



TO: Kent Studebaker, Mayor
Members of the City Council

FROM: Paul Espe, Associate Planner
Long Range Planning Department

SUBJECT: Ordinance 2703, annexing 16365 Boones Ferry Road (AN 15-0021)

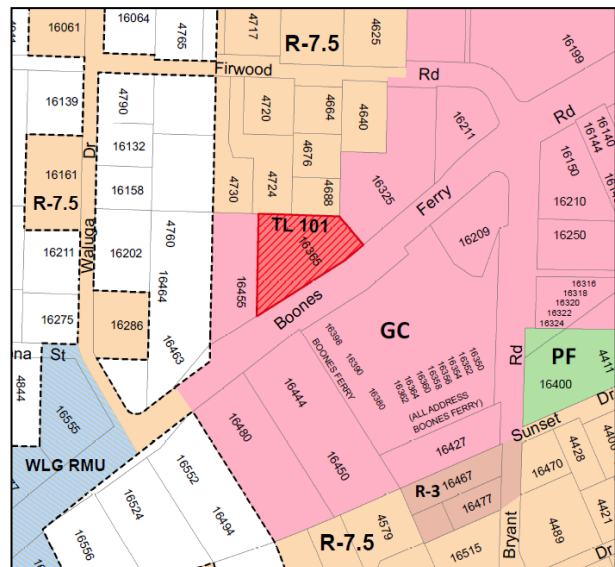
DATE: January 14, 2016

ACTION

Adopt Ordinance 2703 (Exhibit E-1), annexing Tax Lot 101 (Tax Map 21E07DD) located at 16365 Boones Ferry Road.

INTRODUCTION/BACKGROUND

The proposed annexation is owner-initiated and will result in the addition of 0.65 acres of commercially zoned property 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: Qiu Sheng Jia and Ke Xin Jin

Location/Size: The subject property is 0.65 acres (28,314 square feet). It is located on the North side of Boones Ferry Road, approximately 400 feet west of the intersection of Boones Ferry and Bryant Roads. The address is 16365 Boones Ferry Road, Tax Lot 101 (Tax Map 21E07DD).

Existing Land Use: Tax Lot 101 is occupied by a vacant commercial building (formerly the Wells Fargo Bank) and has direct access to Boones Ferry Road.

Neighborhood: The property is located within the Lake Grove Neighborhood.

Purpose of Annexation: The property owner initiated the annexation to connect to city sewer.

DISCUSSION

Plan and Zone Designation: The subject property is currently under Clackamas County's jurisdiction and is zoned C-3, Commercial. This area is designated GC General Commercial on the City of Lake Oswego Comprehensive Plan Map and will be zoned GC upon annexation.

Upon annexation, this property will become a part of the Lake Grove Village Center Overlay District which was adopted by the City Council in 2008 and incorporated into the City Code. The Overlay District has the regulations and design guidelines that implement the Lake Grove Village Center Plan.

As a part of the implementation plan for the LGVCP, staff prepared the Lake Grove Village Center Financial Study and Urban Renewal Plan for Lake Grove to authorize urban renewal as one of several funding sources for key implementation projects.

On July 24th, 2012, the Council adopted the Lake Grove Village Center Urban Renewal Plan to provide funding for two projects: Boones Ferry Road improvements and parking. The first project is to complete Boones Ferry Road improvements from Madrona to Oakridge/Reese and provide a pedestrian crossing at Lanewood, near the Lake Grove Elementary School. It would take a separate action by board of the Lake Oswego Redevelopment Agency to bring this property within the Urban Renewal District.

Development Potential: Based on the GC zoning standards, this property could redevelop. Development may be limited by code standards for setbacks, lot coverage, floor area, building design, parking and landscape requirements.

Sensitive Lands: There are no Sensitive Lands designated on this property.

Sewer and Water Service: Sanitary sewer service is available from a City of Lake Oswego eight-inch collection line in Boones Ferry Road that terminates along the site frontage. An existing six-inch diameter service lateral is stubbed to the site with a clean-out positioned at the right-of-way line.

Water is available from a six-inch Lake Grove Water District (LGWD) water line in Boones Ferry Road. This property lies within the LGWD's service boundary and is connected to this water line. The property will continue as an LGWD customer after annexation. The nearest fire hydrant is located along the south side of Boones Ferry Road, approximately 225 feet west of the property.

Surface Water Management: After annexation, on-site surface water management will fall under various provisions of the Lake Oswego Code. It does not appear that any new impervious surfaces will be proposed as a part of this annexation.

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.

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 0.65 acres. The estimated assessed value of the residential property is \$1,054,004. The estimated revenue from property taxes is expected to be \$2,726.

RECOMMENDATION

Staff recommends approval of AN 15-0021.

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 2703 and Map

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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. The proposed annexation complies with this statute.

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. This is a commercially zoned property and there are no registered voters residing on the property. The proposed annexation complies with this statute.

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 more than 50 percent of the owners of land in the territory 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 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 applicant owns the property to be annexed and has consented to the annexation on the annexation petition. The proposed annexation complies with 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 six-inch Lake Grove Water District (LGWD) water line in Boones Ferry Road. This property lies within the LGWD's service boundary and is connected to this water line. The property will continue as an LGWD customer after annexation.

The City and the district agreed to construct an interconnection between the two water systems and that the City will furnish and sell surplus water to the District under certain conditions and set rates for district purchase of City water. The City Council also adopted a resolution in 1994 (Resolution 94-22) indicating the city would not withdraw parcels from the district upon annexation. The territory will not be withdrawn from the district upon annexation.

The nearest fire hydrant is on the south side of Boones Ferry Road approximately 225 feet west of the property.

Sewer: Sanitary sewer service is available from a City of Lake Oswego eight-inch collection line in Boones Ferry Road that terminates along the site frontage. An existing six-inch diameter service lateral is stubbed to the site with a clean-out positioned at the right-of-way line. The existing septic on the property will need to be removed or decommissioned per DEQ standards.

Surface Water Management: After annexation, on-site surface water management will fall under various provisions of the Lake Oswego Code. It does not appear that any new impervious surfaces will be proposed as a part of this annexation.

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 South 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, the property 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 currently has 537 acres of park and open space lands, or 14.6 acres per 1,000 people. East and West Waluga Parks are located north of the subject parcel. These two parks total 53.2 acres, and are located west of Waluga Drive and south of Carman Drive. Amenities include a playground, picnic tables and covered picnic shelters, restrooms, trails, paths and natural wildlife viewing areas. 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 rest room, play and swim facilities. This property will remain within the Lake Grove Park District following annexation.

Transportation - Streets and Mass Transit: Boones Ferry Road is designated as a major arterial level street in the City's functional street classification system and is under the permitting authority and maintenance jurisdiction of Lake Oswego.

This area is served by Tri-Met bus Line 37, which currently operates along Boones Ferry Road to the north, and Line 38, which operates along Kruse Way to the north. Line 37 provides service between downtown Lake Oswego and Tualatin, and Line 38 provides service between downtown Portland and 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. Two of these 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.

Upon annexation, this property will become a part of the Lake Grove Village Center Overlay District which was adopted by the City Council in 2008 and incorporated into the City Code. The Overlay District has the regulations and design guidelines that implement the Lake Grove Village Center Plan. It would take a separate action by the board of the Lake Oswego Redevelopment Agency to bring this property within the Urban Renewal District.

Consistency of the proposed boundary change with urban planning agreements is also mentioned under (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, and the Clackamas County Enhanced Sheriff's Patrol District. 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 property." The list of necessary parties for the proposed annexation includes:

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

The only non-ORS 195.065 agreements with directly applicable provisions is the 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...”

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 property takes direct access to Boones Ferry Road. This roadway and its maintenance is under the City’s jurisdiction.

(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 under Clackamas County’s jurisdiction and is zoned C-3, Commercial. This area is designated GC General Commercial on the City of Lake Oswego Comprehensive Plan Map and will be zoned GC upon annexation.

Upon Annexation, this property will become a part of the Lake Grove Village Center which was adopted by the City Council in 2008 and incorporated into the City Code. The plan defines and outlines implementation measures for the design guidelines that achieve the community’s vision for this area.

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 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 0.65 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 AN15-0021 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 30th 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 30th 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 0.65 ACRES LOCATED AT 16365 BOONES FERRY ROAD; DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.01.004.5; AND REMOVING THE TERRITORY FROM CERTAIN DISTRICTS (AN 15-0021).

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 registered voters 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 Clackamas County Surface Water Management Agency will, by operation of ORS 222.520, be withdrawn from the district 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 the southeast quarter of Section 7, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon and being a portion of Tracts 157 and 158, plat of TRACTS 128 TO 159 INCLUSIVE, BRYANT ACRES (Plat #433) and being described as follows:

Beginning at a point on the north line of said Tract 157, said point also being the southeast corner of Tract 154 of said TRACTS 128 TO 159 INCLUSIVE, BRYANT ACRES;

thence, South 41° 51' 30" East, 70.73 feet to a point on the northerly right of way line of Boones Ferry Road, said point also being on a non-tangent 5699.58 foot radius curve to the right;

thence, on said northerly right of way line and said curve through a central angle of 00° 57' 28" (Chord bears South 50° 13' 24" West, 95.27 feet) an arc distance of 95.28 feet to the end of said curve;

thence, along said northerly right of way line, South 50° 41' 30" West, 183.64 feet;

thence, leaving said northerly right of way line, North 00° 11' 30" West, running 94.90 feet easterly of and parallel to the west line of said Tract 158, 233.22 feet to the north line of said Tract 158;

thence, along the north line of said Tracts 158 and 157, South 89° 35' 00" East, 168.89 feet 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
Lake Grove 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 GC (General Commercial) shall be applied to the 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 10th 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 30th 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 30th 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:

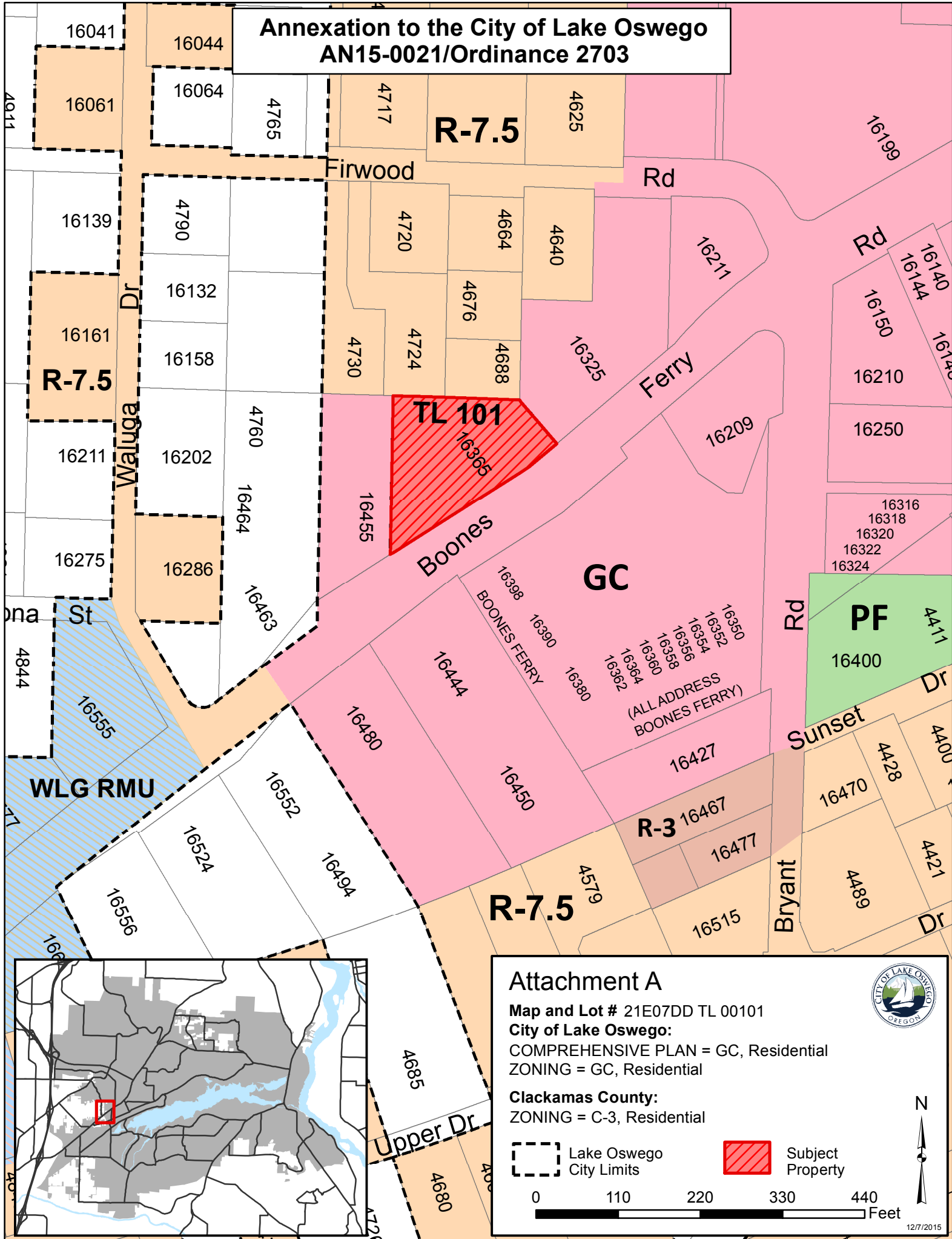
Anne-Marie Simpson, City Recorder

APPROVED AS TO FORM:

David Powell, City Attorney

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**Annexation to the City of Lake Oswego
AN15-0021/Ordinance 2703**



Attachment A

Map and Lot # 21E07DD TL 00101

City of Lake Oswego:

COMPREHENSIVE PLAN = GC, Residential
ZONING = GC, Residential

Clackamas County:

ZONING = C-3, Residential

Lake Oswego
City Limits

Subject
Property

