

Application for Annexation of 45.58 Acres to the City of North Plains



Tax Lots 100 & 200 on Tax Map 1N2-06DC &

Tax Lot 100 on Tax Map 1N2-06DD

March 29, 2016

Co-Applicants:

Jackson Farm Land, LLC
Don Maltase
P.O. Box 2669
Vancouver, WA 98668
(503) 285-4746
donmaltase@comcast.net

McKay Creek Land, LLC
Robert Bobosky
6770 SW Canyon Drive
Portland, OR 97225
(503) 292-8261
r.bobosky@comcast.net

Polygon Northwest Company
Fred Gast
109 East 13th Street
Vancouver, WA 98660
(360) 695-7700

Applicants' Representatives:

Perkins Coie, LLP
Michael Robinson
1120 NW Couch Street, 10th Floor
Portland, OR 97209
(503) 727-2264
mrobinson@perkinscoie.com

Pacific Community Design, Inc.
Jim Lange
12564 SW Main Street
Tigard, OR 97223
(503) 941-9484
jim@pacific-community.com

APPLICATION FOR ANNEXATION OF 45.58 ACRES TO THE CITY OF NORTH PLAINS

I. Introduction1

II. Applicant and Owner Information2

III. Site Information3

IV. Location of Area to be Annexed.....4

V. Applicable approval criteria.....4

A. Annexation “Reasonableness” Standard4

B. Compliance With Senate Bill 1573 (2016)5

C. Applicable Oregon Revised Statutes (“ORS”)6

D. City Of North Plains Land Development Ordinance..... 11

E. Applicable Comprehensive Plan Goals, Policies, and Objectives 18

VII. Conclusion..... 25

EXHIBIT LIST

- 1 ANNEXATION AREA MAP
- 2 NORTH PLAINS EAST MASTER PLAN, LAND USE AND PHASING OPTION SHOWING UGB BOUNDARY
- 3 PUBLIC FACILITIES DEVELOPMENT PLAN
- 4 ANNEXATION LEGAL DESCRIPTION
- 5 COPY OF APPLICATION FORM & FEE DEPOSIT

I. INTRODUCTION.

This application requests annexation to the City of North Plains of three (3) lots with 45.58 acres controlled by three (3) property owners located in the East Expansion Area (**Exhibit 1**). Development of the area proposed to be annexed is shown in the master plan for this area previously approved by the City. The area is intended to have residential, commercial, school and open space uses. The area to be annexed represents a logical extension of the existing City boundaries and a logical extension of the existing residential development at the southwest corner of West Union Road and Jackson School Road.

The City approved a Master Plan for the East Expansion Area, that includes the proposed annexation area containing 68.87 acres, in 2008 at which time the property was also designated as "Neighborhood Community" on the City's Plan map.

The proposed annexation area is known as Phase 2 of the East Master Plan. Phase 1 of the East Master Plan is within city limits and has been built out as "Sunset Ridge" by Polygon Homes. The preliminary subdivision approval for "Sunset Ridge" included a Public Facility Development Plan for the Master Plan, as conditional with the original Master Plan approval. "Sunset Ridge" received preliminary approval in 2013 and is nearing completion of home construction. A copy of the approved Master Plan is included in **Exhibit 2**. The approved Public Facility Development Plan is included in **Exhibit 3**.

The City approved the preliminary plat for the subdivision of Phase 1 in March, 2008. The subject site is located adjacent to Phase 1 and is shown as Phase 2 on the approved Master Plan as identified on **Exhibit 2**.

This application addresses the applicable approval criteria for annexations contained in the City of North Plains' (the "City") acknowledged Comprehensive Plan (the "Plan"), land use regulations (the City's Zoning Ordinance), ORS Chapter 222 governing annexations, the "reasonableness" standard adopted by the Oregon courts and Senate Bill 1573. Senate Bill 1573 provides that voter approved annexation requirements may not be followed if the requirements of Senate Bill 1573 are satisfied. This application demonstrates that the requirements of Senate Bill 1573 are satisfied.

The City has its own acknowledged urban growth boundary ("UGB"). The City's UGB is not part of the Portland Metropolitan Area UGB. Further, this is an application for annexation only. Therefore, it is not a post-acknowledgment amendment and the

Statewide Planning Goals ("Goals") and administrative rules implementing the Goals are not directly applicable to this application, nor are they made applicable by relevant provisions of the City's Plan or land use regulations.

II. APPLICANT AND OWNER INFORMATION.

A. Applicants

Polygon Northwest Company

109 E. 13th Street
Vancouver, WA 98660
(503) 314-0807
Contact: Fred Gast

Jackson Farm Land, LLC

Don Maltase
PO Box 2669
Vancouver, WA 98668
(503) 285-4746
donmaltase@comcast.net

McKay Creek Land, LLC

Robert Bobosky
6770 SW Canyon Drive
Portland, OR 97225
(503) 292-8261
r.bobosky@comcast.net

B. Applicants' Representatives

Michael C. Robinson

Perkins Coie LLP

1120 NW Couch Street, Tenth Floor
Portland, OR 97209
(503) 727-2264

Pacific Community Design, Inc.

12564 SW Main Street
Tigard, OR 97223
(503) 941-9484
Contact: Jim Lange, PE

C. **Property Owners**

Tax Lot 01N206DC 00100:

Hillsboro School District 1J

Adam Stewart, Chief Financial Officer
3083 NE 49th Place #200
Hillsboro, OR 97124
Stewart@hsd.k.12.or.us
503-544-1526

Tax Lot 01N206DC 00200 & 01N206DD
00100:

Jackson Farm Land, LLC

Don Maltase
PO Box 2669
Vancouver, WA 98668
(503) 285-4746
donmaltase@comcast.net

McKay Creek Land, LLC

Robert Bobosky
6770 SW Canyon Drive
Portland, OR 97225
(503) 292-8261
r.bobosky@comcast.net

III. **SITE INFORMATION.**

A. **Site Location**

Southwest corner of the intersection of
NW West Union Road and NW Jackson
School Road within the City's urban
growth boundary ("UGB")

B. **Map and Tax Lots**

Tax Lots 100 & 200 Tax Map 1N2-06DC
and Tax Lot 100 Tax Map 1N2-06DD

C. **Annexation Site Area**

45.58 acres

D. **City Comprehensive Plan
Map Designation**

Neighborhood Community ("NC")

E. Existing City Approvals

Comprehensive Plan Amendment East Side Master Plan File Number CPA-07-0017 & Subdivision File Number SD-07-0016

East Area Master Plan Modification and Phase 1 Sunset Ridge Tentative Subdivision Plan Permit – File #13 - 41

F. Requested Approval

Annexation of 45.58 acres into the City of North Plains

IV. LOCATION OF AREA TO BE ANNEXED.

The site is generally located southwest of the intersection of NW West Union Road and NW Jackson School Road (**Exhibit 1**). The project site is 45.58 acres and is located in Tax Lots 100 and 200 on Map 1N2-06DC and Tax Lot 100 on Map 1N2-06DD. Three (3) lots are within the City’s UGB and are currently in agricultural use. A legal description of the property is provided in **Exhibit 4** of the application submittal.

V. APPLICABLE APPROVAL CRITERIA.

The approval criteria for an annexation are addressed in the following sections.

A. ANNEXATION “REASONABLENESS” STANDARD.

Oregon courts have held that state annexation laws include an implied “reasonableness” requirement. *PGE v. City of Estacada*, 194 Or 145, 241 P2d 1129 (1952). This standard prohibits arbitrary annexations. *Id.* Although any decision depends on the facts and circumstances specific to the particular situation, the Oregon Supreme Court identified certain factors demonstrating reasonableness:

(1) The contiguous territory represents the actual growth of the city beyond its city limits.

RESPONSE: The City can find that this contiguous territory is actual growth as contemplated in the approved Master Plan.

(2) The property is valuable by reason of its adaptability for prospective town uses.

RESPONSE: The property is valuable because it can be used for residential, commercial, school and open space uses.

(3) The land is needed for extension of streets and to supply utilities.

RESPONSE: The land will extend streets and utilities anticipated by the approved Master Plan.

(4) The property and the city will mutually benefit from the annexation.

RESPONSE: The mutual benefit is assured because additional development, including schools and open space will be developed.

Factors disfavoring a finding of “reasonableness” include annexing an irregularly-shaped area, annexing property for the sole purpose of enhancing city revenues, and annexing land used only for agricultural purposes.

RESPONSE:

The Oregon Court of Appeals subsequently held that the modern adoption of significant statewide land use and annexation laws did not supersede the reasonableness standard; however, “[t]he reasonableness question is no longer one that depends solely or mainly on unguided judicial determinations, but is now largely controlled by specific legislative and regulatory criteria.” *Department of Land Conservation and Development v. City of St. Helens*, 138 Or App 222, 227, 907 P2d 259 (1995).

RESPONSE: This application complies with applicable City annexation approval.

B. COMPLIANCE WITH SENATE BILL 1573 (2016).

Governor Brown signed Senate Bill 1573 into law on March 15, 2016 and the law became effective immediately. This new law affects annexation procedures as explained below.

1. SECTION 2. (1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.

RESPONSE: The City’s laws require voter approval of annexation requests. Provided this application meets Senate Bill 1573’s requirements, those requirements do not apply to this application.

(2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:

(a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;

RESPONSE: The property is within the City's acknowledged UGB.

(b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city.

RESPONSE: The territory proposed to be annexed is subject to the City's acknowledged Comprehensive Plan.

(c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and

RESPONSE: The territory proposed to be annexed is contiguous to the City limits as shown in **Exhibit 1**.

(d) The proposal conforms to all other requirements of the city's ordinances.

RESPONSE: As demonstrated below, this application complies with other applicable requirements of the City ordinances.

(3) The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.

RESPONSE: No additional territory is required to be annexed.

(4) When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed.

RESPONSE: The City can find that Senate Bill 1573, Section 2 is satisfied.

C. APPLICABLE OREGON REVISED STATUTES ("ORS").

ORS Chapter 222 establishes procedures and requirements for annexations by cities.

1. 222.111 Authority and procedure for annexation. (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter

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

RESPONSE: This section is not applicable because the site is contiguous to the City.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

RESPONSE: This application is initiated by the three (3) property owners.

(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.

RESPONSE: This section is not applicable.

(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

RESPONSE: This section is not applicable.

(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the

electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

RESPONSE: This section is not applicable.

(6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart.

RESPONSE: This proposal is not required to be voted upon by the electors of the City or of the annexation territory. Therefore, this provision is not applicable.

(7) Two or more proposals for annexation of territory may be voted upon simultaneously; however, in the city each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation no proposal for annexing other territory shall appear on the ballot.

RESPONSE: This annexation proposal will not be voted upon simultaneously with any other annexation proposal. This provision is not applicable.

222.120 Procedure for annexation without election; hearing; ordinance subject to referendum. (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of 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.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS

222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

(c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

RESPONSE: This section is not applicable.

222.125 Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

RESPONSE: This section is not applicable.

222.170 Annexation by consent before public hearing or order for election; proclamation of annexation. (1) 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 on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(3) If the city legislative body has not dispensed with submitting the question to the electors of the city and a majority of the votes cast on the proposition within the city favor annexation, or if the city legislative body has previously dispensed with submitting the question to the electors of the city as provided in ORS 222.120, the legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

(4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.

RESPONSE: This section is not applicable.

222.173 Time limit for filing statements of consent; public records. (1) For the purpose of authorizing an annexation under ORS 222.170 or under a proceeding initiated as provided by ORS 199.490 (2), only statements of consent to annexation which are filed within any one-year period shall be effective, unless a separate written agreement

waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.

(2) Statements of consent to annexation filed with the legislative body of the city by electors and owners of land under ORS 222.170 are public records under ORS 192.410 to 192.505.

RESPONSE: This section is not applicable.

222.177 Transmittal of annexation records to Secretary of State. When a city legislative body proclaims an annexation under ORS 222.125, 222.150, 222.160 or 222.170, the recorder of the city or any other city officer or agency designated by the city legislative body to perform the duties of the recorder under this section shall transmit to the Secretary of State:

(1) A copy of the resolution or ordinance proclaiming the annexation.

(2) An abstract of the vote within the city, if votes were cast in the city, and an abstract of the vote within the annexed territory, if votes were cast in the territory.

The abstract of the vote for each election shall show the whole number of electors voting on the annexation, the number of votes cast for annexation and the number of votes cast against annexation.

(3) If electors or landowners in the territory annexed consented to the annexation under ORS 222.125 or 222.170, a copy of the statement of consent.

(4) A copy of the ordinance issued under ORS 222.120 (4).

(5) An abstract of the vote upon the referendum if a referendum petition was filed with respect to the ordinance adopted under ORS 222.120 (4).

RESPONSE: The City can comply with this section.

222.180 Effective date of annexation. (1) The annexation shall be complete from the date of filing with the Secretary of State of the annexation records as provided in ORS 222.177 and 222.900. Thereafter the annexed territory shall be and remain a part of the city to which it is annexed. The date of such filing shall be the effective date of annexation.

(2) For annexation proceedings initiated by a city, the city may specify an effective date that is later than the date specified in subsection (1) of this section. If a later date is specified under this subsection, that effective date shall not be later than 10 years after the date of a proclamation of annexation described in ORS 222.177.

RESPONSE: The City can comply with this section.

D. CITY OF NORTH PLAINS LAND DEVELOPMENT ORDINANCE.

1. 16.205 ANNEXATIONS.

16.205.005 CONDITIONS FOR ANNEXATION.

The following conditions must be met prior to or concurrent with City processing of any annexation request:

- A. The subject site must be located within the North Plains Urban Growth Boundary.**

Response: The subject site is located within the City’s acknowledged UGB (**Exhibit 2**). This criterion is met.

- B. The subject site must be contiguous to the existing City limits.**

Response: The subject annexation area is contiguous to existing City limits along its north boundary (NW West Union Road) and bordering the approved Sunset Ridge to its north and east. This annexation condition is met.

2. 16.205.010 CRITERIA.

“The following criteria shall apply to all annexation requests:

- A. The proposed use for the site complies with the North Plains Comprehensive Plan and with the designation(s) thereon. If a re-designation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Comprehensive Plan.”**

Response: The proposed annexation area is part of the East Master Plan and is designated as Neighborhood Community (“NC”) on the City’s acknowledged Plan map. The proposed annexation area complies with the Plan.

- “B. An adequate level of urban services and infrastructure must be available or made available in a specified time period determined by Council. An adequate level of urban services is defined as:**

- 1. Municipal sanitary sewer, storm drainage and water service meeting the requirements enumerated in the Comprehensive Plan for provision of those services.**
- 2. Rights of way with adequate design capacity for the proposed use and projected future uses.**
- 3. Where construction of improvements necessary for delivery of the urban services identified in subsection (1) above or the**

rights-of-way identified in subsection (2) above are not thought to be immediately necessary, the applicant shall note the methods that are proposed to be used for providing and/or financing those services/improvements including (but not limited to) dedication of right-of-way, granting waiver(s) of remonstrance against possible future local improvement districts created or other approaches/devices to pay for improvement costs.

Response: The provision of municipal sanitary sewer, storm drainage, water service, and adequate rights of way design capacity for the proposed uses are described in The East Area Master Plan Option B dated 01/28/2008; City file CPA-07-0017 as meeting the applicable requirements of the Plan. The Master Plan was approved by the Planning Commission on 2/12/2008, and included conditions for a Public Facility Development Plan. The Public Facility Plan was approved for the East Area Master Plan with the Phase I Sunset Ridge Tentative Subdivision Plan (File #13-41) by the Planning Commission on 11/22/2013, and addressed the following utilities:

Sanitary Sewer. Sheet 12 – Master Plan Facilities Sanitary Sewer Plan in **Exhibit 3** shows the sanitary sewer lines that have been built with Sunset Ridge (Phase 1 of the East Master Plan). The sanitary sewer lines extend from Sunset Ridge to the southwest and connect to the North Plains East Trunk Line Extension. An adequate level of sanitary sewer facilities and services already exist to serve the proposed annexation area.

Storm Sewer. Sheet 11 – Master Plan Facilities Stormwater Plan in **Exhibit 3** shows storm sewer lines that have been built with Sunset Ridge (Phase 1 of the East Master Plan). The storm sewer lines convey storm water from the Master Plan area and discharge to natural drainage ways associated with McKay Creek. An adequate level of storm sewer facilities and services already exist to serve the proposed annexation area.

Water: Sheet 13 – Master Plan Facilities Water Plan in **Exhibit 3** shows the water system improvements built with Sunset Ridge (Phase 1 of the East Master Plan) and planned for the remaining areas of the Master Plan (the subject annexation area). The public water system serving the East Master Plan is and will continue to be looped and consist of

pipes that will have a minimum 8 inch diameter. During the City's review of the preliminary subdivision for Sunset Ridge, the City requested an easement across the central oval-shaped park to allow for a potential future, underground water tank. The northern most portion of this park is within Sunset Ridge, the final plat for which includes a water easement to the benefit of the city. Therefore, an adequate level of water facilities and services already exist to serve the proposed annexation area.

Rights of Way. The approved East Master Plan (**Exhibit 2**) includes streets with rights of way of adequate width and design capacity for the existing phase 1 uses (Sunset Ridge) and proposed Phase 2 uses. The proposed annexation area remains consistent with the approved East Master Plan.

- “C. Findings documenting the availability of police, fire, parks, school facilities and all related services shall be made allowing for conclusive findings either for or against the proposed annexation. The adequacy of each of these services shall be considered in relation to each annexation proposal.”**

Response: Evaluation of the availability of police, fire, parks and school facilities occurred when the subject property was brought into the Urban Growth Boundary and again when the Master Plan and Comprehensive Plan designation of Neighborhood Community (NC) were approved. Police and fire services were found to be adequate through the additional funds that would be provided after the property is annexed and developed (including permit fees, system development charges and property taxes). Parks and schools were found to be adequate through the inclusion of lands devoted to park and school uses within the Master Plan area (**Exhibit 2**). The proposed annexation remains consistent with the approved Master Plan. Annexation of the subject property will help facilitate provision of adequate police, fire, parks and school facilities to serve the subject area.

- “D. The burden of providing evidence supporting the findings for Section A-C is upon the applicant. Improvements for needed infrastructure may be secured by a funding mechanism that will place the primary economic burden on the territory proposed for annexation and not on the City of North Plains generally.”**

Response: This Narrative and Supporting Compliance Report along with the attached exhibits provides evidence supporting findings of compliance with Sections A-C above. The primary economic burden for providing infrastructure to serve the subject area is carried by the developer of the subject area, not on the City in general.

16.205.020 APPLICATION REQUIREMENTS.

“A. Applications for annexation shall be made on forms provided by the City and include, at a minimum, the following material:

- 1. Written consent to the annexation signed by the affected property owners.**
- 2. Legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor licensed in the State of Oregon.**
- 3. Vicinity map and map of the area to be annexed including adjacent City territory.**
- 4. General land use plan indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, and adjoining development.**
- 5. Payment of annexation fees, as the same are set by Council resolution.”**

Response: The application materials required by this section are included with this submittal. The property owners have signed the annexation application form. A legal description and boundary survey is included in **Exhibit 4**. The East Master Plan included in **Exhibit 2** provides a General Land Use Plan for the proposed annexation area. The Public Facilities Development Plan sheets included in **Exhibit 5** also serve to provide a vicinity map for the East Master Plan. The applicants have paid the required application fee.

“B. In addition to the information and fees required under subsection (A) above, an applicant shall also be required to provide the following information:

- 1. A statement of the overall development concept and methods by which the physical site, surrounding area and community will be affected as well as proposed actions designed to mitigate negative effects from the development, if any.”**

Response: The annexation area is the second phase of the East Area Master Plan, which is designed to have the components of a complete community. This phase provides for mixed use, single family housing and parks and a school site. The site lies within the City's UGB and is adjacent to Sunset Ridge to the northwest, industrial uses to the north across West Union Road, and rural agricultural land within unincorporated Washington County to the west and south. As a complete community, the Master Plan is designed to include the provision of necessary water, sanitary sewer, drainage, transportation, park, and school facilities.

The approved Master Plan was also found to provide a livable, walkable community that will benefit the whole community. The proposed annexation area remains consistent with the approved Master Plan.

- "2. A statement addressing the availability, capacity and status of existing water, sanitary sewer, drainage, transportation, park and school facilities as determined and an analysis as to the anticipated increased demand for said facilities generated by the proposed development.**
- 3. A statement analyzing anticipated additional facilities required to meet the increased demand and proposed phasing of such facilities in accordance with projected demand.**
- 4. A statement setting out proposed method(s) and source(s) of financing required to provide the additional facilities identified in the analysis described in subsection (3) above."**

Response: The provision of municipal sanitary sewer, storm drainage, water service, and adequate rights of way design capacity for the proposed uses are described in The East Area Master Plan Option B (dated 01/28/2008), file CPA-07-0017 as meeting the requirements enumerated in the Comprehensive Plan. Said Master Plan was approved by the Planning Commission on 2/12/2008, and included conditions for a Public Facility Development Plan. The Public Facility Plan was approved for the East Area Master Plan with the Phase I Sunset Ridge Tentative Subdivision Plan (File #13-41) by the Planning Commission on 11/22/2013, and included the following:

Sanitary Sewer: Sheet 12 – Master Plan Facilities Sanitary Sewer Plan in **Exhibit 3** shows the sanitary sewer lines that have been built with Sunset Ridge (Phase 1 of the East Master Plan). The sanitary sewer lines extend from Sunset Ridge to the southwest and connect to the North Plains East

Trunk Line Extension. An adequate level of sanitary sewer facilities and services already exist to serve the proposed annexation area.

Storm Sewer: Sheet 11 – Master Plan Facilities Stormwater Plan in **Exhibit 3** shows storm sewer lines that have been built with Sunset Ridge (Phase 1 of the East Master Plan). The storm sewer lines convey storm water from the Master Plan area and discharge to natural drainage ways associated with McKay Creek. An adequate level of storm sewer facilities and services already exist to serve the proposed annexation area.

Water: Sheet 13 – Master Plan Facilities Water Plan in **Exhibit 3** shows the water system improvements built with Sunset Ridge (Phase 1 of the East Master Plan) and planned for the remaining areas of the Master Plan (the subject annexation area). The public water system serving the East Master Plan is and will continue to be looped and consist of pipes that will have a minimum 8 inch diameter. During the City’s review of the preliminary subdivision for Sunset Ridge, the City requested an easement across the central oval-shaped park to allow for a potential future, underground water tank. The northern most portion of this park is within Sunset Ridge, the final plat for which includes a water easement to the benefit of the city. Therefore, an adequate level of water facilities and services already exist to serve the proposed annexation area.

Rights of Way: The approved East Master Plan (see **Exhibit 2**) includes streets with rights of way of adequate width and design capacity for the existing phase 1 uses (Sunset Ridge) and proposed Phase 2 uses. The proposed annexation area remains consistent with the approved East Master Plan.

Evaluation of the availability of police, fire, parks and school facilities occurred when the subject property was brought into the Urban Growth Boundary and again when the Master Plan and Comprehensive Plan Designation of Neighborhood Community (“NC”) were approved. Police and fire services were found to be adequate through the additional funds that would be provided after the property is annexed and developed

(including permit fees, system development charges and property taxes). Parks and schools were found to be adequate through the inclusion of lands devoted to park and school uses within the Master Plan area (**Exhibit 2**). The proposed annexation remains consistent with the approved Master Plan. Annexation of the subject property will help facilitate provision of adequate police, fire, parks and school facilities to serve the subject area.

“5. A narrative demonstrating the need for the urban development proposed for the annexation area analyzing the following:

- A. Availability within the City of undeveloped land designated for proposed urban development.**
- B. Analysis of immediate, short-term (1 to 5 years) demand for proposed urban development.**
- C. Probable phasing of proposed urban development consistent with projected demand for period in which the annexation area is expected to develop.”**

Response: During the City’s review process that approved the addition of the subject area into the Urban Growth Boundary and the subsequent Master Plan and Comprehensive Plan Amendment, the City conducted a thorough and detailed analysis addressing availability of undeveloped land within the pre-expansion city limits to serve the projected population. After maximizing infill opportunities, the analysis demonstrated the City needed to expand its UGB by 149 acres to accommodate the projected growth of North Plains. The two non-exception expansion areas provide 144 of those needed acres. This application is requesting annexation of the remaining portion of the East Expansion Area. The first phase of the East Expansion Area (Sunset Ridge) is nearing completion of home build out. Given that the subject annexation area is directly adjacent to the first constructed phase of the expansion areas and will be able to utilize the existing infrastructure built with the first phase, annexation of the subject area will provide the most cost effective utilization of utilities and services that can be achieved in providing for additional housing to meet current market demands.

E. APPLICABLE COMPREHENSIVE PLAN GOALS, POLICIES, AND OBJECTIVES.

1. 15.02.120 URBANIZATION.

15.02.124 CITY POLICIES AND OBJECTIVES.

“Create a compact pleasant livable city with strong pedestrian scale appeal while encouraging growth to occur in a manner that connects the downtown

core and the eastern industrial areas to neighborhoods and public and private amenities. Urbanization shall occur in a manner that is consistent with the City's livability objectives."

2. 15.02.142 DIRECTION OF GROWTH.

"1. OBJECTIVES: To meet the City's livability objectives, the City's direction of growth should be to the north and east of the existing City.

A. POLICY:

(1) Expansion to the east includes the Jackson - Union property (69.87 acres). This property is closest to the City's eastern industrial Lands edge and is the beginning for integration of the City's industrial lands. The east also includes certain exception lands located south of West Union Road (2.60 acres*) are also included. The combined acreage of these parcels is 72.47 acres. This property includes no flood plains or known development constraints that would limit its developability in a manner that is inconsistent with the City's livability objectives."

Response: The proposed annexation area is the remaining land within the East Area Master Plan (also known as Sunset Ridge Phase 2), which is located adjacent to the City of North Plains. The annexation is in compliance with the direction of growth and the city's livability objectives.

"(3) The distribution of land uses within the expansion areas, as shown on the Expansion Area Land Use Maps, should be as follows:

3. 15.02.144 EXPANSION AREAS.

EAST EXPANSION AREA

Streets, Parks and Housing	38.1 acres
Commercial	3.9 acres
Institutional	5.4 acres
Elementary School	11.1 acres
Municipal Parks	11.4 acres
Exception Land not in Flood Plain	<u>2.6 acres</u>

Total East Expansion 72.5 acres"

Response: The proposed annexation area is located in the East Expansion Area. The annexation area comprises 45.58 acres of the East Expansion Area, including the remaining streets, parks, housing, mixed-use and school site shown within the approved Master Plan (**Exhibit 2**).

4. 15.02.145 NORTH AND EAST EXPANSION AREAS.

“1. OBJECTIVE: The purpose of the following policies and objectives are to direct the development of the North Plains expansion areas for creating a complete, livable and pedestrian scale community environment.”

Response: The subject annexation area is part of the East Master Plan Option B, which was found to be of a design that creates a complete livable and pedestrian scale community environment when approved by the Planning Commission in 2008. This annexation is the first step towards completing build out of the Phase 2 portions of the plan envisioned with the Master Plan approval (Phase 1 has been built out).

5. 15.02.146 URBANIZATION.

“1. OBJECTIVE: To provide for an orderly and efficient transition of land from rural to urban use through the identification and establishment of areas designed to accommodate the full range of urban uses within the North Plains expansion area.

A. POLICY:

(1) New growth areas should be master planned to ensure development of complete neighborhoods and adequate public facilities. Neighborhoods should provide a variety of housing, usable parks and open space, school facilities, and connected streets, generally consistent with the town plan.”

Response: Implementation of the Master Plan ensures development of complete neighborhoods and adequate public facilities, variety of housing, usable parks and open space, and school facilities. Build out of the Master Plan will contribute to the street network in a manner generally consistent with the town plan. Annexation of the subject area supports the City’s urbanization objectives.

“(2) Development standards in the expansion areas shall be used as a tool to achieve densities of 8.4 per acre. Key components of expansion area design shall include:

- **Pedestrian orientation;**
- **Public amenities, including pedestrian spaces and community facilities;**
- **Linkages within and between neighborhoods; and**
- **Convenient access to needed services.**

(3) The land use map shall designate the expansion areas to promote varying density residential development and pedestrian-sensitive mixed-use development so as to provide the opportunity for an overall density of 8.4 units per net acre and an approximate 40% low density, 40% medium density, and 20% high density in the expansion areas.”

Response: The Master Plan approved in 2008 was found to achieve a density of 8.4 units per acre and to include varying densities and a pedestrian oriented design with public amenities, linkages within and between neighborhoods, and convenient access to needed services. The preliminary subdivision and Master Plan modification approved for Phase 1 in 2013 was also found to be consistent with the defined development standards. A copy of the approved Master Plan is included in **Exhibit 2**. The subject annexation area is consistent with the approved Master Plan and subsequent development proposals for the subject annexation area will be reviewed for consistency with the approved Master Plan.

6. 15.02.147 HOUSING.

“1. OBJECTIVE: To provide for the housing needs of the citizens of North Plains by encouraging the construction, maintenance, development, and availability of a variety of housing types, in sufficient number and at price ranges and rent levels which are commensurate with the financial capabilities of the community’s residents.

A. POLICIES

(1) A mix of housing units shall be encouraged throughout the expansion areas for households of varying incomes, ages and living

patterns. Such housing should include but not be limited to: single family residences, duplexes, apartments, attached single family residences, condominiums, townhouses, mixed uses, an ancillary dwelling units. Each type of housing should be available at various prices and rents in order to maximize housing choices of the public.

- (2) **Within the expansion areas minimum residential densities shall be established to ensure these areas achieve the residential density objective identified in the North Plains Neighborhood City Study, while also retaining flexibility for residential development patterns and projects tailored to specific locations.”**

Response: The subject annexation area is Phase 2 of the East Master Plan, which was approved in 2008 (**Exhibit 2**). The approved Master Plan was found to be consistent with the objective of providing a variety of housing types. The Phase 1 portion of the Master Plan is reaching completion of build out of homes. In order to maintain sufficient supply of a variety of housing within the city, annexation of the subject area at this time is consistent with the above Housing objective.

7. 15.02.148 OPEN SPACING.

- “1. OBJECTIVE: Preserve, protect and maintain for present and future residents of North Plains open space, historic sites and structures.**
- 2. OBJECTIVE: Promote and encourage development in character with the natural features of the land,”**

Response: The East Master Plan approved in 2008 included evaluation of potential resources on the site and identification of parks and open spaces within the Master Plan area (**Exhibit 2**). The subject annexation area remains consistent with the approved Master Plan.

8. 15.02.149 RECREATION.

- “1. OBJECTIVE: To design parks and recreation facilities within the expansion areas that:**
 - Provide a variety of open spaces, parks, and recreation facilities; and**

- Links opens spaces, parks, recreation facilities, and school via a pedestrian and bicycle trail system.

A. POLICIES

- (1) In the expansion areas, useable open space shall be provided to mitigate higher overall densities and to provide public and private local parks and recreation opportunities.
- (2) The preservation of some natural areas will be considered when designing and developing parks within the expansion areas
- (3) Flood plains will be considered for appropriate park and recreation facilities.”

Response: The East Master Plan approved in 2008 included evaluation of natural resources on the site and identification of open spaces, parks and recreation facilities within the Master Plan area (**Exhibit 2**). The approved Master Plan includes a variety of parks, open spaces and recreation facilities that include internal and external linkages, as well as linkage to the future school site, through a pedestrian and bicycle network. The subject annexation area remains consistent with the approved Master Plan.

9. 15.02.150 COMMERCIAL LAND.

- “1. **OBJECTIVE:** Provide local shopping opportunities for residents of the expansion areas.

A. POLICIES

- (1) Commercial land may be located close to or within neighborhoods and residential areas within the expansion areas. The commercial areas shall be located and designed to provide safe and convenient access for pedestrians, bicycles and autos.”

Response: The approved East Master Plan includes a mixed use area within the proposed annexation area (**Exhibit 2**). The subject annexation area remains consistent with the approved Master Plan.

10. 15.02.152 SCHOOLS.

“1. OBJECTIVE: The City shall coordinate with the school district to help assure an adequate level of educational service is provided. Areas of coordination shall include:

- **Location of school site, and**
- **Provision of adequate pedestrian, bicycle and bus access from residential districts to school sites.”**

Response: The approved East Master Plan includes a school site in the proposed annexation area (see **Exhibit 2**). The subject annexation area remains consistent with the approved Master Plan.

11. 15.02.154 QUALITY DEVELOPMENT.

“1. OBJECTIVE: To encourage quality development.

A. POLICIES – Quality development includes projects that:

- (1) Are located within urban growth boundaries and within or bordering already urbanized areas to minimize the costs of providing public services and to protect resource land outside urban growth boundaries.”**

Response: The proposed annexation area is wholly located within the City’s urban growth boundary as part of the East Expansion Area, which was approved in July 2003. The proposed annexation area also borders the already urbanized area of Sunset Ridge to the northeast (Phase 1 of the East Expansion Area).

- “(2) Incorporate or encourage a mix of uses to stimulate economic vitality in existing and emerging down towns, neighborhood commercial districts and other mixed-use centers.”**

Response: The proposed annexation area is the remaining land within the East Master Plan. The annexation area comprises 45.58 acres of the East Expansion Area and includes the remaining streets, parks, school, and mixed-use residential and commercial areas within the Master Plan. The approved Master Plan was found to provide for a mix of uses. The proposed annexation is consistent with the Master Plan.

- “(3) Are designed to be safe, pleasant and convenient for pedestrians, bicyclists and riders of public transportation as well as located**

within walking or bicycling distance and provide direct routes to housing, employment, a wide range of commercial services, parks, schools and public transportation, if available.”

Response: The East Master Plan was found to be designed to provide a safe, pleasant and convenient pedestrian and bicycle network when approved in 2008 (**Exhibit 2**). The subject annexation area remains consistent with the approved Master Plan.

“(4) Are compatible with community environmental concerns, including energy efficiency, respect for existing ecosystems and natural resources, and re-use existing sites, buildings and material whenever possible.”

Response: The East Master Plan (**Exhibit 2**), of which the proposed annexation area is a part, identified existing conditions of the property, including environmental concerns and natural resources, and identified appropriate parks and open spaces. The subject annexation area remains consistent with the approved Master Plan.

“(5) Promote the importance of public values by providing a balance of jobs and affordable housing, creating community gathering places and employing regional or local historic and cultural heritage.

(6) Encourage community sense of place through locally appropriate, human scale design.”

Response: The East Master Plan was found to provide for a balance of jobs, affordable housing to create community gathering spaces, and encourage a community sense of place (**Exhibit 2**). The subject annexation area remains consistent with the approved Master Plan.

VI. CONCLUSION.

This application demonstrates compliance with the applicable requirements for annexation of this property within the UGB to the City of North Plans. The applicants request approval of the proposed annexation.



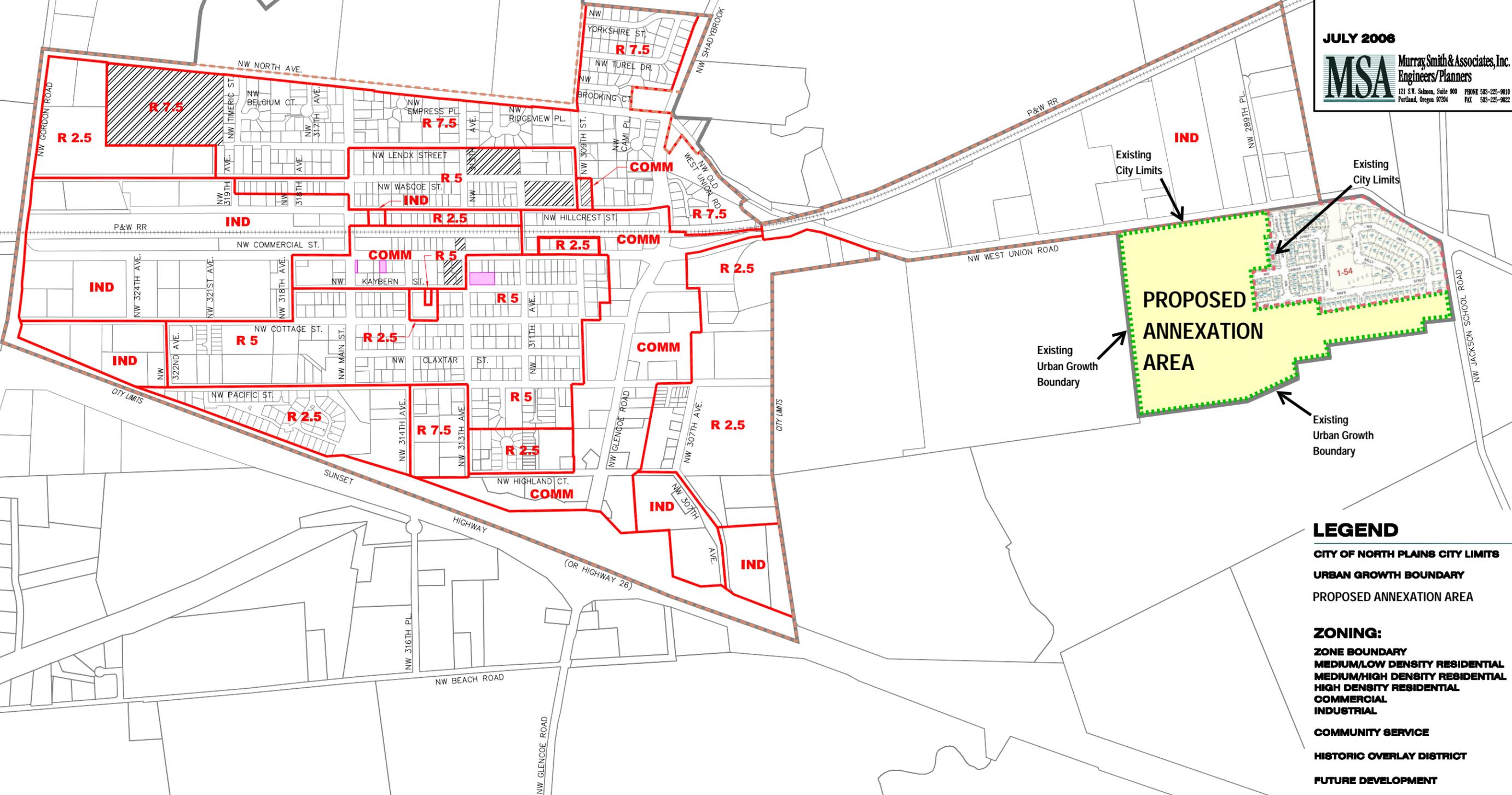
400 200 0 400 800
SCALE IN FEET



CITY OF NORTH PLAINS COMPREHENSIVE PLAN

JULY 2008

MSA Murray, Smith & Associates, Inc.
Engineers/Planners
121 S.W. Salmon, Suite 900 PHONE 503-225-9010
Portland, Oregon 97204 FAX 503-225-9022

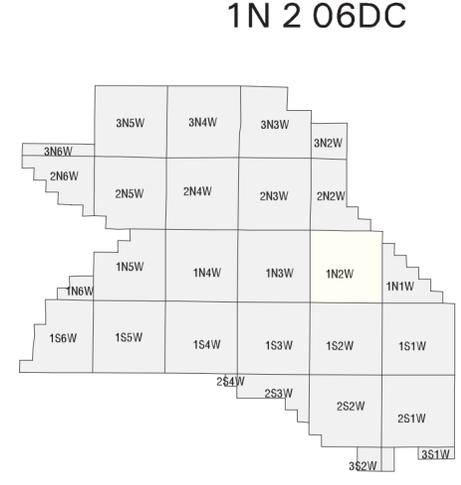
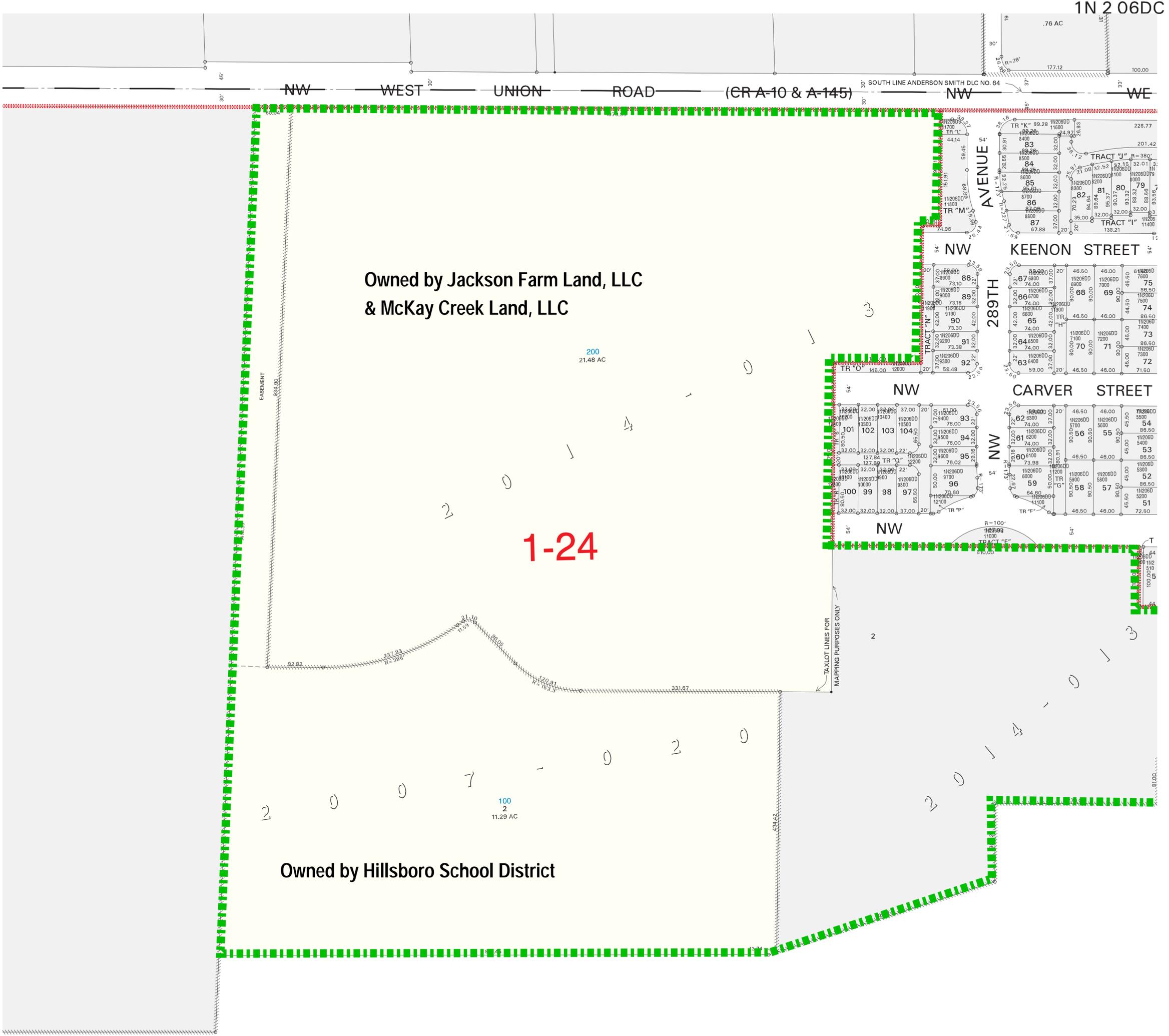


Existing City Limits
Existing Urban Growth Boundary
PROPOSED ANNEXATION AREA
Existing Urban Growth Boundary

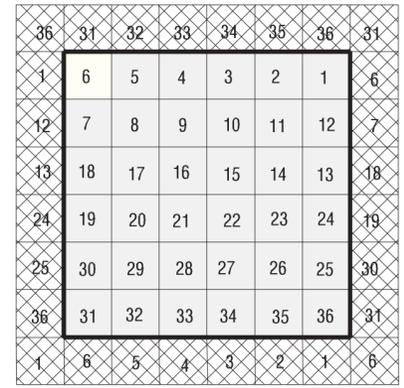
LEGEND

CITY OF NORTH PLAINS CITY LIMITS	---
URBAN GROWTH BOUNDARY	---
PROPOSED ANNEXATION AREA	---
ZONING:	
ZONE BOUNDARY	---
MEDIUM/LOW DENSITY RESIDENTIAL	R 7.5
MEDIUM/HIGH DENSITY RESIDENTIAL	R 5
HIGH DENSITY RESIDENTIAL	R 2.5
COMMERCIAL	COMM
INDUSTRIAL	IND
COMMUNITY SERVICE	---
HISTORIC OVERLAY DISTRICT	---
FUTURE DEVELOPMENT	FD-10

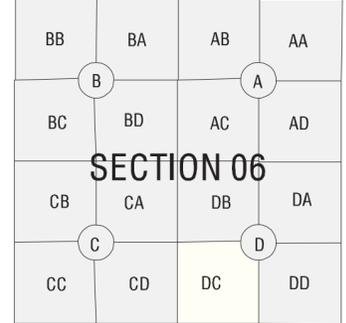
G:\04\0682\CAD\04-0682-201-OR-COMP PLAN.dwg ZONING MAP 5/25/06 1:31:31 (skw)



WASHINGTON COUNTY OREGON
SW1/4 SE1/4 SECTION 06 T1N R2W W.M.
SCALE 1" = 100'



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



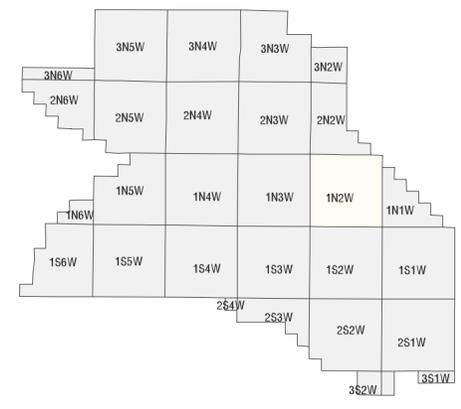
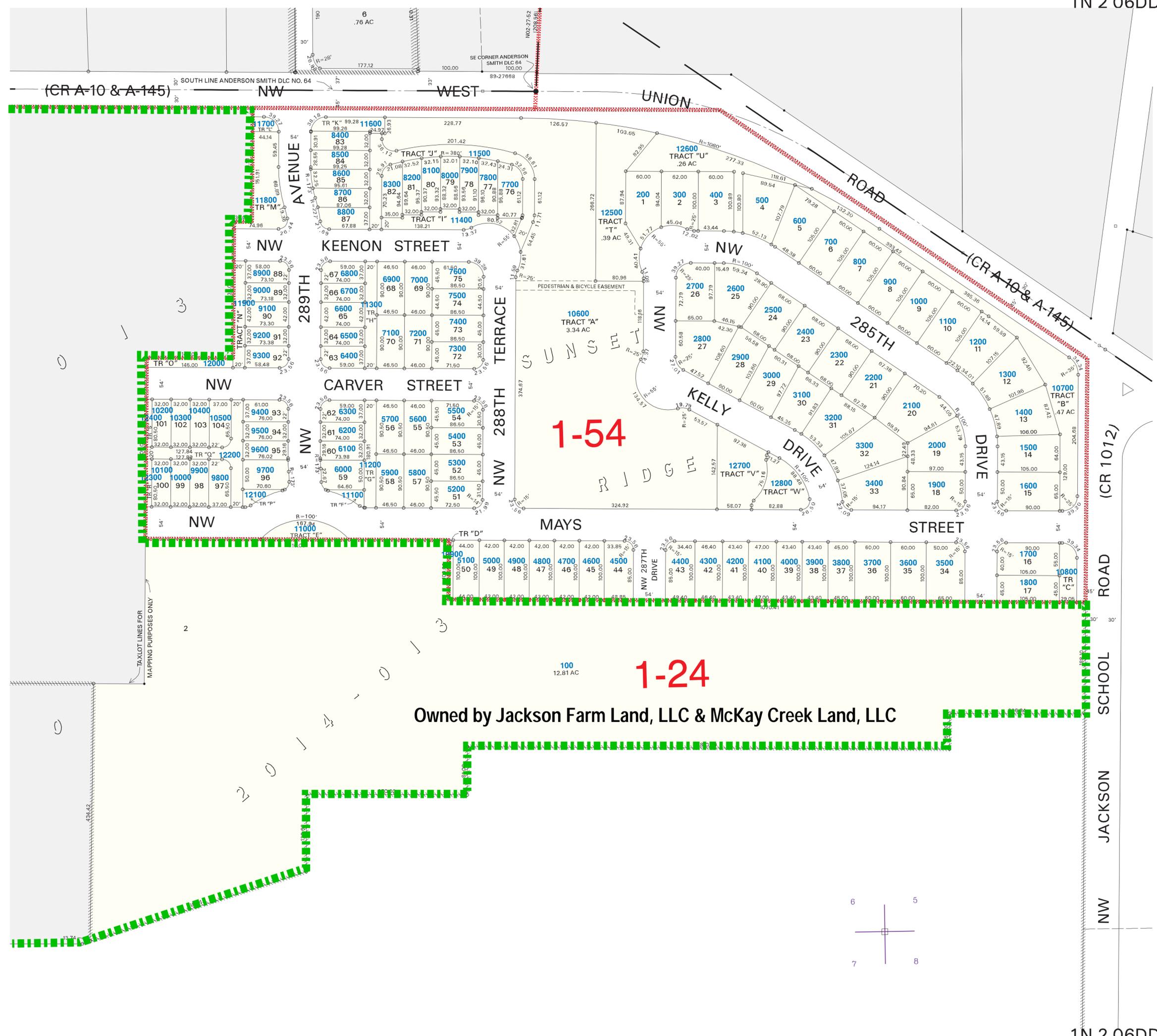
Proposed Annexation Area



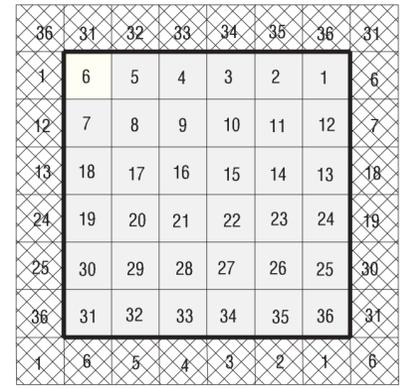
Assessment
CARTOGRAPHY
Taxation

PLOT DATE: October 02, 2014
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.



WASHINGTON COUNTY OREGON
SE 1/4 SE 1/4 SECTION 06 T 1N R 2W W.M.
SCALE 1" = 100'



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

BB	BA	AB	AA
(B)	(A)		
BC	BD	AC	AD
SECTION 06			
CB	CA	DB	DA
(C)	(D)		
CC	CD	DC	DD

Proposed Annexation Area



Assessment
CARTOGRAPHY
Taxation

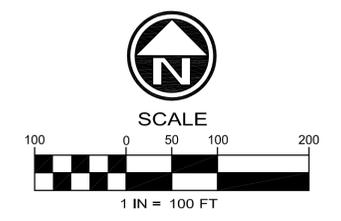
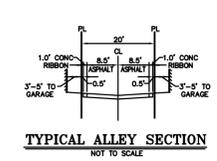
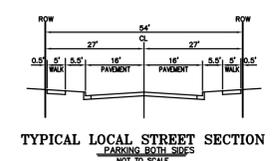
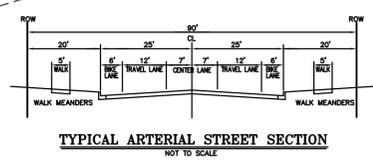
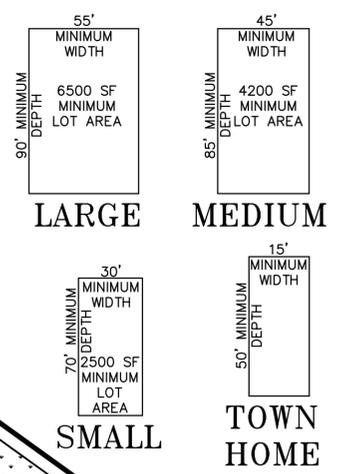
PLOT DATE: May 19, 2015
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

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.

DATE: _____

NO.	DATE	DESCRIPTION

LOT TABULATION				
LOT TYPE	MIN WIDTH	MIN DEPTH	MIN AREA	LOT COUNT
L LARGE	55	90	6500	54
M MEDIUM	45	85	4200	76
S SMALL	30	70	2500	124
T TOWNHOME	15	50	N/A	37
TOTAL				297



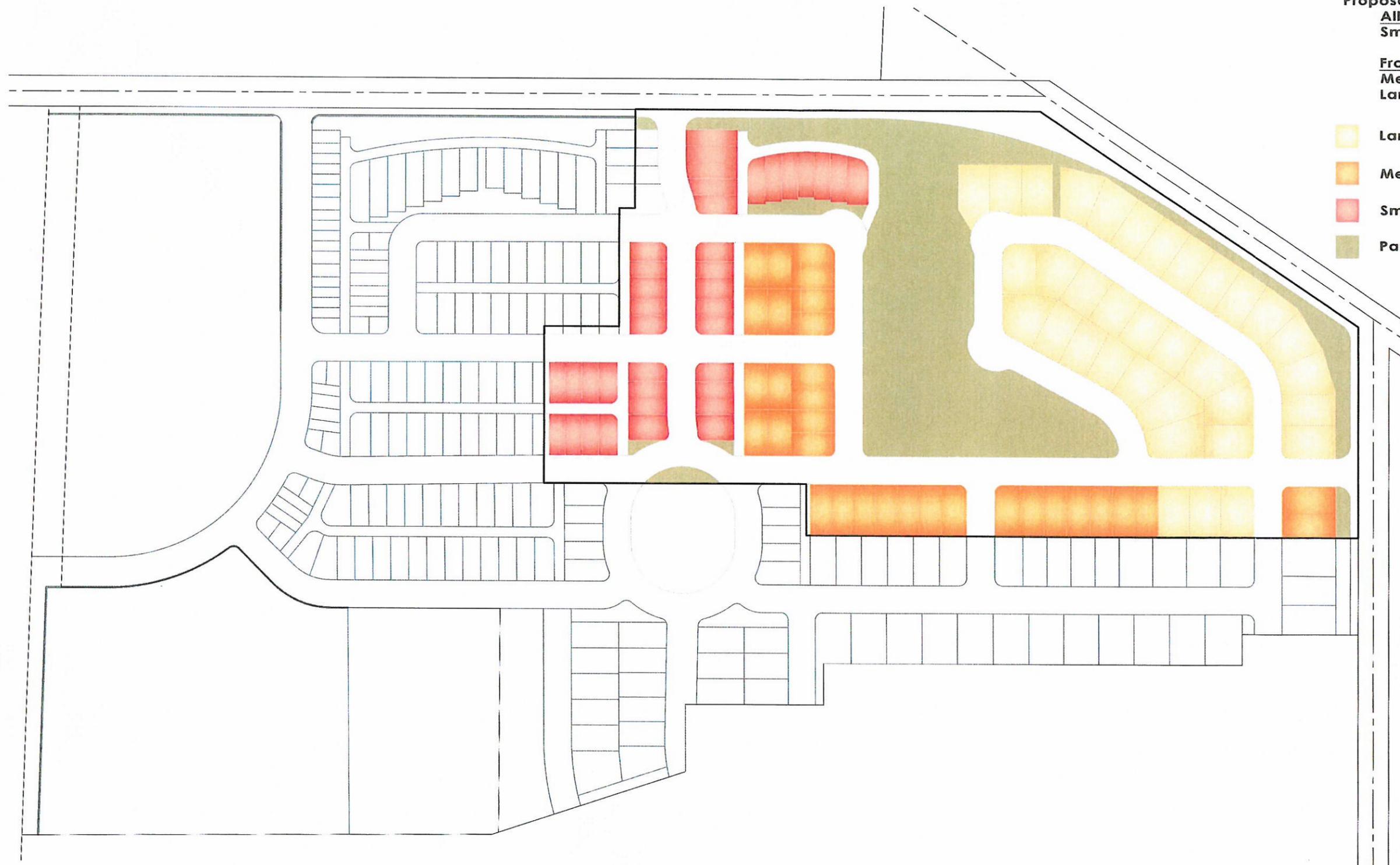
NORTH PLAINS
EAST
MASTER PLAN

LAND USE
& PHASING
PLAN
OPTION B

Proposed North Plains Development
Alley Loaded Product - 38 Lots
Small Lots - 38

Front Loaded Product - 66 Lots
Medium Lots - 32
Large Lots - 34

-  Large Lots
-  Medium Lots
-  Small Lots
-  Park and Open Space





POLYGON NW COMPANY
 [T] (360) 695-7700 [F] 360-693-4442
 WWW.POLYGONHOMES.COM

DATE: 9/30/2013

REVISIONS
 NO. DATE DESCRIPTION

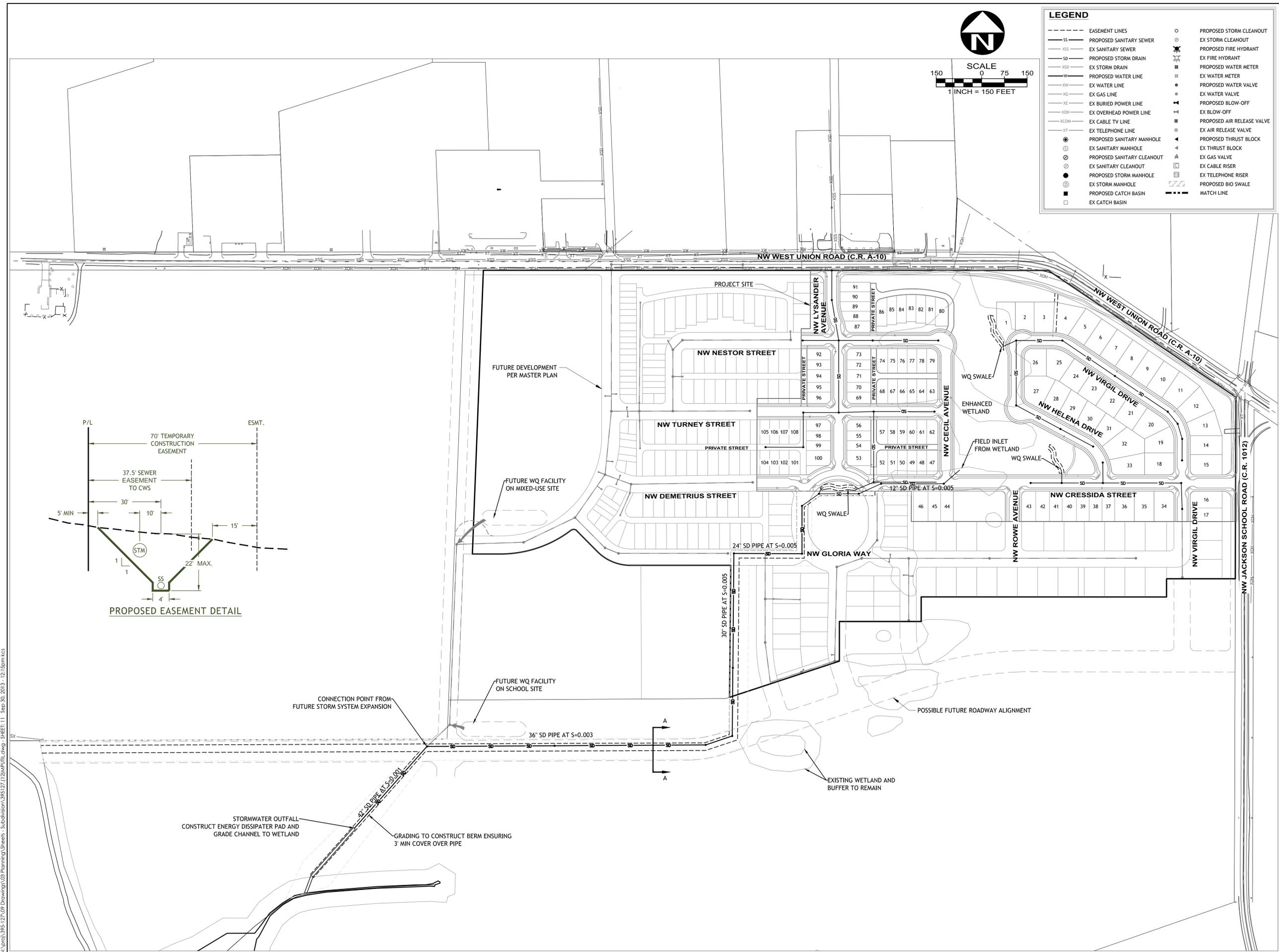
SUNSET RIDGE

MASTER PLAN
 PUBLIC FACILITIES
 STORMWATER PLAN



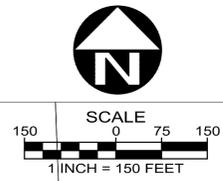
[T] 503-941-9484 [F] 503-941-9485

PROJECT NO.: 395-127
 TYPE: PLANNING
 REVIEWED BY:



LEGEND

---	EASEMENT LINES	○	PROPOSED STORM CLEANOUT
SS	PROPOSED SANITARY SEWER	⊙	EX STORM CLEANOUT
XS	EX SANITARY SEWER	⊗	PROPOSED FIRE HYDRANT
SD	PROPOSED STORM DRAIN	⊕	EX FIRE HYDRANT
XSD	EX STORM DRAIN	⊖	PROPOSED WATER METER
W	PROPOSED WATER LINE	⊗	EX WATER METER
XW	EX WATER LINE	⊕	PROPOSED WATER VALVE
XG	EX GAS LINE	⊖	EX WATER VALVE
XE	EX BURIED POWER LINE	⊕	PROPOSED BLOW-OFF
XOH	EX OVERHEAD POWER LINE	⊖	EX BLOW-OFF
XCOM	EX CABLE TV LINE	⊕	PROPOSED AIR RELEASE VALVE
XT	EX TELEPHONE LINE	⊖	EX AIR RELEASE VALVE
⊙	PROPOSED SANITARY MANHOLE	⊕	PROPOSED THRUST BLOCK
⊙	EX SANITARY MANHOLE	⊖	EX THRUST BLOCK
⊙	PROPOSED SANITARY CLEANOUT	⊕	EX GAS VALVE
⊙	EX SANITARY CLEANOUT	⊖	EX CABLE RISER
⊙	PROPOSED STORM MANHOLE	⊕	EX TELEPHONE RISER
⊙	EX STORM MANHOLE	⊖	PROPOSED BIO SWALE
■	PROPOSED CATCH BASIN	---	MATCH LINE
□	EX CATCH BASIN		



N:\proj\395-127_09 Drawings\03 Planning\Sheets - Subdivision\395127\121\MPL\Chwg - SHEET 11 - Sep 30, 2013 - 12:15pm kcs



POLYGON NW COMPANY
 [T] (360) 695-7700 [F] 360-693-4442
 WWW.POLYGONHOMES.COM

DATE: 9/30/2013

REVISIONS
 NO. DATE DESCRIPTION

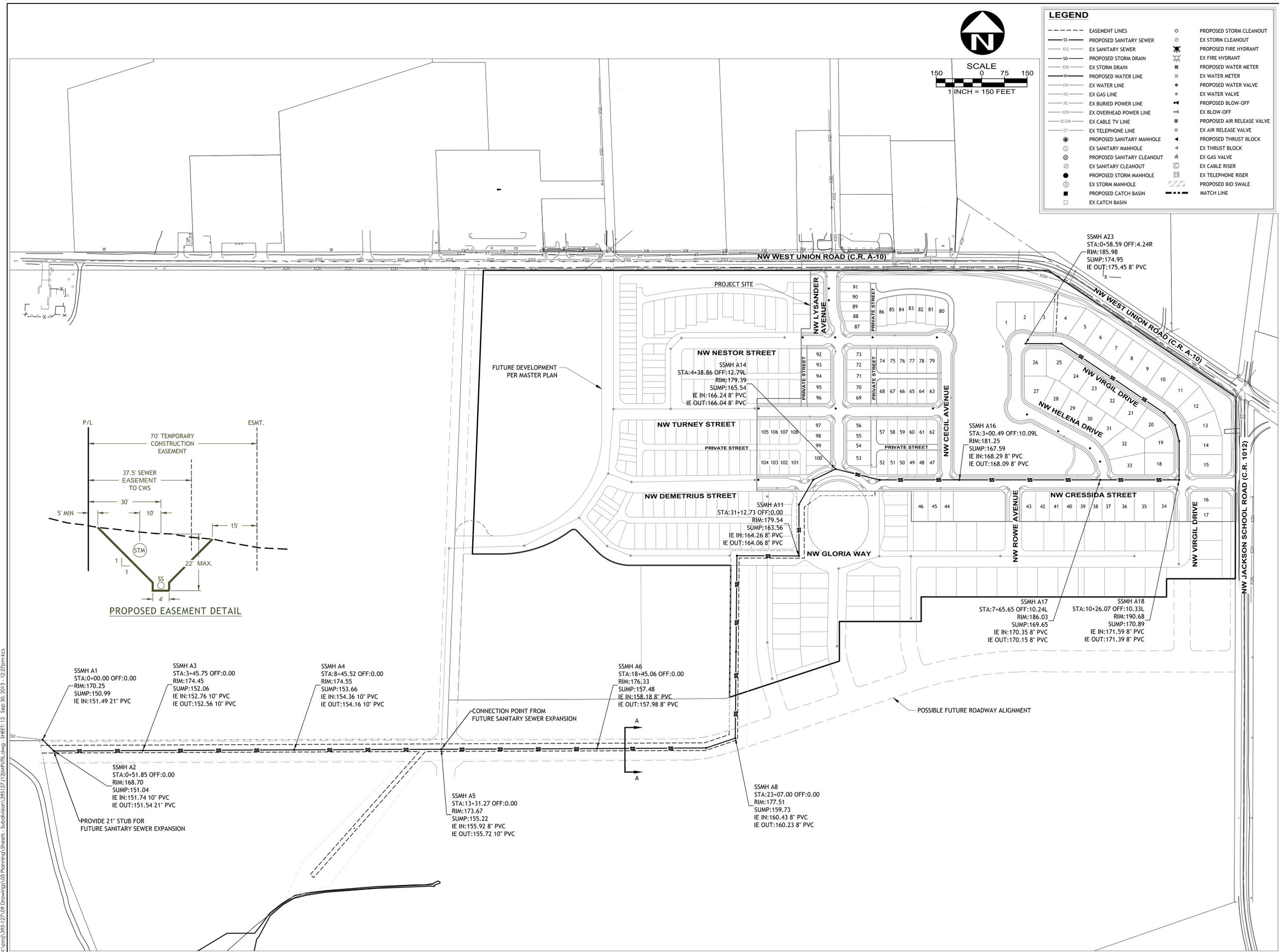
SUNSET RIDGE

MASTER PLAN
 PUBLIC FACILITIES
 SEWER PLAN



[T] 503-941-9484 [F] 503-941-9485

PROJECT NO.: 395-127
 TYPE: PLANNING
 REVIEWED BY:



N:\p03\395-127_09 Drawings\03 Planning Sheets - Subdivision\395127\12\MP\Title.dwg - SHEET: 12 - Sep 30, 2013 - 12:27 pm kcs



POLYGON NW COMPANY
 [T] (360) 695-7700 [F] 360-693-4442
 WWW.POLYGONHOMES.COM

DATE: 9/30/2013

REVISIONS
 NO. DATE DESCRIPTION

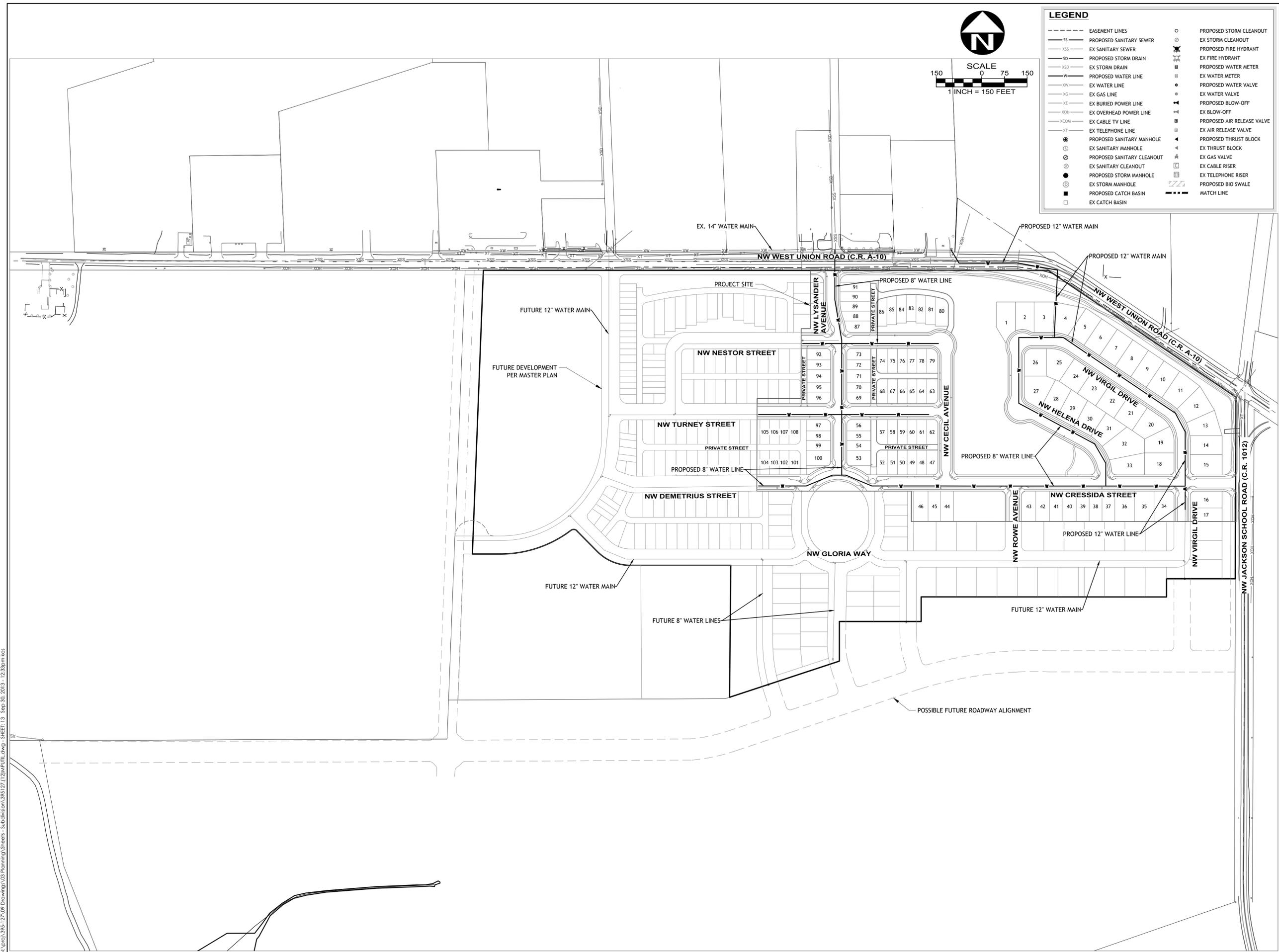
SUNSET RIDGE

**MASTER PLAN
 PUBLIC FACILITIES
 WATER PLAN**



[T] 503-941-9484 [F] 503-941-9485

PROJECT NO.: 395-127
 TYPE: PLANNING
 REVIEWED BY:



N:\proj\395-127_09 Drawings\03 Planning_Sheets - Subdivision\395127\121\MPL\DWG - SHEET_13_Sep30_2013 - 12:28pm.kcs



EXHIBIT A

March 9, 2016

LEGAL DESCRIPTION
Annexation

Job No. 395-128

Parcel 2 of Partition Plat No. 2014-013, and Parcel 2 of Partition Plat No. 2007-020, Washington County Plat Records, in the Southwest Quarter of Section 5, the Southeast Quarter of Section 6, and the Northeast Quarter of Section 7, Township 1 North, Range 2 West, Willamette Meridian, Washington County, State of Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of said Parcel 2 of Partition Plat No. 2014-013;

thence along the easterly line of said Parcel 2 for the following eight courses:

South 00° 10'16" West, a distance of 191.91 feet,
North 89° 58'53" West, a distance of 30.00 feet,
South 00° 10'16" West, a distance of 230.00 feet,
North 89° 58'53" West, a distance of 145.00 feet,
South 00° 10'16" West, a distance of 305.00 feet,
South 89° 58'53" East, a distance of 510.00 feet,
South 00° 10'16" West, a distance of 100.00 feet,
South 89° 58'53" East, a distance of 1070.41 feet to a point on the westerly Right-of-way line of NW Jackson School Road (County Road 1012);

thence along said westerly Right-of-way line, South 00° 10'16" West, a distance of 188.10 feet to the Southeast corner of said Parcel 2;

thence along the southerly line of said Parcel 2 for the following seven courses:

North 89° 58'53" West, a distance of 226.94 feet,
South 00° 01'07" West, a distance of 60.00 feet,
North 89° 58'53" West, a distance of 810.00 feet,
South 00° 01'07" West, a distance of 81.00 feet,
North 89° 58'53" West, a distance of 270.00 feet,
South 00° 01'07" West, a distance of 130.62 feet,
South 71° 49'25" West, a distance of 395.19 feet to the most southerly Southeast corner of said Parcel 2 of Partition Plat No. 2007-020;

thence along the southerly line of said Parcel 2, South 89° 41'07" West, a distance of 914.45 feet to the Southwest corner of said Parcel 2;

thence along the westerly line of said Parcel 2, North 02° 12'32" East, a distance of 1416.38 feet to the Northwest corner of said Parcel 2;

thence along the southerly Right-of-way line of NW West Union Road (County Road A-10), South 89° 58'53" East, a distance of 1139.97 feet to the POINT OF BEGINNING.

Containing 45.58 acres, more or less.

Basis of bearings being Partition Plat No. 2014-013, Washington County Plat Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2017

\\SQA\Project\395-128\09 Drawings\06 Survey\Legals\395\28 Annexation Legal\2016-03-09.dwg - SHEET: Legal Mar. 9, 16 - 2:28 PM garrett

DOCUMENT NO.
2000-047427

N02°12'32"E 1416.38'

NW WEST UNION ROAD
(CR A-10)

S89°58'53"E 1139.97'

POB

NW JACKSON SCHOOL ROAD
(CR 1012)

PARCEL 2
PARTITION PLAT
NO. 2014-013

S00°10'16"W 230.00'

N89°58'53"W 145.00'

S00°10'16"W 305.00'

NW FAIR STREET

N89°58'53"W 30.00'

NW KAYE WAY

S89°58'53"E 510.00'

PARCEL 2
PARTITION PLAT
NO. 2014-013

S00°01'07"W 60.00'

N89°58'53"W 810.00'

S00°01'07"W 81.00'

N89°58'53"W 270.00'

PARCEL 3
PARTITION PLAT
NO. 2007-020

S00°01'07"W 130.62'

N89°58'53"W 226.94'

S89°41'07"W 914.45'

S71°49'25"W 395.19'

S89°58'53"E 1070.41'

S00°10'16"W 188.10'

TAXLOT LINE

S00°10'16"W 191.91'

NW KENNON STREET

SUNSET RIDGE

NW CARVER STREET

NW 285TH DRIVE

NW MAYS STREET

S00°10'16"W 100.00'

NW 287TH DRIVE



EXHIBIT B ANNEXATION

DRAWN BY: GPS DATE: 3/9/2016
REVIEWED BY: TCJ DATE: 3/9/2016
PROJECT NO.: 395-128
SCALE: 1"=450'



12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485



City of North Plains

31360 NW Commercial St. North Plains, OR 97133

Ph. 503-647-5555 Fax 503-647-2031

Email: info@northplains.org

LAND USE APPLICATION (TYPE 2, 3, or 4)

Applicant General Information

Applicant Name: see attached list

Mailing Address: _____
Street *Apartment/Unit #*

_____ *State* *ZIP Code*
City

Email Address: _____ Phone: () - _____

Property Owner: see attached list

Mailing Address: _____
Street *Apartment/Unit #*

_____ *State* *ZIP Code*
City

Email Address: _____ Phone: () - _____

Property Description

Address: *no Site Address*
Street *Apartment/Unit #*

_____ *State* *ZIP Code*
City

Tax Lot ID: see attached list Existing Zoning: FD10

Property Area: see attached list Existing Land Use: 5401 Vacant,Agr,Farm Unzoned

General Development Description: Neighborhood Community Master Plan Residential Mixed Use

Fees - Check all that apply (Fees effective 07/01/15)

Type	Land Use Process	Fee	Type	Land Use Process	Fee
4	<input checked="" type="checkbox"/> Annexation	\$20,000 deposit*	3	<input type="checkbox"/> Non-Conforming Use	\$511
2, 3	<input type="checkbox"/> Appeal	½ Original App Fee	3	<input type="checkbox"/> Subdivision	\$2,900
4	<input type="checkbox"/> Comp Plan Amendment, Text	\$8,000	3	<input type="checkbox"/> Manufactured Home Park	\$9,680
4	<input type="checkbox"/> Comp Plan Amendment, Map	\$5,000	2	<input type="checkbox"/> Subdiv. Modification – Minor	\$1,250
3	<input type="checkbox"/> Conditional Use	\$2,765	3	<input type="checkbox"/> Subdiv. Modification – Major	\$3,932
2	<input type="checkbox"/> Design Review Type II Res	\$2,004		<input type="checkbox"/> Subdivision Preapplication Mtg	\$740
3	<input type="checkbox"/> Design Review Type III Res	\$2,731	3	<input type="checkbox"/> SNR Permit	\$1,910
2	<input type="checkbox"/> Design Review Type II C/I	\$1,104	3	<input type="checkbox"/> Similar Use	\$1,385
3	<input type="checkbox"/> Design Review Type III C/I	\$2,765	3	<input type="checkbox"/> Street Vacation	\$4,000
3	<input type="checkbox"/> Floodplain Permit	\$1,910	4	<input type="checkbox"/> UGB Expansion	\$28,000
3	<input type="checkbox"/> Partition, with street dedication	\$4,886	2	<input type="checkbox"/> Variance, Administrative	\$515
2	<input type="checkbox"/> Partition, no street dedication	\$1,332	3	<input type="checkbox"/> Variance, PC Hearing	\$1,990
2	<input type="checkbox"/> Lot Line Adjustment	\$1,106	4	<input type="checkbox"/> Zoning Code Amendment	\$6,278
	<input type="checkbox"/> Other			Total	

* plus \$9,000 election deposit

Attachment
City of North Plains Annexation Application

Co-Applicants

Jackson Farm Land, LLC
Don Maltase
P.O. Box 2669
Vancouver, WA 98668
(503) 285-4746
donmaltase@comcast.net

McKay Creek Land, LLC
Robert Bobosky
6770 SW Canyon Drive
Portland, OR 97225
(503) 292-8261
r.bobosky@comcast.net

Polygon Northwest Company
Fred Gast
109 E. 13th Street
Vancouver, WA 98660
(503) 314-0807

Applicants' Representatives

Pacific Community Design, Inc.
Jim Lange
12564 SW Main Street
Tigard, OR 97223
(503) 941-9484
jim@pacific-community.com

Perkins Coie, LLP
Michael Robinson
1120 NW Couch Street, 10th Floor
Portland, OR 97209
(503) 727-2264
mrobinson@perkinscoie.com

Property Owners Tax Lots: 01N206DC 200 (21.48 acres) & 1N206DD 100 (12.81 acres)

Jackson Farm Land, LLC
Don Maltase
P.O. Box 2669
Vancouver, WA 98668
(503) 285-4746
donmaltase@comcast.net

McKay Creek Land, LLC
Robert Bobosky
6770 SW Canyon Drive
Portland, OR 97225
(503) 292-8261
r.bobosky@comcast.net

Property Owners Tax Lot: 01N206DC 100 (11.29 acres)

Hillsboro School District 1J
Adam Stewart, Chief Financial Officer
3083 NE 49th Place #200
Hillsboro, OR 97124
(503) 549-1526
stewart@hsd.k.12.or.us

Information to Include with Your Application

- **Application Form**
- **Fee**
- **Narrative** describing the Development Proposal and addressing the Decision Criteria. *All applications will be reviewed based on the criteria of [Chapter 16 of the North Plains Municipal Code](#) which is available at www.northplains.org a sample narrative is also on website.*
- **Plans** drawn to scale showing (**3 hard copies** (2 for County and 1 for applicant) and **1 electronic copy.pdf**):
 - All property boundaries in which development is occurring
 - All adjacent roads (with names and dimensions)
 - Location and dimensions of all existing and proposed access ways/alleys/driveways
 - Location, number, dimensions, setbacks
 - All easements (including utilities)
 - Location of all existing and proposed fire hydrants
 - Location, size (area), and setbacks of all existing and proposed buildings and structures
 - Location, size (area), and layout of existing and proposed landscaping
 - Location, number and dimensions of existing and proposed parking areas, including handicapped spaces
 - Location, number and dimensions of existing and proposed loading areas
 - Location, number, dimensions, and types of existing and proposed lighting
 - Location, number, dimensions, setbacks, and types of existing and proposed fencing and or/screening
 - Location, number, dimensions, setbacks, and types of existing and proposed mechanical equipment, such as rooftop equipment and transformer boxes. Show any screening of proposed equipment.
 - Delineate flood plains and water courses
 - Significant vegetation
- **Stamped envelopes with mailing labels** attached for all property owners and residents within 250 feet of the subject property or properties. *(A list of property owners/site addresses may be obtained from a title insurance company.)*
- A **traffic study** for any project generating more than 300 trips per day.
- Other reports related to specific permit types flood plain, significant natural resources historic overlay Other

After initial review, the City may require additional information.

Additional Information

In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs.

Date: _____ Signature of Applicant: _____

Date: _____ Signature of Property Owner: _____

FOR OFFICE USE

Received by: _____ Date: _____

Fee paid: _____ Receipt No. _____ Application No. _____

Information to Include with Your Application

- Application Form
- Fee
- Narrative describing the Development Proposal and addressing the Decision Criteria. *All applications will be reviewed based on the criteria of Chapter 16 of the North Plains Municipal Code which is available at www.northplains.org a sample narrative is also on website.*
- Plans drawn to scale showing (3 hard copies (2 for County and 1 for applicant) and 1 electronic copy.pdf):
 - All property boundaries in which development is occurring
 - All adjacent roads (with names and dimensions)
 - Location and dimensions of all existing and proposed access ways/alleys/driveways
 - Location, number, dimensions, setbacks
 - All easements (including utilities)
 - Location of all existing and proposed fire hydrants
 - Location, size (area), and setbacks of all existing and proposed buildings and structures
 - Location, size (area), and layout of existing and proposed landscaping
 - Location, number and dimensions of existing and proposed parking areas, including handicapped spaces
 - Location, number and dimensions of existing and proposed loading areas
 - Location, number, dimensions, and types of existing and proposed lighting
 - Location, number, dimensions, setbacks, and types of existing and proposed fencing and or/screening
 - Location, number, dimensions, setbacks, and types of existing and proposed mechanical equipment, such as rooftop equipment and transformer boxes. Show any screening of proposed equipment.
 - Delineate flood plains and water courses
 - Significant vegetation
- Stamped envelopes with mailing labels attached for all property owners and residents within 250 feet of the subject property or properties. *(A list of property owners/site addresses may be obtained from a title insurance company.)*
- A traffic study for any project generating more than 300 trips per day.
- Other reports related to specific permit types flood plain, significant natural resources historic overlay Other

After initial review, the City may require additional information.

Additional Information

In order to expedite and complete the processing of this application, the City of North Plains requires that all pertinent material required for review of this application be submitted at the time application is made. If the application is found to be incomplete, review and processing of the application will not begin until the application is made complete.

I certify that the statements made in this application are complete and true to the best of my knowledge. I understand that any false statements may result in denial of this application.

I understand that there may be additional costs of processing this application including, but not limited to, planning, engineering, city attorney and administration. The City will notify the applicant if there will be additional costs.

Date: 3/28/2010 Signature of Applicant: 

Date: _____ Signature of Property Owner: _____

FOR OFFICE USE

Received by: _____ Date: _____

Fee paid: _____ Receipt No. _____ Application No. _____

