherwood
Rural Fire Dist. TVF&R
County Service Dist. _____
Sanitary District CWS
Hwy. Lighting Dist. _____
Water District Sherwood
Grade School Dist. Sherwood
Drainage District _____
High School Dist. Sherwood
Diking District _____
Library Dist. Sherwood
Park & Rec. Dist. _____
Special Road Dist. _____
Other District Supplying Water Service _____

C. If any of the above units are presently servicing the territory (for instance, are residents in the territory hooked up to a public sewer or water system), please so describe.
   Taxlot 3900 is fully served by newly installed public sewer and water systems.
   Obtaining a building permit requires annexation of part of the lot allowing it to fully hook up to all services.

## V. APPLICANT INFORMATION

APPLICANT'S NAME Todd Boyce, Westwood Homes

MAILING ADDRESS 12700 SW Cornell Rd

Portland, OR 97229

TELEPHONE NUMBER 503-715-2383 (Work)

_____ (Res.)

REPRESENTING _____

DATE _____