



**TO:** Kent Studebaker, Mayor  
Members of the City Council

**FROM:** Paul Espe, Associate Planner

**SUBJECT:** Ordinance 2701, Annexing Tax Lot 4400 (Tax Map 21E18DB); AN 15-0019

**DATE:** December 11, 2015

**ACTION**

Adopt Ordinance 2701 (Exhibit E-1), annexing Tax Lot 4400 (Tax Map 21E18DB) located at 17872 Pilkington Road.

**INTRODUCTION/BACKGROUND**

The proposed annexation is owner-initiated and will result in the addition of approximately 0.23 acres of residential land to the City. This Council report describes the reasons for the annexation and provides basic background information. The criteria for approving annexations and the findings in support of this annexation are included in Exhibit A-1.

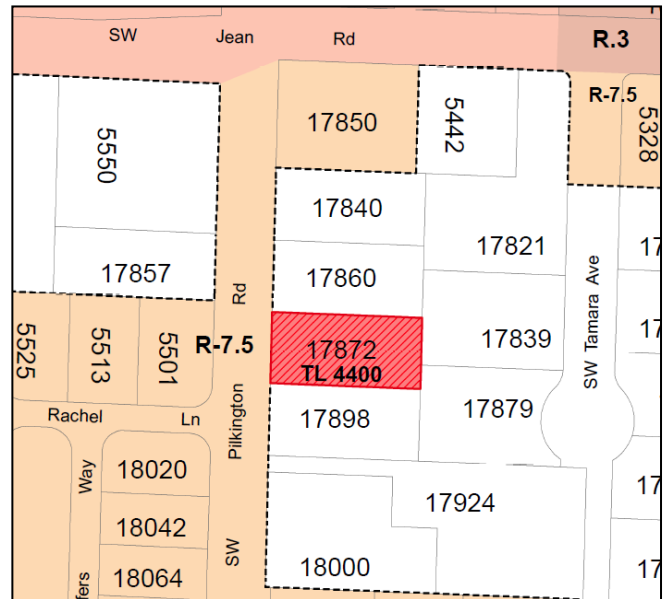
**Owners/Applicants:** Zach and Mark Eimon and Joy Yang.

**Location/Size:** The subject property is 0.23 acres (10,000 square feet). It is located on the east side of Pilkington Road, approximately 250 feet south of the intersection of Pilkington and Jean Roads.

**Existing Land Use:** Tax Lot 4400 is occupied by a single-family dwelling and garage and accesses Pilkington Road through a private driveway.

**Neighborhood:** The property is located within the Rosewood Neighborhood.

**Purpose of Annexation:** The property owners initiated the annexation to connect to City sewer service.



## DISCUSSION

**Plan and Zone Designation:** The subject property is currently under Clackamas County's jurisdiction and is zoned Low Density Residential R-10. This area is designated R-7.5, Low Density Residential on the City of Lake Oswego Comprehensive Plan Map and will be zoned R-7.5 upon annexation.

**Development Potential:** Based on the R-10 zoning standards, the 0.23 acre property cannot be further divided.

**Sensitive Lands:** There are no Sensitive Lands designated on the property.

**Sewer and Water Service:** Sanitary sewer service is available from a City of Lake Oswego eight-inch collection line located in Pilkington Road along the site frontage. Water is available from a ten-inch Rivergrove Water District line in Pilkington Road. The property will continue as a Rivergrove Water District customer after annexation. The closest fire hydrant is located across the street at the southwest quadrant of the intersection of Pilkington Road and Rachael Lane.

**Surface Water Management:** Upon annexation, any new development will be subject to the City's on-site surface water management provisions. New development will be required to manage stormwater on site, consistent with code requirements. Stormwater runoff from roofs and other impervious surfaces will need to be diverted into swales, terraces and/or water percolation devices on the lots when possible. With these types of on-site improvements, the annexation will not overburden the City stormwater system.

Currently, the territory is under the jurisdiction of the Surface Water Management Agency of Clackamas County (SWMACC).

**Service Districts:** Upon annexation, the property will, by operation of ORS 222.520, be withdrawn from the Lake Grove Fire District #57, the Clackamas County Enhanced Sheriff's Patrol District and the Surface Water Management Agency of Clackamas County (SWMAC), but will remain in the Rivergrove Water District and the Lake Grove Park District.

**Transportation:** Pilkington Road is an uncurbed road and is designated as a major collector level road in the City's street classification system. Pilkington Road is under the jurisdiction of the City of Lake Oswego.

## ALTERNATIVES & FISCAL IMPACT

The draft findings provided in Exhibit A-1 conclude that the proposed annexation complies with all applicable State statutes and Metro code requirements. This annexation is for one parcel of approximately 0.23 acres. The estimated assessed value of the residential property is \$161,306. The projected revenue from future property taxes is \$417.

## RECOMMENDATION

Staff recommends approval of AN 15-0019.

**EXHIBITS**

- A.** Findings and Conclusion  
A-1: Criteria, Findings, Conclusion, and Effective Date
- B.** Minutes [No current exhibits]
- C.** Staff Report [No current exhibits]
- D.** Graphic Exhibits [No current exhibits]
- E.** Written Materials  
E-1: Ordinance 2701 and Map (Attachment A)
- F.** Letters [No current exhibits]

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# Exhibit A-1

## Criteria, Findings, Conclusion, and Effective Date

### **APPLICABLE CRITERIA:**

- A. Oregon Revised Statutes (ORS), Boundary Changes; Mergers and Consolidations.
  - 1. ORS 222.111(2) - Annexation of Contiguous Territory, Authority and Procedure for Annexation, Generally.
  - 2. ORS 222.125 - Annexation by consent of all owners of land and the majority of electors.
  - 3. ORS 222.170 - Annexation by consent of more than half of the owners of land in the territory to be annexed, who also own more than half of the land in the territory.
  
- B. Metro Code.
  - 1. 3.09.040(a)(1-4) Minimum Requirements for Petitions.
  - 2. 3.09.050 Uniform Hearing Requirements for Final Decisions Subsections (b)(1-3) and (d).
  
- C. Comprehensive Plan - Urbanization Chapter
  - 1. Policy A-3: "The Urban Services Boundary (as depicted on the Comprehensive Plan Map) is the area within which the City shall be the eventual provider of the full range of urban services."
  - 2. Policy C-3: "Ensure that annexation of new territory or expansion of Lake Oswego's Urban Services Boundary does not detract from the City's ability to provide services to existing City Residents."
  - 3. Policy C-4: "Prior to the annexation of non-island properties, ensure urban services are available and adequate to serve the property or will be made available in a timely manner by the City or a developer commensurate with the scale of the proposed development."

### **FINDINGS:**

#### **A. Oregon Revised Statutes (ORS), Boundary Changes; Mergers and Consolidations.**

##### **1. ORS 222.111(2) Annexation of Contiguous Territory, Authority and Procedure for Annexation, Generally.**

ORS 222.111(2) provides that 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. The sole property owners have petitioned the City for this annexation.

##### **2. ORS 222.125 - Annexation by consent of all owners of land and the majority of electors.**

ORS 222.125 states that an election need not be held on the question of annexation within the area proposed to be annexed if all of the owners of land in the territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation. The sole property owners, have signed the annexation application. The sole property owners who are one in the same as the registered voters have signed the annexation petition. One hundred percent of the property owners and electors have consented to this annexation.

**3. ORS 222.170 - Annexation by consent of more than half of the owners of land in the territory to be annexed, who also own more than half of the land in the territory.**

ORS 222.170 states that an election need not be held on the question of annexation within the area proposed to be annexed if not less than 50 percent of the owners of land residing on the property consent in writing to the annexation. These owners must also own more than half of the land in the territory to be annexed and more than half of the assessed value of all of the land in the territory. The sole property owners have consented to the annexation on the annexation petition (on file). The proposed annexation complies with this statute.

**B. Metro Code**

**1. 3.09.040 - Minimum Requirements for Petitions.**

- (a) A petition for a boundary change shall be deemed complete if it includes the following information:**
- 1) The jurisdiction of the approving entity to act on the petition;**
  - 2) A map and a legal description of the affected territory in the form prescribed by the reviewing entity;**
  - 3) For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk; and,**
  - 4) For boundary changes under ORS 198.855 (3), 198.857, 222.125 or 222.170, statements of consent to the annexation signed by the requisite number of owners or electors.**

The above information was submitted as required by Metro Code. The property owners have signed the application and petition. A map and legal description have been included in the application materials and are on file. The sole property owners have consented to the annexation on the annexation petition. The proposed annexation complies with the Metro code requirements.

**2. 3.09.050 Uniform Hearing and Decision Requirements for Final Decisions Other Than Expedited Decisions.**

- (b) Not later than 15 days prior to the date set for a boundary change decision, the approving entity shall make available to the public a report that addresses the criteria in subsection (d) below, 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.**

The property is located within the Urban Growth Boundary and the City's Urban Services Boundary. Metro Code section 3.09.020 defines urban services as including sanitary sewer, water, fire protection, parks, open space, recreation, streets, roads and mass transit.

Water: Water is available from a ten-inch Rivergrove Water District line in Pilkington Road and the property will remain in the District's service area after annexation. The City of Lake Oswego entered into an agreement with the Rivergrove Water District on February 8, 1984 for water services. The Agreement stipulates that the District will continue to serve parcels upon annexation if it is capable of delivering a minimum flow of 1500 gallons per minute with a 20 psi residual pressure during periods of peak domestic demand. The District is currently able to meet these demands.

If upon development or partitioning, this level of service is not provided, then City water may need to be provided. The closest fire hydrant is located across the street at the southeast quadrant of the intersection of Pilkington Road and Rachael Lane.

Sewer: Sanitary sewer service is available from a City of Lake Oswego eight-inch collection line located in Pilkington Road along the site frontage. The Engineering staff notes that this property is located within the boundary of a sewer zone of benefit (ZOB), where the sewer was previously extended in Pilkington Road to serve their development across the street from this site.

The developer filed for the formation of a ZOB, whereby "latecomer" connections to the qualifying sewer would be obligated to pay a "unit connection charge" as a condition of being permitted to connect. This charge is collected by the Building Department when a latecomer building permit or plumbing permit is issued for making the initial connection to the qualifying sewer. The initial unit connection charge was established to be \$2,846.14 in 2011 and is adjusted at the beginning of each calendar year by an amount equaling the percentage change in the Engineering News Record Construction Cost Index (20-City average).

The on-site work would involve decommissioning the existing septic tank (removal, or filling with sand or gravel) per the standards provided by the Department of Environmental Quality (DEQ).

Surface Water Management: Upon annexation, any new development will be subject to the City's on-site surface water management provisions. New development will be required to capture stormwater consistent with code requirements in order to minimize direct overland runoff into streets, drainage systems, and/or adjoining property. Stormwater runoff from roofs and other impervious surfaces will need to be diverted into swales, terraces and/or water percolation devices on the lots when possible. With these types of on-site improvements, the annexation will not overburden the City stormwater system.

Currently, the territory is under the jurisdiction of the Surface Water Management Agency of Clackamas County (SWMACC). Upon annexation, the territory will be withdrawn from SWMACC and will be subject to the City's storm water management regulations.

Fire: Lake Grove Fire District #57 provides fire protection services to the property by agreement with the City of Lake Oswego. Upon annexation, the property will be withdrawn from this fire district and will be served directly by the City. The Jean Road Fire Station, located northeast of the site, would be able to respond to emergencies under the eight minute goal established in the Comprehensive Plan.

Police: The property is currently served by the Clackamas County Sheriff's Department. Upon annexation, it will be withdrawn from the Clackamas County Enhanced Sheriff's Patrol District and will be served by the City of Lake Oswego. The police department has reviewed the proposal and indicated that they would not have any concerns serving this property upon annexation.

Parks: The City has 537 acres of park and open space lands, or 14.6 acres per 1,000 population. The parks nearest to this property are Canal Acres/Bryant Woods Natural Park and Pilkington Park. Canal Acres park is 31 acres and located on the north and south sides of Childs Road in the vicinity of the site. This is a natural park and there are no amenities for organized recreation activities. Pilkington Park is a 3.7 acre neighborhood park and provides drop-in play fields, a walking path and a picnic table. The City's park system will not be

overburdened by any additional population annexed to the City with this application.

Lake Grove Park District: The Lake Grove Swim Park, managed by the Lake Oswego School District, is located at 3800 Lakeview Boulevard. The swim park is approximately 1.3 acres in size with restroom, play and swim facilities. This property will remain within the Lake Grove Park District following annexation.

Transportation - Streets and Mass Transit: Pilkington Road is an uncurbed road and is designated as a major collector level road in the City's street classification system. Pilkington Road is under the jurisdiction of the City of Lake Oswego along the site.

A pathway that was recently constructed in Pilkington Road as part of the Safe Routes to School Program extends along the west side of Pilkington Road from Jean Road to Pilkington Park. Tri-Met Line 36 provides service on Pilkington Road to the transfer station in the City of Tualatin.

**(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.**

The City has entered into four ORS 195.065 agreements with: 1) Clackamas County (for roadways); 2) Lake Oswego School District; 3) Lake Grove Fire District; and, 4) the Southwood Park Water District. The intergovernmental agreement with the Rivergrove Water District is not discussed in this section because it was entered into before the adoption of ORS 195.065, and consequently does not include all of the provisions necessary to be considered an "urban service agreement" under that statute. Two of the ORS 195.065 agreements are applicable to this proposal.

Lake Oswego School District: The City and the Lake Oswego School District entered into an ORS 195.065 urban service agreement for park services in July, 2003. The School District operates the Lake Grove Swim Park located at 3800 Lakeview Boulevard. The agreement states that the annexation of property by the City within the Lake Grove Park District shall not cause the withdrawal of the property from the district.

Lake Grove Fire District #57: The City and District entered into an ORS 195.065 urban service agreement for fire protection in July, 2003. The agreement states that upon annexation of property within the district by the City, the annexed property shall be withdrawn from the District and the City shall provide fire protection services.

**(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;**

Consistency of the proposed boundary change with comprehensive plan policies is discussed in section (d)(3), below.

The City's Public Facilities Plan does not identify any sanitary service, water, or storm water projects in this area that would affect the subject property.

There are no regional framework plans or regional urban growth goals or objectives that are directly applicable to this annexation.

Consistency of the proposed boundary change with urban planning agreements is mentioned under (b)(2) above and (c)(2) below.



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

ORS 222.520 authorizes the City to withdraw the property from the Lake Grove Fire District #57, the Clackamas County Enhanced Sheriff's Patrol District and the Surface Water Management Agency of Clackamas County. Upon approval of the annexation, the ordinance will withdraw the property from these service districts.

**(5) The proposed effective date of the decision.**

The proposed effective date of the decision is outlined in the final section of this report.

**(c) 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.**

ORS 195.065 agreements are discussed above under Metro Code Section 3.09.050(b)(2).

**(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 Metro Code defines necessary party as "a county, city or district whose jurisdictional boundary or adopted urban service area includes any part of the affected property, or who provides any urban service to any portion of the affected." The list of necessary parties for the proposed annexation includes:

- Clackamas County
- Surface Water Management Agency of Clackamas County
- Clackamas County Enhanced Sheriff's Patrol District
- Lake Grove Fire District #57
- Lake Grove Park District
- Tri-County Metropolitan Transportation District
- Rivergrove Water District

The only non-ORS 196.065 agreements with directly applicable provisions are the Rivergrove Water District IGA, discussed earlier, and the City's Urban Growth Management Agreement with Clackamas County:

Clackamas County Urban Growth Management Agreement/City of Lake Oswego: The City currently has an urban planning agreement with Clackamas County. The City and County entered into an Urban Growth Management Agreement in 1997 which stipulates a mutual interest in coordinated land use planning, compatible comprehensive plans and provision of urban services and facilities. This agreement ensures coordination and consistency between the City and County comprehensive plans and outlines responsibilities in providing services and managing growth within the Dual Interest Area. Subsections 6 and 7, provided below, are applicable to annexations.

“6. *City and County Notice and Coordination:*  
*The City shall provide notification to the County, and an opportunity to participate, review and comment, at least 35 days prior to the first public hearing on all proposed public facilities plans, legislative changes to the City Comprehensive Plan, or quasi-judicial land use actions adjacent to, or in close proximity to unincorporated areas. The City shall provide notice to the County of private or City initiated annexation requests within five days of the filing of an application...*”

The Urban Growth Management Agreement specifies that the City notify the County of an annexation request within five days of when it is submitted to the Boundary Commission. There is no longer a Boundary Commission for the Portland Metropolitan area.

Staff relies on the notice requirements of Metro Code 3.09.030, which requires notice 20 days prior to the scheduled hearing for an annexation for all necessary parties (other governmental entities), unless a shorter time is agreed upon. The County is a necessary party under the Metro Code definition and has been notified.

“7. *City Annexations*  
A. *The City may undertake annexations in the manner provided for by law within the Dual Interest Area. The City annexation proposals shall include adjacent road right-of-way to property proposed for annexation. The County shall not oppose such annexations.*  
B. *Upon annexation, the City shall assume jurisdiction of the County roads and local access roads pursuant to a separate road transfer agreement between the City and county.*”

The City is undertaking this annexation in the manner provided for in the applicable ORS and Metro Code for the territories that lie within the Dual Interest Area. This annexation will be consistent with the City and County comprehensive plans which have been coordinated in the Dual Interest Area within the regional Urban Growth Boundary (UGB).

The separate road agreement referenced in 7(B) is now expired. This parcel takes direct access from Pilkington Road.

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

Comprehensive Plan Map: The subject property is currently designated R-10, Low Density Residential on Clackamas County’s Comprehensive Plan and Zoning Maps. The property is also designated as Low Density Residential R-7.5 on the City’s Comprehensive Plan Map. Upon annexation, a City zoning designation of R-7.5 will be applied to this parcel.

The City and County have coordinated their comprehensive plans within the Dual Interest Area outlined in the City/County Urban Growth Management Agreement (dated February 4, 1992 and updated November 18, 1997), hence the City/County designations have been determined to be compatible. Therefore, this annexation is compatible with the City’s Comprehensive Plan Map.

Comprehensive Plan Policies: The updated Comprehensive Plan contains the following relevant language in the Urbanization chapter, Policy A-3: “The Urban Services Boundary (as depicted on the Comprehensive Plan Map) is the area within which the City that shall be the eventual provider of the full range of urban services.” The proposed annexation and the withdrawal of the property from the identified districts are consistent with this policy.

Policy C-3 states: “Ensure that annexation of new territory or expansion of Lake Oswego’s Urban Services Boundary does not detract from the City’s ability to provide services to existing City Residents.”

The approval of this annexation will result in the addition of 0.23 acres to be served by the City. As stated in Section 2(b)(1), the addition of this territory will not detract from the City’s ability to provide police and fire protection to existing City Residents. Annexation of this property will not affect the City’s ability to provide parks and recreation services. Public facilities, such as sewer and water are also found to be adequate to serve this site.

Comprehensive Plan Policy C-4 states: “Prior to the annexation of non-island properties, ensure urban services are available and adequate to serve the property or will be made available in a timely manner by the City or a developer commensurate with the scale of the proposed development.”

Community Development Code Section 50.06.008.3 requires that all development be provided with the following utility services: sanitary sewer, water, sidewalks, pedestrian and bicycle paths, traffic control signs and devices, street lights, streets, and TV cable. These utilities are now in place or can be put in place to serve this property.

In the event that future development occurs, an applicant for development is obligated to construct all necessary public facilities to serve their development.

As noted above, police and fire services are available upon annexation. The amount of protection provided will be similar to protection provided to other City residents because the property proposed to be annexed is not isolated from other areas of the City.

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

There are no Regional Framework Plan or Functional Plan criteria or standards applicable to this annexation.

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

Due to the proximity of the property to existing City services, this annexation will promote the timely, orderly and economical extension of public facilities and services. If and when additional development occurs in the area, provision of public facilities and services will occur.

**CONCLUSION:**

Based on the criteria and findings set forth above, the City Council concludes that AN 15-019 complies with all applicable criteria and should be annexed to the City.

**EFFECTIVE DATE:**

A. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, the ordinance shall be effective on the 30<sup>th</sup> day after its enactment.

B. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of:

1. the 30<sup>th</sup> day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of State;

provided however that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any City, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

**AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO ONE PARCEL CONSISTING OF 0.23 ACRES LOCATED AT 17872 PILKINGTON ROAD; DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.01.004.5(a-c); AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 15-0019).**

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owners as outlined in ORS 222.111(2); and,

WHEREAS, the City has received consent for the proposed annexation from 100 percent of the owners of land and the electors in the territory; and,

WHEREAS, the part of the territory that lies within the Lake Grove Fire District #57 will, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Clackamas County Enhanced Sheriff's Patrol District will, by operation of ORS 222.520, be withdrawn from the district upon approval of the annexation; and,

WHEREAS, the part of the territory that lies within the Surface Water Management Agency of Clackamas County will by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, LOC 50.01.004.5 specifies that, where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on the territory as of the effective date of the annexation; and,

WHEREAS, this annexation is consistent with the Urbanization Chapter of the City of Lake Oswego's acknowledged Comprehensive Plan, Oregon Revised Statutes 222.111(2); 222.125; and 222.170 for boundary changes, and Metro Code Sections 3.09.050(b) and (d).

**Now, therefore, the City of Lake Oswego ordains as follows:**

Section 1. The real property described as follows is hereby annexed to the City of Lake Oswego:

A portion of Lots 18 and 19, Block 2, OSWEGO ACRES, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the West line of said Lot 19 which is South 243.38 feet from the Northwest corner of said Block 2, when measured along the West line of said block, said point being also the Southwest corner of that certain tract of land conveyed to Marvin W. Sjogren by deed recorded April 10, 1962 in Deed Book 601, Page 692;

thence continuing South along the West line of said Block 2, a distance of 69.34 feet;  
thence East parallel with the South line of said Sjogren tract a distance of 144.25 feet,  
more or less, to the West line of WILTURN ADDITION PLAT 2;  
thence North along the West line of said plat a distance of 69.34 feet to the South line  
of said Sjogren tract;  
thence West along the South line of said Sjogren tract a distance of 144.25 feet, more  
or less, to the point of beginning.

Section 2. The annexed area lies within the following districts and shall be retained within these districts upon the effective date of annexation:

Lake Grove Park District  
Rivergrove Water District

Section 3. The annexed area lies within the following districts and shall be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District #57  
Clackamas County Enhanced Sheriff's Patrol District  
Surface Water Management Agency of Clackamas County

Section 4. In accordance with LOC 50.01.004.5, the City zoning designation of R-7.5 shall be applied on the effective date of annexation to the subject property as shown on Attachment A.

Section 5. The City Council hereby adopts the findings of facts and conclusions set forth in Exhibit A-1 in support of this annexation ordinance.

Section 6. Effective Dates:

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10<sup>th</sup> day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30<sup>th</sup> day after its enactment.

c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30<sup>th</sup> day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of State.

Provided, however, that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district

or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

Section 7. Mailing Copies of this Ordinance; Metro Notice

Within 30 days following the date of adoption:

a. The City Recorder shall mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to the Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on \_\_\_\_\_ day of \_\_\_\_\_, 2016.

AYES:

NOES:

ABSTAIN:

EXCUSED:

\_\_\_\_\_  
Kent Studebaker, Mayor

\_\_\_\_\_  
Dated

ATTEST:

\_\_\_\_\_  
Anne-Marie Simpson, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
David Powell, City Attorney

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**Annexation to the City of Lake Oswego  
AN15-0019/Ordinance 2701**

**NC**

SW Jean Rd

**R.3**

**R-7.5**

5550

17850

5442

5328

17857

17840

17821

17860

5525

5513

5501

**R-7.5**

17872  
TL 4400

17839

Rachel Ln

Rd

Pilkington

SW Tamara Ave

Way

18020

17898

17879

18042

17924

ifers

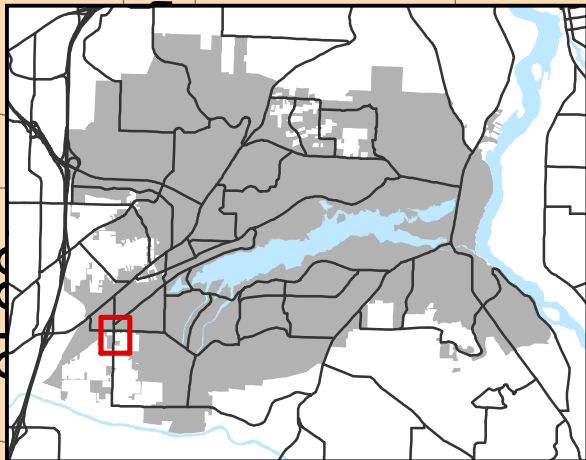
18064

SW

18000

18094

18108



**Attachment A**

**Map and Lot # 21E18DB TL 04400**

**City of Lake Oswego:**

COMPREHENSIVE PLAN = R-7.5, Residential  
ZONING = R-7.5, Residential

**Clackamas County:**

ZONING = R-10, Residential



Lake Oswego  
City Limits



Subject  
Property

0 50 100 150 200 Feet

