



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

## NOTICE OF ADOPTED AMENDMENT

June 7, 2007

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Tigard Plan Amendment  
DLCD File Number 004-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: June 20, 2007**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Stacy Humphrey, DLCD Regional Representative  
Gary Pagenstecher, City of Tigard

<paa> ya/

**2** Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

DEPT OF  
MAY 31 2007  
LAND CONSERVATION  
AND DEVELOPMENT  
For DLCD Use Only

Jurisdiction: City of Tigard Local file number: ZCA2007-00001  
Date of Adoption: May 22, 2007 Date Mailed: May 30, 2007  
Date original Notice of Proposed Amendment was mailed to DLCD: April 5, 2007

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: \_\_\_\_\_

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".  
The City of Tigard annexed 17 parcels of land. As part of the annexation, city zoning and regulations will replace county zoning and regulations. The City also withdrew the subject properties from various special service districts (see below).

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Same

Plan Map Changed from: Washington County - Residential 6 units/acre to: City of Tigard - Medium-Density Residential

Zone Map Changed from: Washington County - Residential 6 units/acre to: City of Tigard - R-7

Location: North of Bull Mountain @ 150<sup>th</sup> & Sunrise Lane Acres Involved: 39.42  
(2S105DD, Tax Lots 400/500/600/700/800/1000/1100/1300/1400/1500/1600/1700/1800/2400; 2S105DB, Tax Lots 100/500; 2S105CD, Tax Lot 100; and a portion of Sunrise Lane right-of-way.

Specify Density: Previous: R-6 Residential 6 units/acre New: R-7 SFR, 5,000 sq. ft. lots

Applicable Statewide Planning Goals: Goals 1, 2, 5, 11 & 12.

Is an Exception Adopted?  YES  NO

Affected State or Federal Agencies, Local Governments or Special Districts: \_\_\_\_\_

DLCD File No.: 004-07 (16013)



Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment.....

Forty-five (45) days prior to first evidentiary hearing?  Yes  No

If no, do the statewide planning goals apply?  Yes  No

If no, did Emergency Circumstances require immediate adoption?  Yes  No

Affected State or Federal Agencies, Local Governments or Special Districts:

Washington County, Tigard Water District, Washington County Enhanced Sheriff's Patrol District,  
Washington County Urban Roads Maintenance District, Washington County Street Lighting District # 1,  
Washington County Vector Control District, and Metro.

Local Contact: Gary Pagenstecher

Address: 13125 SW Hall Boulevard

Fax Number: 503-624-3681

Phone: (503) 718-2434 Extension: \_\_\_\_\_

City: Tigard Zip: 97223

Email Address: garyp@tigard-or.gov

## ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision

per ORS 197.610, OAR Chapter 660 - Division 18.

### COPIES TO:

Metro Land Use & Planning  
600 NE Grand Avenue  
Portland, OR 97232-2736

ODOT - Region 1, District 2-A  
Sam Hunaidi, Assistant District Manager  
6000 SW Raab Road  
Portland, OR 97221

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to:(503) 378-5518; or Email your request to [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us) - **ATTENTION: PLAN AMENDMENT SPECIALIST.**



**CITY OF TIGARD, OREGON  
TIGARD CITY COUNCIL  
ORDINANCE NO. 07- 10**

**AN ORDINANCE ANNEXING SEVENTEEN PARCELS TOTALING 39.42 ACRES, APPROVING SUNRISE LANE ANNEXATION (ZCA2007-00001), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT, AND DECLARING AN EMERGENCY.**

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**WHEREAS**, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory; and

**WHEREAS**, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

**WHEREAS**, the Tigard City Council held a public hearing on May 22, 2007 to consider the annexation of seventeen (17) parcels of land consisting of 39.42 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

**WHEREAS**, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Tigard Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

**WHEREAS**, pursuant to Metro Chapter 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on May 22, 2007 on the issue of the annexation into the City of Tigard and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

**WHEREAS**, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District,



Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

**WHEREAS**, the Tigard Community Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning (R-7, 5,000 square foot minimum lot size); and

**WHEREAS**, the current zoning is Washington County District/Plan Designation R-6 residential, 6 units per acre, a zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

**WHEREAS**, the annexation has been processed in accordance with the requirements of Metro Chapter 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro Chapter 3.09 regulating annexations; and

**WHEREAS**, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

**NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:**

**SECTION 1:** The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibits "B" and "C"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

**SECTION 2:** The City of Tigard adopts the Findings in the Staff Report (May 7, 2007) regarding annexation proposal ZCA2007-00001 (**Attachment 2**).

**SECTION 3:** City staff is directed to take all necessary measures to implement the annexation, including filing certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

**SECTION 4:** Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

**SECTION 5:** Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2007.

**SECTION 6:** In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

**SECTION 7:** Council finds adoption of this ordinance is necessary for the peace, health and safety of the City; therefore, an emergency is declared and this ordinance shall take effect immediately upon passage.

**PASSED:** By unanimous vote of all Council members present after being read by number and title only, this 22nd day of May, 2007.

Catherine Wheatley  
Cathy Wheatley, City Recorder

**APPROVED:** By Tigard City Council this 22nd day of May, 2007.

C. Dirksen  
Craig Dirksen, Mayor

Approved as to form:

[Signature]  
City Attorney

5/22/07  
Date

Certified to be a true copy of the Original on file at City of Tigard City Hall.

By Catherine Wheatley 5-23-07  
City Recorder, City of Tigard Date





**EXHIBIT A**

**ANNEXATION DESCRIPTION**

A tract of land located within the southeast one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the corner to section 4,5,8,and 9, Township 2 South, Range 1 West W.M.; thence N 89° 49' 00" W a distance of 451.8 feet; thence N 00° 56' 05" E a distance of 20.00 feet to **the True point of Beginning**; thence N 00° 58' 15" E a distance of 530 to the center of the ravine; thence N 27°22' 28" W, along the center of the ravine, a distance of 750 more or less; thence N 89° 28' 43" W a distance of 770 feet more or less to the easterly right-of-way of SW Sunrise lane; thence along said easterly right-of-way of SW Sunrise Lane the following 6 courses; S 04° 36' 28" W a distance of 82.71 feet; thence S 43° 18' 47" W a distance of 116.45 feet; thence S 16° 59' 53" W a distance of 72.12 feet; thence S 14° 18' 07" E a distance of 184.66 feet; thence S 04° 12' 11" W a distance of 330.61 feet; thence S 00° 35' 17" W a distance of 192.00 feet; thence S 89° 51' 44" E, leaving said easterly right-of-way, a distance of 108.20 feet thence S 00° 42' 00" W a distance of 200.00 feet to the northerly right-of-way of SW Sunrise Lane; thence S 89° 49' 00" E, along said northerly right-of-way, a distance of 130.40 feet; thence S 00° 43' 00" W, along said northerly right-of-way, a distance of 20.00 feet; thence S 89° 49' 00" E, along said northerly right-of-way, a distance of 180.00 feet; thence N 00° 43' 00" E, leaving said northerly right of way, a distance of 180.07 feet; thence S 89° 49' 00" E a distance of 124.01 feet; thence S 00° 43' 00" W a distance of 180.07 feet to the northerly right-of-way of SW Sunrise Lane; thence S 89° 49' 00" E, along said northerly right-of-way, a distance of 567.85 to the True point of beginning.

Containing 25.76 acres.

**ALSO INCLUDING**

A tract of land located within the southeast one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the corner to section 4,5, 8,and 9, Township 2 South, Range 1 West W.M.; thence N 89° 49' 00" W a distance of 208.00 feet; thence N 00° 55' 33" E a distance of 198.84 feet; thence S 89° 48' 30" E a distance of 208.00 feet; thence S 00° 55' 33" W a distance of 198.81 to the point of beginning.

Containing 0.95 acres.

**ANNEXATION CERTIFIED**

BY FDR

APR 05 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY

ALSO INCLUDING

A tract of land located within the southwest one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Tract "A" Stanhurst thence N 89° 13' 19" W, along the northerly line of Stanhurst, a distance of 193.00 feet; thence S 73° 38' 54" W, along the northerly line of Stanhurst, a distance of 68.53 feet; thence N 19° 58' 53" W a distance of 39.45 feet; thence N 43° 20' 08" W a distance to 57.71 feet; thence N 51° 14' 51" W a distance of 159.80 feet; thence N 75° 16' 36" W a distance of 12.99 feet; thence N 45° 42' 41" W a distance of 131.38 feet; thence N 21° 57' 45" W a distance of 73.91 feet to the Southerly line of Bull Mountain Meadows No. 4; thence S 89° 33' 00" E, along said southerly line, a distance of 575.16 feet to the southeast corner of lot 347 Bull Mountain Meadows No. 4; thence S 00° 47' 29" W a distance of 321.51 feet to the point of beginning.

Containing 3.23 acres.

ALSO INCLUDING

A tract of land located within the southeast one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the Southeast corner of Partition Plat 2001-038; thence N 88° 52' 17" W, along the southerly line of said partition plat, a distance of 117.09 feet; thence S 00° 11' 04" E a distance of 348.04; thence S 89° 12' 37" E a distance of 420.08 feet to the **TRUE POINT OF BEGINNING**; thence N 01° 12' 28" E a distance of 325.82 feet; thence N 87° 08' 03" E a distance of 189.84 feet to the westerly right-of-way of SW Sunrise Lane; thence N 63° 02' 54" E a distance of 40.00 feet to the easterly right-of-way of SW Sunrise Lane and a point on a curve to the left; thence along said curve to the left with a radius to 6.00 feet a, a central angle of 65° 41' 24", (a chord which bears S 59° 47' 48" E, 6.51 feet) and a length of 6.88 feet to a point of tangency; thence along the easterly right-of-way of SW Sunrise Lane the following 5 courses; thence N 87° 21' 30" E a distance of 77.13 feet; thence S 57° 49' 45" E a distance of 126.65 feet; thence S 24° 41' 12" E a distance of 93.58 feet; thence S 10° 46' 09" E a distance of 104.46 feet; thence S 5° 04' 06" W a distance 56.45 feet; thence N 84° 55' 54" W a distance of 40.00 feet to the westerly right-of-way of SW Sunrise Lane; thence along the westerly right-of-way of SW Sunrise Lane the following 7 courses; thence S 5° 04' 06" W a distance 89.57 feet; thence S 18° 08' 48" E a distance of 101.59 feet; thence S 01° 25' 53" W a distance of 141.47 feet; thence S 4° 36' 28" W a distance of 145.59 feet; thence S 43° 18' 47" W a distance of 111.75 feet; thence S 16° 59' 53" W a distance of 92.68 feet; thence S 14° 18' 07" E a distance of 11.36 feet; thence S 88° 41' 47" W, leaving said westerly right-of-way, a distance of 356.92 feet; thence N 01° 12' 28" E a distance of 615.64 to the true point of beginning.

Containing 9.48 acres.

**ANNEXATION CERTIFIED**

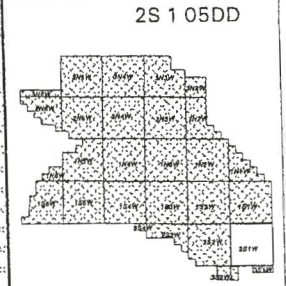
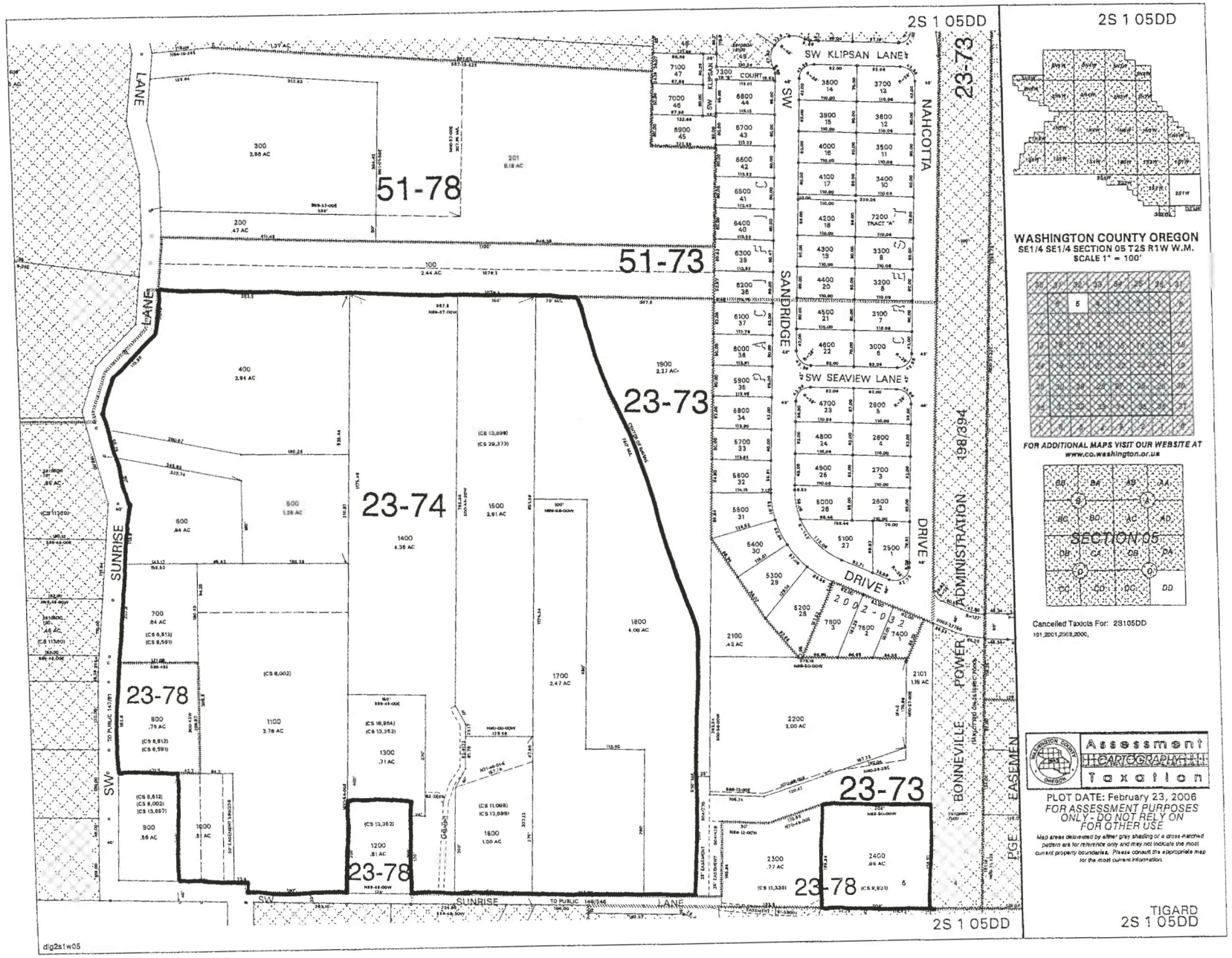
BY DR

APR 05 2007

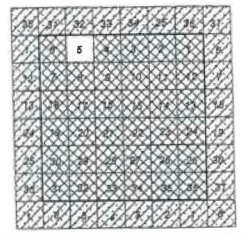
WASHINGTON COUNTY A & T  
CARTOGRAPHY



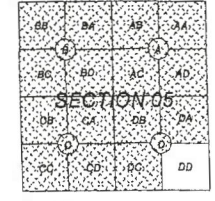
**EXHIBIT B**



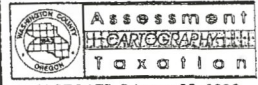
WASHINGTON COUNTY OREGON  
SE1/4 SE1/4 SECTION 05 T2S R1W W.M.  
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)



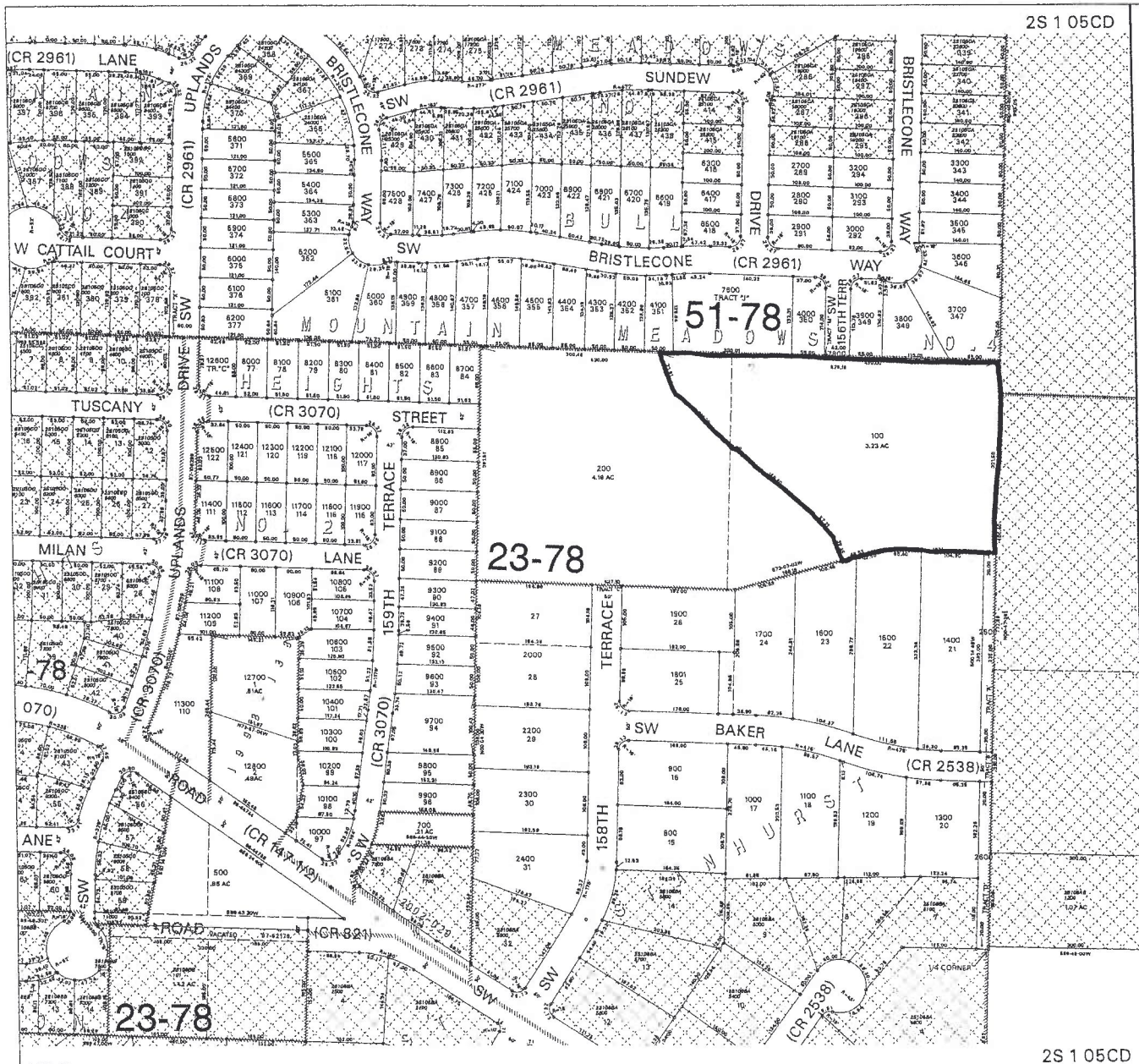
Cancelled Taxlots For: 23105DD  
101,2001,2002,2000.



PLOT DATE: February 23, 2006  
FOR ASSESSMENT PURPOSES  
ONLY - DO NOT RELY ON  
FOR OTHER USE  
Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

TIGARD  
2S 1 05DD





2S 1 05CD

WASHINGTON COUNTY OREGON  
SE 1/4 SW 1/4 SECTION 05 T2S R1W W.M.  
SCALE 1" = 100'

SECTION 05

Cancelled Taxlots For: 2S105CD  
7700, 400, 1800, 7400, 300, 600, 701, 401, 7700.

**Assessment**  
**Map**  
**Taxation**

PLOT DATE: January 21, 2004  
FOR ASSESSMENT PURPOSES  
ONLY - DO NOT RELY ON  
FOR OTHER USE

Map uses obtained by aerial photography and is a state-aeriated product and for reference only and they do not include the most current property boundaries. Please consult the appropriate map for the most current information.

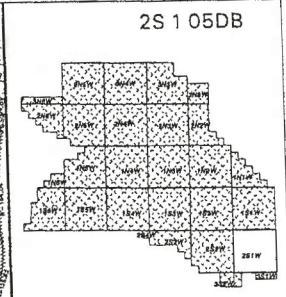
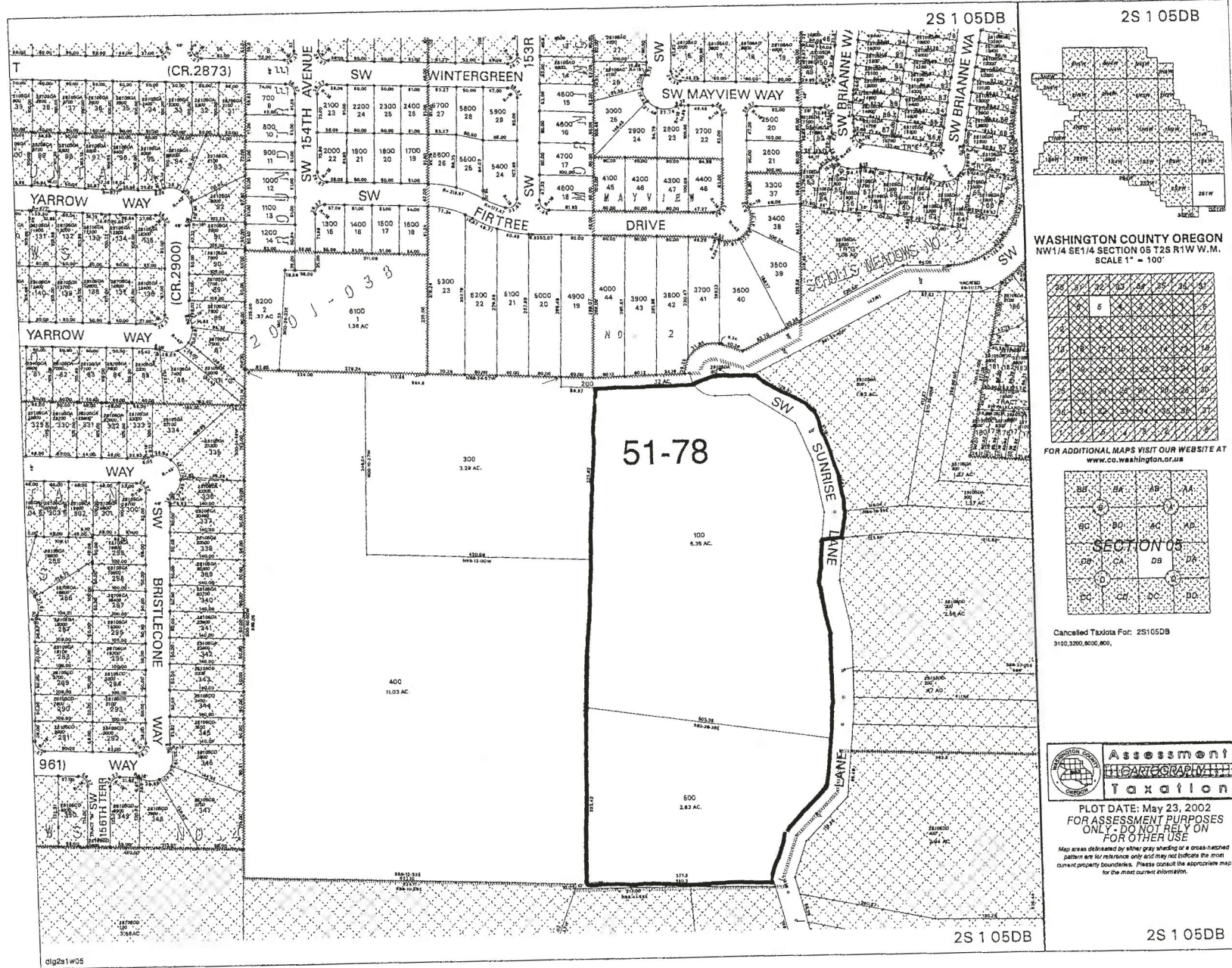
2S 1 05CD

dig2s1w05

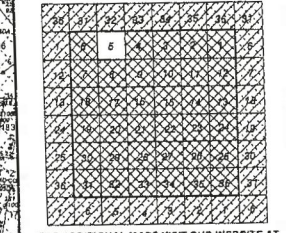
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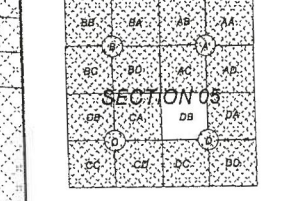




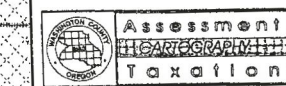
WASHINGTON COUNTY OREGON  
 NW1/4 SE1/4 SECTION 05 T2S R1W W.M.  
 SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)



Cancelled Taxlots For: 2S105DB  
 3100,3200,6000,6001



PLOT DATE: May 23, 2002  
 FOR ASSESSMENT PURPOSES  
 ONLY - DO NOT RELY ON  
 FOR OTHER USE  
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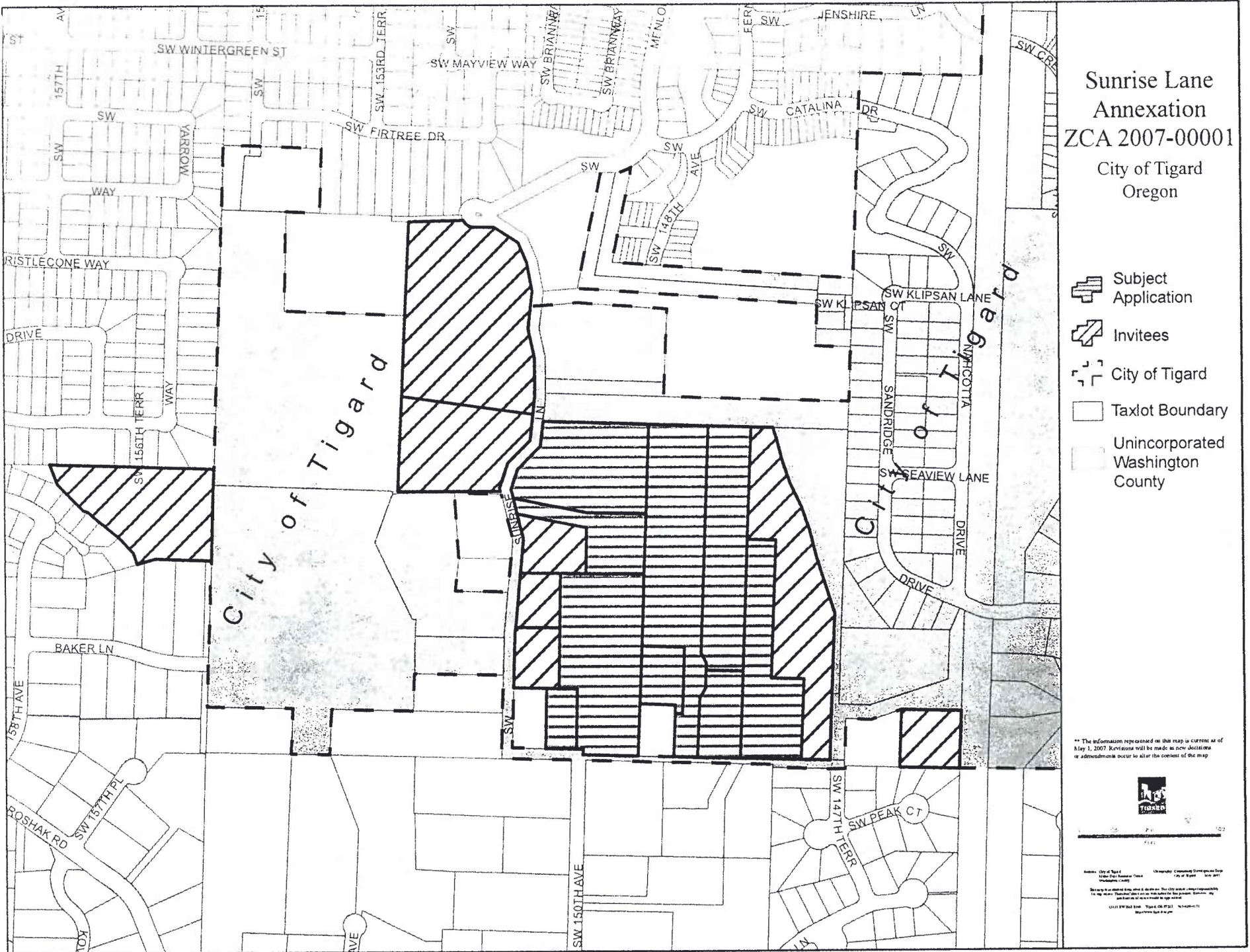
alg2s1w05

2S 1 05DB






2S 1 05DB



**EXHIBIT C**



**Sunrise Lane  
Annexation  
ZCA 2007-00001  
City of Tigard  
Oregon**

-  Subject Application
-  Invitees
-  City of Tigard
-  Taxlot Boundary
-  Unincorporated Washington County

\*\* The information represented on this map is current as of May 1, 2007. Revisions will be made as new decisions or amendments occur to alter the content of the map.



Author: City of Tigard  
 Title: Sunrise Lane Annexation  
 Date: 5/1/07  
 City of Tigard  
 1111 SW 8th St  
 Tigard, OR 97131  
 503.338.2200



TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the reference locations(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or dying the request for Annexation.

**LEGEND:**  
 PO - Property Owner  
 RV - Registered Voter  
 OV - Property Owner & Registered Voter

SIGNATURE	PRINTED NAME	IAMA			ADDRESS	PROPERTY DESCRIPTION				DATE
		PO	RV	Ov		Township/ Section	Map Number	Tax Lot Number	Precinct Number	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			15175 SW Sunrise Lane	2S1W05	DD	00400	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			15175 SW Sunrise Lane	2S1W05	DD	00500	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			14775 SW Sunrise Lane	2S1W05	DD	01700	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			14975 SW Sunrise Lane	2S1W05	DD	01100	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			15035 SW Sunrise Lane	2S1W05	DD	01000	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			14825 SW Sunrise Lane	2S1W05	DD	01500	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			14825 SW Sunrise Lane	2S1W05	DD	01600	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			14885 SW Sunrise Lane	2S1W05	DD	01300	397	
<i>[Signature]</i>	DR Horton Inc.- Portland	X			14895 SW Sunrise Lane	2S1W05	DD	01400	397	
<b>ANNEXATION CERTIFIED</b>					<b>ANNEXATION CERTIFIED</b>					
BY <u>FDK</u>					BY <u>FDK</u>					
MAR 06 2007					APR 05 2007					
WASHINGTON COUNTY A & T CARTOGRAPHY					WASHINGTON COUNTY A & T CARTOGRAPHY					

EXHIBIT D



(Include all properties/registered voters included in the proposal. (If needed, use separate sheets for additional listings.)

**"PROPERTIES"**

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
2S1W05DD 00400	DR Horton Inc.- Portland	2.94	\$ 1,300	X	
2S1W05DD 00500	DR Horton Inc.- Portland	1.25	\$ 865,460	X	
2S1W05DD 01000	DR Horton Inc.- Portland	0.51	\$ 364,750	X	
2S1W05DD 01100	DR Horton Inc.- Portland	3.78	\$ 1,199,120	X	
2S1W05DD 01300	DR Horton Inc.- Portland	0.71	\$ 495,250	X	
2S1W05DD 01400	DR Horton Inc.- Portland	4.38	\$ 494,300	X	
<b>TOTALS:</b>					

**"REGISTERED VOTERS"**

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION	
		YES	NO
<b>TOTALS:</b>			

**\*\*SUMMARY\*\***

i:\curpln\masters\revised\anxwksht.mst 15-Aug-02

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: Irrelevant  
 NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: \_\_\_\_\_  
 PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: \_\_\_\_\_  
 TOTAL ACREAGE IN THE PROPOSAL: 19.95 Acres  
 ACREAGE SIGNED FOR: 19.95 Acres  
 PERCENTAGE OF ACREAGE SIGNED FOR: 100%  
 TOTAL NUMBER OF SINGLE-FAMILY UNITS: 7  
 TOTAL NUMBER OF MULTI-FAMILY UNITS: 0  
 TOTAL NUMBER OF COMMERCIAL STRUCTURES: 0  
 TOTAL NUMBER OF INDUSTRIAL STRUCTURES: 0

## DOUBLE MAJORITY WORKSHEET FOR ANNEXATION TO THE CITY OF TIGARD

Please list all properties/registered Voters included in the proposal. ( If needed, use separate sheets for additional listings.)

### "PROPERTIES"

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION	
				YES	NO
2S1W05DD 01500	DR Horton Inc.- Portland	2.91	\$ 420,600	X	
2S1W05DD 01600	DR Horton Inc.- Portland	1.0	\$ 639,480	X	
2S1W05DD 01700	DR Horton Inc.- Portland	2.47	\$ 741,230	X	
<b>TOTALS:</b>		19.95 Acres	\$ 5,221,490		

### "REGISTERED VOTERS"

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION	
		YES	NO
<b>TOTALS:</b>			

### \*\*SUMMARY\*\*

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: \_\_\_\_\_  
 NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: \_\_\_\_\_  
 PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: \_\_\_\_\_  
  
 TOTAL ACREAGE IN THE PROPOSAL: \_\_\_\_\_  
 ACREAGE SIGNED FOR: \_\_\_\_\_  
 PERCENTAGE OF ACREAGE SIGNED FOR: \_\_\_\_\_  
  
 TOTAL NUMBER OF SINGLE-FAMILY UNITS: \_\_\_\_\_  
 TOTAL NUMBER OF MULTI-FAMILY UNITS: \_\_\_\_\_  
 TOTAL NUMBER OF COMMERCIAL STRUCTURES: \_\_\_\_\_  
 TOTAL NUMBER OF INDUSTRIAL STRUCTURES: \_\_\_\_\_

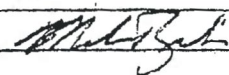


TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

**LEGEND:**  
 PO - Property Owner  
 RV - Registered Voter  
 OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION				DATE
		PO	RV	OV		Township/ Section	Map Number	Tax Lot Number	Precinct Number	
	Mark Brands			X	15155 SW Sunrise Lane Tigard			251050000	800	3/29/07

**ANNEXATION CERTIFIED**  
 BY FDR  
 APR 05 2007  
 WASHINGTON COUNTY A & T  
 CARTOGRAPHY

Mar 30 07 08:30a Brands 503 590-4701 p.2









**TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:**

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

**LEGEND:**

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

PAGE \_\_\_ OF \_\_\_

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION				DATE
		PO	RV	OV		Township/ Section	Map Number	Tax Lot Number	Precinct Number	
<i>[Handwritten Signature]</i>	DAVID A REIMANN	X	X	X	14625 SW SUNRISE LN TIGARD	2510	500	2400		3-27-07
<i>[Handwritten Signature]</i>	Kathleen Reimann	X	X	X	14625 SW SUNRISE LN TIGARD	2510	500	2400		3-27-07

**ANNEXATION CERTIFIED**

BY FDR

APR 05 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY

*Application Annex Tigard*

*503  
590 2403*

TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

LEGEND:

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

PAGE \_\_\_ OF \_\_\_

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION				DATE
		PO	RV	OV		Township/ Section	Map Number	Tax Lot Number	Precinct Number	
<i>[Signature]</i>	LEON D WHITE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	635 FORESTLAND, SUNRISE		2515 DB 0000	E 481029		
<i>[Signature]</i>	CAROL WHITE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15180 SW SURRISE TIGARD, OR 97224			R1109945		
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
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**ANNEXATION CERTIFIED**  
BY FDR  
APR 05 2007  
**WASHINGTON COUNTY A & T  
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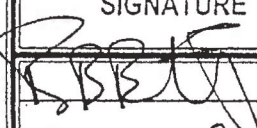

TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

**LEGEND:**

- PO - Property Owner
- RV - Registered Voter
- OV - Property Owner & Registered Voter

PAGE \_\_\_ OF \_\_\_

SIGNATURE	PRINTED NAME	I AM A			ADDRESS	PROPERTY DESCRIPTION				DATE
		PO	RV	OV		Township/ Section	Map Number	Tax Lot Number	Precinct Number	
	The Trust for Public Land				R482098	2S1W05	CD	60100		3/26/07
Counsel Robert B Betcome Jr.										
						<b>ANNEXATION CERTIFIED</b>				
						BY 				
						APR 05 2007				
						WASHINGTON COUNTY A & T CARTOGRAPHY				

**THIS SECTION IS TO BE COMPLETED BY WASHINGTON COUNTY ASSESSOR'S OFFICE**

**CERTIFICATION OF PROPERTY OWNERSHIP**  
(Double Majority Method)

I hereby certify that the attached petition for annexation of the territory described therein to the **City of Tigard** 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 role.

NAME: JENNIFER RAMSTAD  
TITLE: CARTOGRAPHER  
DEPARTMENT: ASSESSMENT & TAXATION  
COUNTY OF: WASHINGTON  
DATE: 4/5/2007

\* indicates that "Owner" means the owner of the title to real property or the contract purchaser of real property.

**THIS SECTION IS TO BE COMPLETED BY WASHINGTON COUNTY ELECTIONS OFFICE**

**CERTIFICATION OF REGISTERED VOTERS**

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

NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DEPARTMENT: \_\_\_\_\_  
COUNTY OF: \_\_\_\_\_  
DATE: \_\_\_\_\_

**ANNEXATION CERTIFIED**  
BY FDR  
APR 05 2007  
WASHINGTON COUNTY A & T  
CARTOGRAPHY



CITY OF TIGARD  
CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 25105 CD, DB, DD) 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.

NAME JENNIFER RAMSTAD  
TITLE CARTOGRAPHER  
DEPARTMENT ASSESSMENT & TAXATION  
COUNTY OF WASHINGTON  
DATE 4/5/2007

**ANNEXATION CERTIFIED**

BY FDR

APR 05 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY

Hearing Date: May 22, 2007 Time: 7:30 PM

**STAFF REPORT TO THE  
CITY COUNCIL  
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = N/A

**SECTION I. APPLICATION SUMMARY**

**FILE NAME:** SUNRISE LANE ANNEXATION  
**CASE NO:** Zone Change Annexation (ZCA) ZCA2007-00001

**APPLICANT/OWNER:** DR Horton, Inc. - Portland  
 c/o J/T Smith Companies  
 4386 SW Macadam, Suite 305  
 Portland, OR 97239

**APPLICANT'S REP.:** WRG Design, Inc.  
 5415 SW Westgate Dr., Suite 100  
 Portland, OR 97221

**OWNER:** Patricia Marshall  
 14765 SW Sunrise Lane  
 Tigard, OR 97224

**OWNER:** Leighton Walsh  
 15169 SW Sunrise Lane  
 Tigard, OR 97224

**OWNER:** Trust for Public Lands  
 806 SW Broadway, Suite 300  
 Portland, Or 97205

**OWNER:** Leon and Carol White  
 15180 SW Sunrise Lane  
 Tigard, OR 97224

**OWNER:** Mark Brands  
 15155 SW Sunrise Lane  
 Tigard, OR 97224

**OWNER:** David and Kathleen Reimann  
 14625 SW Sunrise Lane  
 Tigard, OR 97224

**REQUEST:** The applicant is seeking approval for the Annexation of nine (9) parcels totaling 19.95 acres into the City of Tigard. The applicant also request approval of a Zone Change from Washington County's R-6 designation to the City of Tigard's R-7 zone. *An additional 19.47 acres have been included by means of consents by property owners for eight (8) additional parcels and a portion of Sunrise Lane right-of-way. Therefore, this annexation is for seventeen (17) parcels of land containing 39.42 acres.*

**LOCATION:** North of Bull Mountain @ 150th & Sunrise Lane. Applicant's parcels include: WCTM (2S105DD, Tax Lots 400/500/1000/1100/1300/1400/1500/1600/1700. *Intee's parcels include: WCTM 2S105DD, Tax Lots 600/700/800/1800/2400; 2S105DB, Tax Lots 100/500; 2S105CD, Tax Lot 100; and a portion of Sunrise Lane right-of-way.*



**CURRENT  
ZONING**

**DESIGNATION:** R-6 District (Residential 6 Units Per Acre). The purpose of the Washington County R-6 District is to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre (average lot size of 4,500 square feet; minimum lot size of 4,000 square feet), except as specified by Section 300-2 or Section 303-6. The intent of the R-6 District is to provide the opportunity for more flexibility in development than is allowed in the R-5 District.

**EQUIVALENT  
CITY ZONING**

**DESIGNATION:** Proposed zone is City of Tigard R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

**APPLICABLE  
REVIEW**

**CRITERIA:** The approval standards for annexations are set out in Tigard Community Development Code Chapters 18.320 and 18.390, Tigard Comprehensive Plan Policies 1, 2 and 10; ORS Chapter 222; Metro Code Chapter 3.09; and any applicable Statewide Planning Goals.

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**SECTION II. STAFF RECOMMENDATION**

Staff recommends that the Council find that the proposed annexation (ZCA2007-00001) meets all the approval criteria as identified in the Tigard Community Development Code Chapters 18.320 and 18.390, Tigard Comprehensive Plan Policies 1, 2, and 10; Metro Code Chapter 3.09; ORS Chapter 222, and Statewide Planning Goals 1, 2, 5, 11, and 12. Therefore, staff recommends APPROVAL of ZCA2007-00001 by adoption of the proposed ordinance.

**SECTION III. BACKGROUND INFORMATION**

**Prior Sunrise Lane Annexation Application**

The applicant previously submitted an annexation application (ZCA2005-00004). The City of Tigard ("City") approved that annexation application. Friends of Bull Mountain appealed the City's approval to the Oregon Land Use Board of Appeals ("LUBA"). LUBA remanded the application to the City for two reasons.

LUBA determined that the City erred by failing to make findings of compliance with the Statewide Planning Goals ("Goals"), especially Goal 5, since the Bull Mountain Community Plan contained a Goal 5 provision that the City had not determined would be implemented by the repeal of the Bull Mountain Community Plan. LUBA also found that the City erred by failing to give notice of post-acknowledgment amendment to the Oregon Department of Land Conservation and Development ("DLCD") as required by ORS 197.610(1).

The applicant subsequently withdrew the challenged annexation and Comprehensive Plan map/zoning map amendment prior to the City conducting a hearing on remand.

The application before the City this time is a new application submitted on March 7, 2007. Since the initial application, two important changes have occurred that bear on this application: 1) the City and the County terminated the IGA where the City provided planning and development services on behalf of the County, and 2) the City has amended its Comprehensive Plan and Development Code (Ordinance No. 2006-20) to include Goal 5 Habitat Friendly Development Provisions including the Significant Habitat Areas Map. Therefore, the Bull Mountain Community Plan is not an applicable approval criterion and its Goal 5 provisions no longer apply to this site.

#### Invitation to Annex

The policy of the City of Tigard is to invite property owners to join an annexation request when their property is adjacent to properties subject to an annexation request or in the vicinity of the annexation request and adjacent to the City's boundary. The City makes this invitation to create a uniform City boundary to facilitate the efficient provision of services.

Landowners of nineteen parcels were invited to join the D.R. Horton annexation request. Six landowners representing eight parcels accepted the invitation. All of the properties subject to this annexation will benefit from the City's annexation fee waiver and phased property tax incentives passed by Council under Resolution No. 17-13 on March 13, 2007.

#### Site Information:

The subject territory is located along the western boundary of the City of Tigard. The site is part of unincorporated Bull Mountain and is located within the Tigard Urban Planning Area. The nine (9) applicant parcels and four (4) of the invitee parcels lie within an island created by the recent Cache Creek annexation, which included portions of the Sunrise Lane right-of-way. The remaining four (4) invitee parcels are otherwise adjacent to the City boundary.

The subject site includes residential land, both vacant and in current residential use. Four of the seventeen lots are vacant and thirteen include primary residential structures.

Nine of the seventeen parcels contain steep slopes, defined as 25% slope or greater. The subject territory does not include any wetlands identified on the City's Significant Wetlands map. Goal 5 Habitat and Bull Mountain Community Plan natural resources exist on portions of fifteen parcels. The City of Tigard Community Development Code requires Sensitive Lands permits for development on parcels with steep slopes and drainageways, protection for which will be considered if and when any of the proposed territory develops.

### SECTION IV. APPLICABLE REVIEW CRITERIA, FINDINGS AND CONCLUSIONS

**City:** Comprehensive Plan Policies 1, 2 and 10, Community Development Code Chapters 18.320 and 18.390.

**Regional:** Metro Code Chapter 3.09

**State:** ORS Chapter 222; Statewide Planning Goals 1, 2, 5, 11, and 12.

#### A. CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (TITLE 18)

Staff has determined that the proposal is consistent with the relevant portions of the Community Development Code based on the following findings:

##### 1. Chapter 18.320.020: Approval Process and Standards.

**B. Approval Criteria.** The decision to approve, approve with modification, or deny an application to annex property to the City shall be based on the following criteria:

**1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and**

The City of Tigard Comprehensive Plan's Urbanization Chapter (Policy 10.1.1) defines services as water, sewer, drainage, streets, police, and fire protection. Each service is addressed below.



Policy 10.1.1 further defines capacity as “adequate capacity, or such services to be made available,” to serve the parcel “if developed to the most intense use allowed,” and “will not significantly reduce the level of services available to developed and undeveloped land in the City of Tigard.” The proposed annexation territory is currently zoned R-6, a Washington County residential zone designated for residential development at no more than six (6) units per acre and no less than five (5) units per acre. With annexation, the subject site’s zoning would change to R-7 per Table 320.1 (Title 18). This equivalent city zoning provides for medium-density, single-family residential with a minimum residential lot size of 5,000 square feet.

As noted earlier, the subject site’s current and planned uses are single-family residential. If the 39.42 acres were developed to their designated capacity of 7 units per gross acre, without allowance for the sensitive lands present, the sites could accommodate approximately 274 units total. These figures inform City department evaluations of Policy 10.1.1 of the available services. When these sites develop, the applicant will be required to connect to public service facilities. The land-use review process will identify specific service provisions and require additional facilities or upgrades as appropriate, as well as consider the sensitive lands present.

**Water – City of Tigard Public Works.** The City of Tigard’s water system has the capacity to provide the minimum State of Oregon water service requirements for the proposed annexation, according to Tigard City Engineer Gus Duenas (Letter of April 17, 2007, Attachment A). Mr. Duenas states that “the City has determined that it can provide water service to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. A water main ranging from 6 to 8 inches in diameter is located in SW Sunrise Lane adjacent to the parcel.”

**Sewer – Clean Water Services/City of Tigard.**

Tigard City Engineer Gus Duenas (Attachment A) reviewed the proposal and provided the following comments: “Sanitary sewer is provided by the City and Clean Water Services. The City has determined that it can provide sanitary sewer service to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. An 8-inch sanitary sewer line is located in SW Menlor Lane at SW 148th Avenue. This sanitary sewer line is located approximately 1400 feet from this area to be annexed. An 8-inch sanitary sewer line is located in SW 147th Terrace. This sanitary sewer line is located approximately 250 feet from the area to be annexed. The sanitary sewer lines can be extended to this site, with the exception of tax lot 2S105CD100 and perhaps a portion of 28105DB500. These parcels would be served by the extensions of sewers from Washington County. Extension of these sewers will also be required to serve the currently undeveloped incorporated area between the two parcels.

Clean Water Services Development Services Manager, Terry Keyes (Attachment C) reviewed the proposal and provided the following comment: “I am writing in regard to the above referenced application for annexation to the City of Tigard. Clean Water Services (CWS) is the service provider for sanitary sewer and surface water management in the unincorporated urban areas of Washington County. Once a parcel becomes annexed, service is transferred from CWS to the applicable City within the boundaries of Washington County. The parcels listed in the proposed annexation area will be served by existing 8” sanitary sewers north of the area. We are unaware of any major capacity constraints in the sewer system downstream of these parcels. Therefore, the sanitary sewer system has the capacity to serve the annexation site.”

**Drainage – Clean Water Services/City of Tigard.**

Tigard City Engineer Gus Duenas (“Memorandum,” Attachment A) reviewed the proposal and provided the following comments: “Storm drainage service is provided by the City and Clean Water Services. The City has determined that it can provide storm drainage service to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. A 16-inch storm drainage line is located at SW Menlor Lane and SW 148th Avenue. The line is approximately 1400 feet from the site at the confluence of two natural drainage ways. The existing natural drainage ways can be used to serve the site, with the exception of the westernmost portion of the site which is drained by drainageways directed to Washington County. Tax lot 25105CD100 and the incorporated area will continue to be drained by these drainageways.”



Clean Water Services Development Services Manager, Terry Keyes (Attachment C) reviewed the proposal and provided the following comment: "Runoff from these parcels, when they are developed, will be treated in accordance with CWS standards and released into surface drainage ways. Although there are no known capacity issues in this area, if any capacity issues are identified during the development design stage, the applicant will be required to detain site runoff in accordance with CWS standards. Therefore, capacity of the drainage system serving the sites should not be an issue for this proposed annexation."

**Streets - City of Tigard Capital Construction & Transportation Division.**

Tigard City Engineer Gus Duenas (Attachment A) reviewed the annexation proposal and provided the following comments: "The City has determined that it can provide street-related services to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. The site is served by Bull Mountain Road, a Washington County road designated as a collector, by SW 150th Avenue and SW Sunrise Lane (north-south segment), both County roads designated as neighborhood routes, and by SW Grandview Lane and SW Sunrise Lane (east-west segment), both County local roads."

**Police - City of Tigard Police Department.**

The City of Tigard's Police Department (Attachment B) has reviewed the annexation proposal and provided the following comments: "The City of Tigard Police Department has determined that it has adequate services to serve the most intense use allowed and that providing services will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard."

**Fire - Tualatin Valley Fire and Rescue (TVF&R).**

Tualatin Valley Fire and Rescue (Attachment D) reviewed the annexation proposal and provide the following comment: "Tualatin Valley Fire and Rescue District currently provides services to the entire Bull Mountain area, both inside and outside of the City of Tigard. The Fire District has personnel and equipment in the area that can respond to an emergency incident and implement such actions as may be necessary for fire and/or rescue operations to developed and undeveloped land within the City of Tigard."

Based upon this review, staff finds that all public services (as defined by the Comprehensive Plan) are available to the proposed annexation territory and all public services have sufficient capacity to provide service to the proposed annexation territory.

**2. The applicable Comprehensive Plan policies and implementing ordinance provisions have been satisfied.**

Four Comprehensive Plan policies apply to proposed annexation: 1, 2.1.1, 10.1.1., and 10.1.2. Staff has determined that the proposal has satisfied the applicable Comprehensive Plan policies based on the following findings:

**Policy 1.1.1: General Policies.** The city shall ensure that the comprehensive plan and all future legislative changes are consistent with the statewide planning goals adopted by the land Conservation and development commission.

The proposed annexation request does not involve legislative changes to the comprehensive plan. The change from Washington County territory designated R-6 Residential to City of Tigard, designate R-7 SFR 5,000 square feet is automatic upon annexation by the City.

Staff finds that this policy is met.

**Policy 2.1.1: Citizen Involvement.** The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

The City maintains an ongoing citizen involvement program. To assure citizens will be provided an opportunity to be involved in all phases of the planning process, the City provides notice for Type IV land-use applications. The City posted, mailed and published notice of the public hearing as follows. The City posted the hearing notice at four public places on April 6, 2007: Tigard Library, Tigard City Hall, Tigard Permit Center, and in the general vicinity of the proposed territory on SW Sunrise Lane. The City published notice of the hearing in *The Tigard Tualatin Sherwood Times* for two successive weeks (May 3, 2007



and May 10, 2007) prior to the May 22, 2007, public hearing. The City also mailed notice to all interested parties and surrounding property owners within 500 feet on April 30, 2007. In addition, the City maintains a list of interested parties organized by geography. Notice was mailed to interested parties in the West area on April 30, 2007, which includes former Citizen Involvement Team contacts and CPO 4B, the citizen participation organization for the area.

Staff finds that this policy is met.

**Policy 10.1.1: Urbanization.** Prior to the annexation of land to the City of Tigard, a) the City shall review each of the following services as to adequate capacity, or such services to be made available, to serve the parcel if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard: 1. Water; 2. Sewer; 3. Drainage; 4. Streets; 5. Police; and 6. Fire Protection.

As addressed under 18.320.020.B.1 above, adequate service is available to the proposed annexation territory. Upon annexation, the proposed territory will be zoned R-7, a medium-density single-family residential zone with a minimum residential lot size of 5,000 square feet. The privately owned properties have an estimated maximum density of 274 units (not taking into account sensitive lands).<sup>1</sup> If they develop, the developer(s) will be required to connect the properties to public service facilities, such as sewer, storm drainage and water, and provide the necessary street improvements. Based on comments from City of Tigard and other agency staff, there is adequate capacity to serve the annexation area (water, sewer, drainage, streets, police, fire protection) if developed to the most intense use allowed, and it will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard.

The City of Tigard Engineering Department has reviewed the annexation proposal and states that the City's water system can provide the minimum State of Oregon water service requirements for the proposed territory based on the maximum density permitted, and has not indicated that there would be a reduction in its capacity to provide water to the proposed annexation territory or reduce the level of service to the entire City. In addition, the Engineering Department confirmed that sewer service, storm drainage and street access are available to the site. The Police Department reviewed the proposal and has no objections. Clean Water Services (CWS) also confirmed that the sanitary sewer and drainage systems have the capacity to serve the proposed annexation territory. Tualatin Valley Fire and Rescue (TVF&R), the current provider to the proposed territory, did not raise any objections.

Staff concludes that there is adequate capacity to serve the proposed territory (water, sewer, drainage, streets, police, fire protection) if developed to the most intense use allowed, and will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard.

b) If required by an adopted capital improvements program ordinance, the applicant shall sign and record with Washington County a nonremonstrance agreement regarding the following: 1. The formation of a local improvement district (L.I.D.) for any of the following services that could be provided through such a district. The extension or improvement of the following: a) Water, b) Sewer, c) Drainage, and d) Streets. 2. The formation of a special district for any of the above services or the inclusion of the property into a special service district for any of the above services.

This criterion does not apply: No capital improvements program requires a nonremonstrance agreement for this area. Some urban services are already available for the proposed annexation territory; others are available nearby and would require connections from the proposed annexation area. However, these public facility requirements will be assigned as part of any subdivision review when an application is submitted.

c) The City shall provide urban services to areas within the Tigard Urban Planning Area or within the Urban Growth Boundary upon annexation.

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<sup>1</sup> Maximum density was calculated using formula provided in Code Chapter 18.715.



The Tigard Urban Planning Area (as defined in the *Washington County - Tigard Urban Planning Area Agreement (UPAA (July 2006))*; see Attachment D of applicant's submittal) includes the proposed annexation territory. The City is the designated urban services provider for the services defined in the *Tigard Urban Service Agreement (TUSA) (2002)* and subsequent operating agreements: police; parks, recreation and open space; roads and streets; sanitary sewer and storm water (through an operating agreement with Clean Water Services); and water service. Upon annexation, those services will be provided according to the City's current policies.

Staff finds that this policy is met.

**Policy 10.1.2: Urbanization.** Approval of proposed annexations of land by the City shall be based on findings with respect to the following: a) The annexation eliminates an existing "pocket" or "island" of unincorporated territory; or, b) The annexation will not create an irregular boundary that makes it difficult for the police in an emergency situation to determine whether the parcel is within or outside the City; c) The Police Department has commented upon the annexation; d) the land is located within the Tigard Area of Interest and is contiguous to the City boundary; e) The annexation can be accommodated by the services listed in 10.1.1(a).

- a) The proposed annexation substantially eliminates an existing island of unincorporated territory, but two single-parcel islands remain. It also removes portions of existing pockets with the White and Reimann properties.
- b) The City of Tigard Police Department has reviewed the proposed annexation and has no objections to it. The department stated (Attachment 2, Exhibit B) that "The City of Tigard Police Department has determined that it has adequate services to serve the most intense use allowed and that providing services will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard."
- c) As shown in b. above, the City of Tigard Police Department has commented on the annexation.
- d) The *UPAA (July 2006)* includes the proposed annexation territory within Tigard's Area of Interest. The proposed annexation territory is contiguous to the City along the site's east boundary and Sunrise Lane.
- e) Lastly, as section 10.1.1.(a) demonstrated, the annexation can be accommodated by the following services: water, sewer, drainage, streets, police, and fire protection.

Therefore, staff finds that the proposed annexation meets Policy 10.1.2.

**Policy 10.1.3: Urbanization.** Upon annexation of land into the City which carries a Washington County zoning designation, the City of Tigard shall assign the City of Tigard zoning district designation which most closely conforms to the county zoning designation.

Chapter 18.320.020 C of the Community Development Code provides specifics on this conversion.

The proposed annexation territory's Washington County designation is R-6. Table 320.1 summarizes the conversion of the County's plan and zoning designations; R-6 County zoning converts to the City's R-7 zoning. As this is a Zone Change Annexation (ZCA) application, upon approval and execution of the proposed annexation, the territory will assume R-7 zoning to conform with the table below. Additionally, the City's Comprehensive Plan designation for medium-density residential will be applied to this area.



TABLE 320.1  
CONVERSION TABLE FOR COUNTY AND CITY PLAN AND ZONING DESIGNATIONS

Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Plan Designation
R-5 Res. 5 units/acre	R-4 SFR 7,500 sq. ft.	Low density 1-5 units/acre
R-6 Res. 6 units/acre	R-7 SFR 5,000 sq. ft.	Med. density 6-12 units/acre
R-9 Res. 9 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-12 Res. 12 units/acre	R-12 Multi-family 12 units/acre	Med. density 6-12 units/acre
R-15 Res. 15 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
R-24 Res. 24 units/acre	R-25 Multi-family 25 units/acre	Medium-High density 13-25 units/acre
Office Commercial	CP Commercial Professional	CP Commercial Professional
NC Neighborhood Commercial	CN Neighborhood Commercial	CN Neighborhood Commercial
CBD Commercial Business District	CBD Commercial Business District	CBD Commercial Business District
GC General Commercial	CG General Commercial	CG General Commercial
IND Industrial	I-L Light Industrial	Light Industrial

**Chapter 18.320.020**

**C. Assignment of comprehensive plan and zoning designations.**

The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. (See Chapter 18.380). A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.

As the previous section demonstrated, the City of Tigard R-7 zoning district is the most similar to Washington County's R-6 zoning district. The proposed territory is currently R-6 and will automatically become R-7 upon annexation. This zone conversion will occur concurrently with the annexation process. There have been no requests for zoning other than R-7.

**City of Tigard Community Development Code**

**2. Chapter 18.390.060: Type IV Procedure**

Annexations are processed by means of a Type IV procedure, as governed by Chapter 18.390 of the Tigard Community Development Code (Title 18) using standards of approval contained in 18.390.020(B), which were addressed in the previous section. Chapter 18.390 requires City Council to hold a hearing on an annexation. It also requires the City to provide notice at least 10 days prior to the hearing by mail and to publish newspaper notice; the City mailed notice on April 30, 2007, and published public notice in *The Tigard Tualatin Sherwood Times* for two successive weeks (May 3, 2007, and May 10, 2007) prior to the May 22, 2007 public hearing.

Additionally, Chapter 18.390.060 sets forth five decision-making considerations for a Type IV decision:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;

**Annexation**

Tigard Community Development Code ("TCDC") 18.320.020(B)(1) and (2) contain the approval criteria for an annexation application. This application explains elsewhere why all services and facilities are available to the area to be annexed and that sufficient capacity to provide service to the proposed annexation area and why applicable Tigard Comprehensive Plan ("TCP") policies and implementing ordinance provisions have been satisfied.

**Comprehensive Plan Map and Zoning Map Amendment**

TCDC 18.320.020(C), Table 320.1, assigns City Comprehensive Plan map and zoning map designations from the most compatible County Comprehensive Plan map and zoning map designations. This property is currently designated such that the corresponding City TCP map designation is Medium Density Residential and the corresponding zoning map designation is R 7. Pursuant to this provision, the City may convert the County designations to City designations. Therefore, findings regarding the Statewide Planning Goals are unnecessary. However, to the extent such findings are necessary, this portion of the narrative makes those findings.

**Goal 1: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

As shown above in the findings for Tigard's Comprehensive Plan Policy 2.1.1: Citizen Involvement, this policy is met.

**Goal 2: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

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This Goal requires an adequate factual base for the decision and the City to follow its planning process. The City Council can find that this application contains an adequate factual basis for explaining why this application satisfies applicable approval criteria. Furthermore, pursuant to acknowledged provisions of the TCDC, the City can find that appropriate notice to property owners and the notice required by ORS 197.610(1) to the DLCD has been provided.

**Goal 5: To protect natural resources and conserve scenic and historic areas and open spaces.**

This Goal requires, as applicable here, preservation of identified natural resources. In the first annexation application, LUBA found that the City erred by failing to find that Goal 5 would be implemented with the repeal of the Bull Mountain Community Plan. As noted above, the City and County have since terminated the IGA that made the BMCP inapplicable provision for this property regarding Goal 5. Additionally, since that time, the City has implemented Goal 5 by the adoption of TCDC Section 18.775. This TCDC section is acknowledged with notice having been given to DLCD following its adoption and no appeal filed. This TCDC provision implements Goal 5. If annexed, the land division application will allow development of this property as subject to this TCDC provision. Therefore, the City Council can find that Goal 5 will be implemented by an acknowledged provision of the TCDC.

**Goal 11: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

Goal 11 concerns public facilities and services. Goal 11 is implemented by the City's acknowledged provisions in its TCDC and TCP regarding the adequacy of public facilities and services. This application contains substantial evidence demonstrating all relevant public facilities and services as described in the TCP will be sufficiently available following annexation of the property.

**Goal 12: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**



This Goal requires that there be a safe and efficient transportation system. Goal 12 is implemented by the transportation planning rule, OAR Chapter 660, Division 12. Based on the letter from Kittelson and Associates, the City can find that both Goal 12 and the Transportation Planning Rule are implemented because there will be no significant affect on surrounding transportation facilities if this property is annexed.

The City's Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission to be in compliance with state planning goals. As reviewed above, the annexation proposal meets the existing Comprehensive Plan policies and therefore is in compliance with Statewide Planning Goals.

## **2. Any federal or state statutes or regulations found applicable;**

### **ORS 222:**

State law (ORS 222.120(4)(b), ORS 222.125, ORS 222.170(1) and (2)) allows for a city to annex contiguous territory when owners of land in the proposed territory to be annexed submit a petition to the legislative body of the City.

ORS 222.170 (1) states that "the legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body."

The property owners (or their representatives) of all 17 parcels have submitted signed petitions for annexation to the City representing 100 percent of the landowners, 100 percent of the territory and 100 percent of the value of all real property. ~~The proposed annexation territory is contiguous to the City boundary.~~

ORS 222.120 requires the City to hold a public hearing before its legislative body (City Council) and provide public notice to be published once each week for two successive weeks prior to the day of the hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

The City published public notice in *The Tigard Tualatin Sherwood Times* for two successive weeks (May 3, 2007, and May 10, 2007,) prior to the May 22, 2007, public hearing and posted the hearing notice at four public places on April 6, 2007: Tigard Library, Tigard City Hall, Tigard Permit Center, and in the general vicinity of the proposed territory.

Staff finds that the provisions of ORS 222 have been met.

## **3. Any applicable METRO regulations;**

Chapter 3.09 of the Metro Code (Local Government Boundary Changes) includes standards to be addressed in annexation decisions, in addition to local and state review standards. Note that the report is available 15 days before the hearing (May 7, 2007, for a May 22, 2007, hearing).

Staff has determined that the applicable METRO regulations (Metro Code 3.09.040(b) &(d)) have been met based on the following findings:

Metro 3.09.040 (b) (b) Not later than 15 days prior to the date set for a change decision, the approving entity shall make available to the public a report that addresses the criteria in subsections (d) and (g) below, and that includes at a minimum the following:

**(1) The extent to which urban services presently are available to serve the affected territory including any extra territorial extensions of service;**

As addressed previously in this report, urban services are available to the affected territory.



(2) A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;

As addressed previously in this report, the annexation proposal complies with all applicable provisions of urban service provider agreements, *UPAA (2006)*; and *TUSA (2002)*.

(3) A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties;

As addressed previously in this report, the annexation proposal complies with all applicable policies of the City of Tigard Comprehensive Plan and urban service provider agreements (*UPAA (2006)* and *TUSA (2002)*). The proposed annexation territory is within the Urban Growth Boundary and subject to the Regional Framework Plan and Urban Growth Management Functional Plan provisions. There are no specific applicable standards or criteria for boundary changes in the Regional Framework Plan or the Urban Growth Management Functional Plan. However, the City's Comprehensive Plan and Development Code have been amended to comply with Metro functional plan requirements. By complying with the Development Code and Comprehensive Plan, the annexation is consistent with the Functional Plan and the Regional Framework Plan.

(4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

The proposed territory will remain within Washington County but will be required to be withdrawn from the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District # 1, and the Washington County Vector Control District upon completion of the annexation.

(5) The proposed effective date of the decision.

The public hearing will take place May 22, 2007. If the Council adopts findings to approve ZCA2007-00001 on May 22, 2007, the effective date of the annexation will be June 21, 2007.

Metro Code 3.09.040 (d)

(d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

1. Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

As addressed previously in this application, the annexation proposal complies with all applicable provisions of urban service provider agreements (*UPAA (2006)* and the *TUSA (2002)*). The *TUSA* includes the proposed annexation territory. The agreement states that the County and City will be supportive of annexations to the City, and the City shall endeavor to annex the Bull Mountain area in the near to mid-term (by 2005-2007, as projected in the *TUSA*). The proposed annexation is in the Bull Mountain Area and is contiguous to city limits.

Therefore, the proposed annexation is consistent with these agreements.

2. Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The *UPAA (2006)* includes the proposed annexation territory. The City has followed all processing and notice requirements in the *UPAA*, providing Washington County with 45-day notice prior to the public hearing. The agreement states that "so that all properties within the Tigard Urban Service Area will be served by the City, the County and City will be supportive of annexations to the City." The City also provided notice to the affected CPO (CPO 4B) per the agreement.



The annexation proposal is consistent with this agreement.

**3. Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;**

As previously stated in this report, this proposal meets all applicable City of Tigard Comprehensive Plan provisions.

This criterion is satisfied.

**4. Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;**

This criterion was addressed under Metro Code 3.09.040(b). By complying with the City of Tigard Community Development Code and Comprehensive Plan, the annexation is consistent with the Functional Plan and the Regional Framework Plan.

**5. Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;**

The proposed annexation will not interfere with the provision of public facilities or services because it is consistent with the terms of the *TUSA (2002)*, which ensures the timely, orderly, and efficient extension of public facilities and urban services; it is contiguous to existing city limits and services; and lastly, urban services are available to the proposed annexation territory and have not been found to significantly reduce existing service levels.

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**6. The territory lies within the Urban Growth Boundary; and**

The proposed territory is within Metro's Urban Growth Boundary.

**7. Consistency with other applicable criteria for the boundary change in question under state and local law.**

In previous sections, this report reviewed the proposal's consistency with other applicable criteria and found it to be consistent.

(Tigard CDC 19.390.060)

**4. Any applicable comprehensive plan policies; and**

As demonstrated in previous sections of this report, the proposed annexation is consistent with, and meets, all applicable comprehensive plan policies.

**5. Any applicable provisions of the City's implementing ordinances.**

There are no specific implementing ordinances that apply to this proposed annexation. Chapter 18 of the City of Tigard Community Development Code will apply to development of the property.

**SECTION VII. OTHER STAFF COMMENTS**

The City of Tigard Engineering and Police Departments have reviewed the proposal and have no objections to it and have not indicated that the proposed annexation would reduce their capacity to provide services to the proposed annexation territory or reduce the level of City services. Full comments are provided in the attachments listed below.

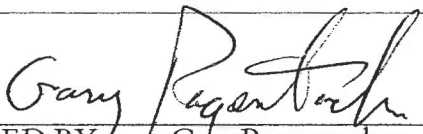
**SECTION VIII. AGENCY COMMENTS**

Tualatin Valley Fire and Rescue and Clean Water Services have reviewed the annexation proposal and have no objections.

**ATTACHMENTS**

- Attachment A:** Letter from Gus Duenas, Engineering Division
- Attachment B:** Letter from William Dickinson Tigard Police Department
- Attachment C:** Letter from Clean Water Services
- Attachment D:** Letter from Tualatin Valley Fire and Rescue

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PREPARED BY: Gary Pagenstecher  
Associate Planner

\_\_\_\_\_  
May 7, 2007  
DATE

  
REVIEWED BY: Dick Bewersdorf  
Community Development Director

\_\_\_\_\_  
May 7, 2007  
DATE



**EXHIBIT A**

*City of Tigard, Oregon • 13125 SW Hall Blvd. • Tigard, OR 97223*



April 17, 2007

Andrew Tull  
Planner, WRG Design  
5415 SW Westgate Drive, Suite 100  
Portland, Oregon 97221

**Re: City of Tigard Zone Change Annexation Application;  
File No. ZCA 2005-00004 on Sunrise Lane (north of Bull Mountain  
Road at 150th and Sunrise Lane; WCTM 2S105CD Tax lot 100; 2S105DB  
Tax lots 100 and 500; 2S105DD Tax lots 400, 500, 600, 700, 800, 1000,  
1100, 1300, 1400, 1500, 1600, 1700, 1800, and 2400**

The City is the provider of water service, sanitary sewer service, storm drainage service and streets. This application requests annexation of 39.42 acres to the City of Tigard and application of the R-7 zoning district. The most intense uses allowed in the City of Tigard R-7 Medium Density Residential zoning district are attached single-family homes, detached single-family homes with or without accessory residential units at a minimum lot size of 5,000 square feet and duplexes at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

**1. Water.**

The City has determined that it can provide water service to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. A water main ranging from 6 to 8 inches in diameter is located in SW Sunrise Lane adjacent to the parcel.

**2. Sanitary Sewer.**

Sanitary sewer is provided by the City and Clean Water Services. The City has determined that it can provide sanitary sewer service to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. An 8-inch sanitary sewer line is located in SW Menlor Lane at SW 148<sup>th</sup> Avenue. This sanitary sewer line is located approximately 1400 feet from this area to be annexed. An 8-inch sanitary sewer line is located in SW 147<sup>th</sup> Terrace. This sanitary sewer line is located approximately 250 feet from the area to be annexed. The sanitary sewer lines can be extended to this site, with the exception of tax lot 2S105CD100 and

perhaps a portion of 2S105DB500. These parcels would be served by the extensions of sewers from Washington County. Extension of these sewers will also be required to serve the currently undeveloped incorporated area between the two parcels.

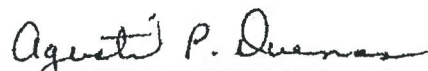
**3. Storm Drainage.**

Storm drainage service is provided by the City and Clean Water Services. The City has determined that it can provide storm drainage service to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. A 16-inch storm drainage line is located at SW Menlor Lane and SW 148<sup>th</sup> Avenue. The line is approximately 1400 feet from the site at the confluence of two natural drainage ways. The existing natural drainage ways can be used to serve the site, with the exception of the westernmost portion of the site which is drained by drainageways directed to Washington County. Tax lot 2S105CD100 and the incorporated area will continue to be drained by these drainageways.

**4. Streets.**

The City has determined that it can provide street-related services to this site and doing so will not significantly reduce the level of services to developed and undeveloped land within the City of Tigard. The site is served by Bull Mountain Road, a Washington County road designated as a collector, by SW 150<sup>th</sup> Avenue and SW Sunrise Lane (north-south segment), both County roads designated as neighborhood routes, and by SW Grandview Lane and SW Sunrise Lane (east-west segment), both County local roads.

Sincerely,

  
AGUSTIN P. DUENAS, P.E.  
City Engineer

c: Tom Coffee, CD Director  
Gary Pagenstecher, Associate Planner

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**EXHIBIT B**

Michael C. Robinson  
PHONE 503.727.2264  
EMAIL mrobinson@perkinscoie.com

April 10, 2007

Chief of Police  
City of Tigard Police Department

**Re: City of Tigard Zone Change Annexation Application;  
File No. ZCA 2005-00004 on Sunrise Lane (north of Bull Mountain  
Road at 150th and Sunrise Lane; WCTM 2S105CD Tax lot 100;  
2S105DB Tax lots 100 and 500; 2S105DD Tax lots 400, 500, 600, 700,  
800, 1000, 1100, 1300, 1400, 1500, 1600, 1700, 1800, and 2400**

Dear Bill:

You are the provider of police services. This application requests annexation of 39.42 acres to the City of Tigard and application of the R-7 zoning district. The most intense use allowed in the City of Tigard R-7 Medium Density Residential zoning district are attached single-family homes, detached single-family homes with or without accessory residential units at a minimum lot size of 5,000 square feet and duplexes at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally (a copy of the R-7 zoning district is attached).

The City of Tigard Police Department has determined that it has adequate services to serve the most intense use allowed and that providing services will not significantly reduce the level of services available to developed and undeveloped land within the City of Tigard.

William Robinson  
SIGNATURE

Chief of Police  
TITLE

WILLIAM ROBINSON  
PRINTED NAME

04-12-07  
DATE

EXHIBIT C



April 5, 2007

Gary Pagenstecher  
Associate Planner  
City of Tigard

via: Email ([GaryP@tigard-or.gov](mailto:GaryP@tigard-or.gov))

Dear Gary:

*Subject: City of Tigard Annexation of TL# 2S105CD00100, DB00100, DB00500, DD00600, DD00700, DD00800, DD01800, and DD02400)*

I am writing in regard to the above referenced application for annexation to the City of Tigard. Clean Water Services (CWS) is the service provider for sanitary sewer and surface water management in the unincorporated urban areas of Washington County. Once a parcel becomes annexed, service is transferred from CWS to the applicable City within the boundaries of Washington County.

The parcels listed in the proposed annexation area will be served by existing 8" sanitary sewers north of the area. We are unaware of any major capacity constraints in the sewer system downstream of these parcels. Therefore, the sanitary sewer system has the capacity to serve the annexation site.

Runoff from these parcels, when they are developed, will be treated in accordance with CWS standards and released into surface drainage ways. Although there are no known capacity issues in this area, if any capacity issues are identified during the development design stage, the applicant will be required to detain site runoff in accordance with CWS standards. Therefore, capacity of the drainage system serving the sites should not be an issue for this proposed annexation.

Finally, the City of Tigard implements the CWS standards within their boundary. Therefore, if the area is annexed, the ability of the City to serve the site with sanitary sewer and storm drainage will not be affected.

If you have any questions as please feel free to email or call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terry Keyes', written over a horizontal line.

Terry W. Keyes, P.E.  
Development Services Manager





Clean Water Services

Our commitment is clear.

February 26, 2007

Mr. Andrew Tull, Planner  
WRG Design  
5415 SW Westgate Drive, Suite 100  
Portland, Oregon 97221

Dear Mr. Tull:

*Subject: City of Tigard Zone Change Annexation Application (File No. ZCA 2005-00004) on Sunrise Lane at 150<sup>th</sup> (TL# 2S105DD00400, 500, 600, 1000, 1100, 1300, 1400, 1500, 1600, 1700 and 1800)*

I am writing in regard to the above referenced application to the City of Tigard. This application requests annexation of 20.89 acres to the City of Tigard and application of the R-7 zoning district. Clean Water Services (CWS) is the service provider for sanitary sewer and surface water management in the unincorporated urban areas of Washington County. Once a parcel becomes annexed, service is transferred from CWS to the applicable City within the boundaries of Washington County.


The proposed annexation area will be served by an existing 8" sanitary sewer ending at Menlor Lane and SW 148<sup>th</sup> Avenue. ~~This sanitary sewer line is approximately 1,300 feet from this area to be annexed. We~~ are unaware of any major capacity constraints in the sewer system downstream of the connection point. Therefore, these sanitary sewers have capacity to serve the annexation site under the proposed zoning density.

The site in question is traversed by two drainage corridors. Runoff from site development will be treated in accordance with CWS standards and released into these drainage ways. Although there are no known capacity issues associated with the site, if any capacity issues are identified within the aforementioned drainage ways, the applicant will be required to detain site runoff in accordance with CWS standards. Therefore, capacity of the drainage system serving the site should not be an issue for this proposed annexation.

Finally, the City of Tigard implements the CWS standards within their boundary. Therefore, if the area is annexed, the ability of the City to serve the site with sanitary sewer and storm drainage will not be affected.

If you have any questions as please feel free to email or call me.

Sincerely,



Terry W. Keyes, P.E.  
Development Services Manager

EXHIBIT D



**TUALATIN VALLEY FIRE & RESCUE • SOUTH DIVISION**  
COMMUNITY SERVICES • OPERATIONS • FIRE PREVENTION

April 26, 2007

Mr. Andrew Tull  
Planner, WRG Design  
5415 SW Westgate Drive, Suite 100  
Portland, Oregon 97221

**Re: City of Tigard Zone Change Annexation Application;  
File No. ZCA 2005-00004 on Sunrise Lane (north of Bull Mountain Road at  
150th and Sunrise Lane; WCTM 2S105CD Tax lot 100; 2S105DB Tax lots 100  
and 500; 2S105DD Tax lots 400, 500, 600, 700, 800, 1000, 1100, 1300, 1400,  
1500, 1600, 1700, 1800, 2400**

Dear Mr. Tull,

Tualatin Valley Fire & Rescue is the provider of fire and emergency services. This application requests annexation of approximately 39.42 acres to the City of Tigard and application of the R-7 zoning district. The most intense use allowed in the City of Tigard R-7 Medium Density Residential zoning district are attached single-family homes, detached single-family homes with or without accessory residential units at a minimum lot size of 5,000 square feet and duplexes at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

Tualatin Valley Fire and Rescue District currently provides services to the entire Bull Mountain area, both inside and outside of the City of Tigard. The Fire District has personnel and equipment in the area that can respond to an emergency incident and implement such actions as may be necessary for fire and/or rescue operations to developed and undeveloped land within the City of Tigard.

For planning purposes, access and firefighting water supply complying with fire code requirements shall be included on plans submitted to the City of Tigard for their approval.

Please contact me at (503) 356-4704 with any additional questions.

Sincerely,

*Drew S. DeBois*

Drew DeBois  
Deputy Fire Marshal