

COUNCIL BILL NO. 3191

ORDINANCE NO. 2604

AN ORDINANCE ANNEXING APPROXIMATELY 39.21 ACRES OF TERRITORY KNOWN AS THE OREGON GOLF ASSOCIATION (OGA) PROPERTY WITH NO STREET ADDRESS INTO THE CITY OF WOODBURN, LOCATED ALONG THE EAST SIDE OF BOONES FERRY ROAD NE NORTH OF HAZELNUT DRIVE, MARION COUNTY, OREGON

WHEREAS, the subject property is owned by Tukwila Partners, of which the authorized representative is W. Trent Withers, and Oregon Golf Association c/o Members Club Inc., of which the authorized representative is Tim Stetson, and is legally described in Exhibit "A1" and mapped in Exhibit "A2", which are affixed hereto and by this reference incorporated herein; and

WHEREAS, the subject property is composed of Marion County Tax Lots 051W06D000502 (primary), 500, & 800 and 051W06DC00201 & 300; and

WHEREAS, consistent with Oregon Revised Statutes (ORS) 222.111(2) the owner of real property in the territory to be annexed initiated by petition a proposal for annexation, a copy of the petition being on file with the City Recorder (ANX 22-02); and

WHEREAS, the applicant, Holt Group Holdings LLC, of which the agent is Robin Holt, and the applicant's representative, Rand Waltz, Project Manager, AKS Engineering & Forestry, LLC, obtained written consent from the owners of the territory and have requested annexation of the subject property; and

WHEREAS, the property to be annexed is within the City Urban Growth Boundary (UGB); and

WHEREAS, the property to be annexed is contiguous to the City and can be served with City services; and

WHEREAS, the applicant intends to develop the territory into the Marion Pointe Planned Unit Development (PUD); and

WHEREAS, on June 23, 2022 the Woodburn Planning Commission considered the annexation application and, after a duly advertised public hearing, recommended approval of the annexation; and

WHEREAS, on July 25, 2022, the Woodburn City Council held a public hearing, reviewed the record, heard all public testimony presented on said application, and upon deliberation concluded that the proposed annexation meets the applicable approval criteria under City of Woodburn Development Ordinance (WDO) 5.04.01C; and

WHEREAS, the City of Woodburn has determined it necessary, expedient, and in the best interest of the City to acquire jurisdiction over the County road identified as North Boones Ferry Road, to the extent that road is annexed within the boundary of the Woodburn City limits per this Ordinance, to the same extent that the City has jurisdiction over other public streets and alleys within the City; and the City, through this Ordinance, formally requests surrender of jurisdiction by Marion County over the road identified; and

WHEREAS, per the Woodburn City Charter, Section 34, an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment; **NOW, THEREFORE**,

THE CITY OF WOODBURN ORDAINS AS FOLLOWS:

Section 1. That the subject property, legally described in Exhibit "A1" and mapped in Exhibit "A2", is annexed to the City of Woodburn.

Section 2. That the City Council adopts the Analysis & Findings, affixed hereto as Exhibit "B" and by this reference incorporated herein.

Section 3. The City hereby requests that the Commissioners of Marion County, Oregon, transfer jurisdiction to the City of Woodburn for the County road, identified as North Boones Ferry Road, located within the area that has been annexed into the City of Woodburn per the attached Exhibits "A1" & "A2".

Approved as to form:  August 8, 2022
City Attorney AKA: McKenize Gramum Date

Approved: 
Eric Swenson, Mayor

Passed by the Council August 8, 2022

Submitted to the Mayor August 8, 2022

Approved by the Mayor

August 8, 2022

Filed in the Office of the Recorder

August 8, 2022

ATTEST:

Heather Pierson

Heather Pierson, City Recorder
City of Woodburn, Oregon



EXHIBIT A1

Annexation Description

A portion of Parcel 1 of Partition Plat 2018-010, Marion County Partition Plat Records, and a portion of right-of-way, located in the Southeast One-Quarter of Section 6 and the Northeast One-Quarter of Section 7, Township 5 South, Range 1 West, Willamette Meridian, Marion County, Oregon, and being more particularly described as follows:

Beginning at the northwesterly corner of said Parcel 1; thence along the northerly line of said Parcel 1, South $86^{\circ}59'16''$ East 289.17 feet to the northeasterly corner of said Parcel 1; thence along the easterly line of said Parcel 1 the following eight (8) courses: South $03^{\circ}00'44''$ West 155.48 feet; South $15^{\circ}51'11''$ West 84.94 feet; South $68^{\circ}43'10''$ East 732.69 feet; South $12^{\circ}24'49''$ West 273.77 feet; South $05^{\circ}37'33''$ West 278.64 feet; South $78^{\circ}31'12''$ East 60.25 feet; South $01^{\circ}03'51''$ West 249.91 feet; South $29^{\circ}43'15''$ East 244.61 feet to the southeasterly corner of said Parcel 1 and the City of Woodburn city limits line; thence along the southerly line of said Parcel 1 and said city limits line, North $88^{\circ}57'02''$ West 1213.47 feet; thence continuing along said southerly line and the westerly extension thereof, North $85^{\circ}41'15''$ West 498.99 feet to the southerly right-of-way line of Hazelnut Drive (25.00 feet from centerline); thence leaving said city limits line along said southerly right-of-way line, North $72^{\circ}00'04''$ West 46.07 feet; thence continuing along said southerly right-of-way line on a curve to the left with a Radius of 20.00 feet, a Delta of $88^{\circ}18'33''$, a Length of 30.83 feet, and a Chord of South $63^{\circ}50'39''$ West 27.86 feet to the easterly right-of-way line of Boones Ferry Road (Market Road 69) (33.00 feet from centerline) and the said city limits line; thence leaving said easterly right-of-way line along said city limit line, South $67^{\circ}31'10''$ West 44.58 feet to the centerline of Boones Ferry Road; thence along said centerline and said city limits line on a non-tangent curve to the right (Radial Bearing of North $70^{\circ}09'39''$ West) with a Radius of 11459.13 feet, a Delta of $02^{\circ}44'07''$, a Length of 547.04 feet, and a Chord of South $21^{\circ}12'24''$ West 546.99 feet; thence continuing along said centerline and said city limits line, South $22^{\circ}35'15''$ West 227.99 feet to the easterly extension of the south right-of-way line of Vanderbeck Road (20.00 feet from centerline); thence along said easterly extension and said city limits line, North $88^{\circ}10'33''$ West 32.08 feet to the westerly right-of-way line of Boones Ferry Road (30.00 feet from centerline); thence along said westerly right-of-way line and said city limits line, North $22^{\circ}35'16''$ East 42.78 feet to the north right-of-way line of Vanderbeck Road (20.00 feet from centerline); thence leaving said city limits line along said westerly right-of-way line, North $22^{\circ}35'16''$ East 193.94 feet; thence along a curve to the left with a Radius of 11429.13 feet, a Delta of $04^{\circ}35'23''$, a Length of 915.53 feet, and a Chord of North $20^{\circ}17'34''$ East 915.28 feet; thence continuing along said westerly right-of-way line, North $17^{\circ}59'52''$ East 85.38 feet to the westerly extension of the north line of Reel 370, Page 306, Marion County Records, also being Reference Point 'A'; thence continuing along said westerly right-of-way line following four (4) courses: North $17^{\circ}59'52''$ East 151.78 feet; a curve to the right with a Radius of 1462.40 feet, a Delta of $15^{\circ}49'56''$, a Length of 404.10 feet, and a Chord of North $25^{\circ}57'05''$ East 404.81 feet; North $33^{\circ}52'03''$ East 631.37 feet; a curve to the right with a Radius of 1175.92 feet, a Delta of $01^{\circ}36'02''$, a Length of 32.85 feet, and a Chord of North $34^{\circ}40'05''$ East 32.85 feet to the

westerly extension of the northerly line of said Parcel 1; thence along said westerly extension, South 86°59'16" East 80.40 feet to the Point of Beginning.

The above described tract of land contains 42.45 acres, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

4/15/2022

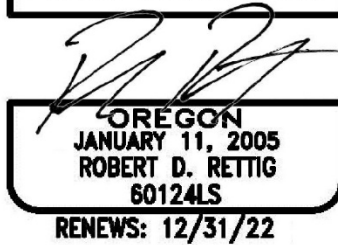
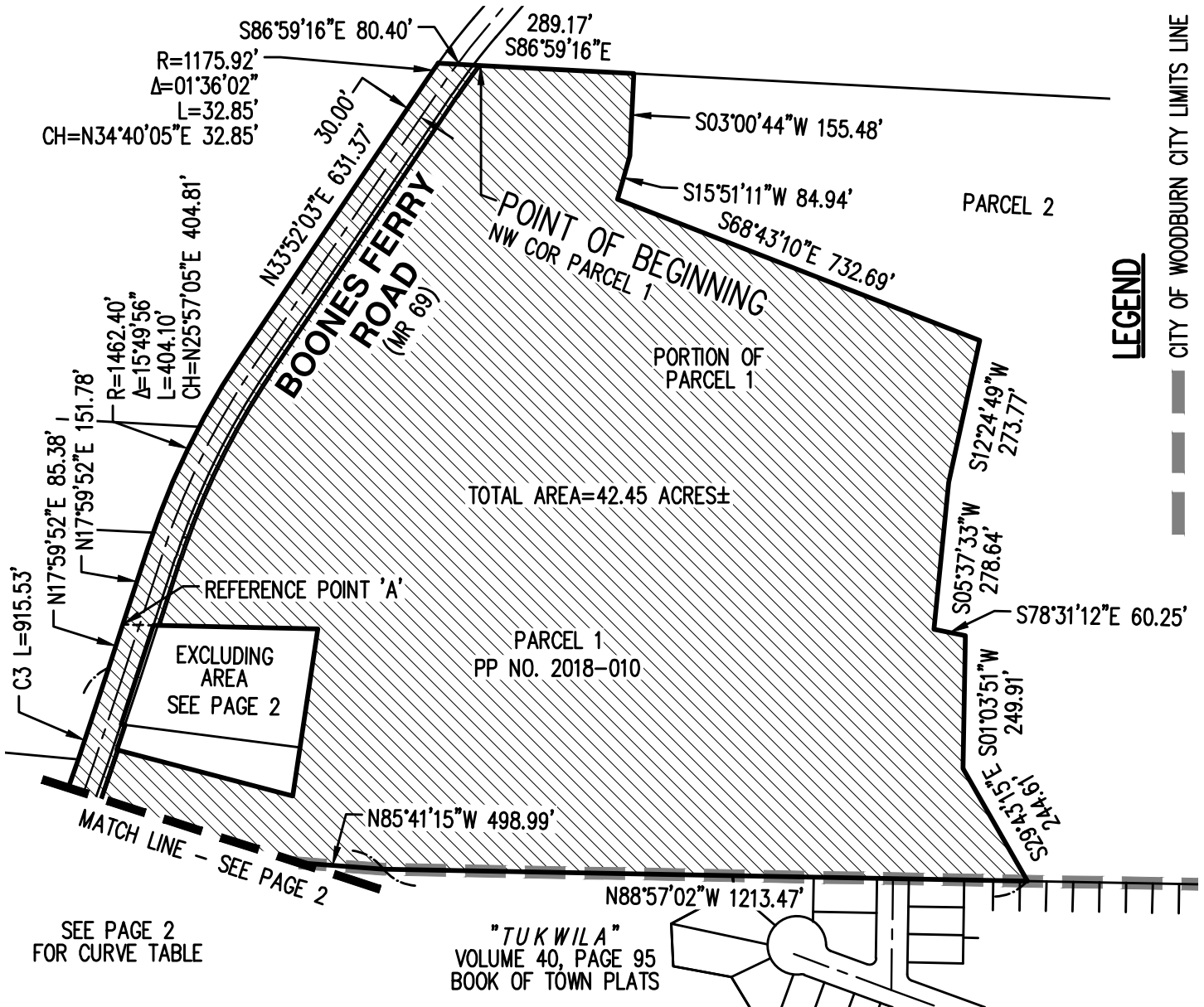


EXHIBIT A2

A PORTION OF PARCEL 1 OF PARTITION PLAT 2018-010, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 6 AND THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MARION COUNTY, OREGON



LEGEND

CITY OF WOODBURN CITY LIMITS LINE

SEE PAGE 2 FOR CURVE TABLE

"TUKWILA"
VOLUME 40, PAGE 95
BOOK OF TOWN PLATS

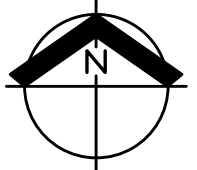
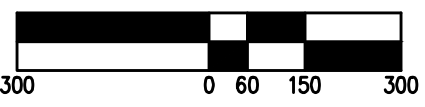
4/15/2022

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PREPARED FOR

HOLT GROUP HOLDINGS, LLC
1300 ESTHER STREET, SUITE 200
VANCOUVER WA, 98660

SCALE: 1" = 300 FEET



[Signature]

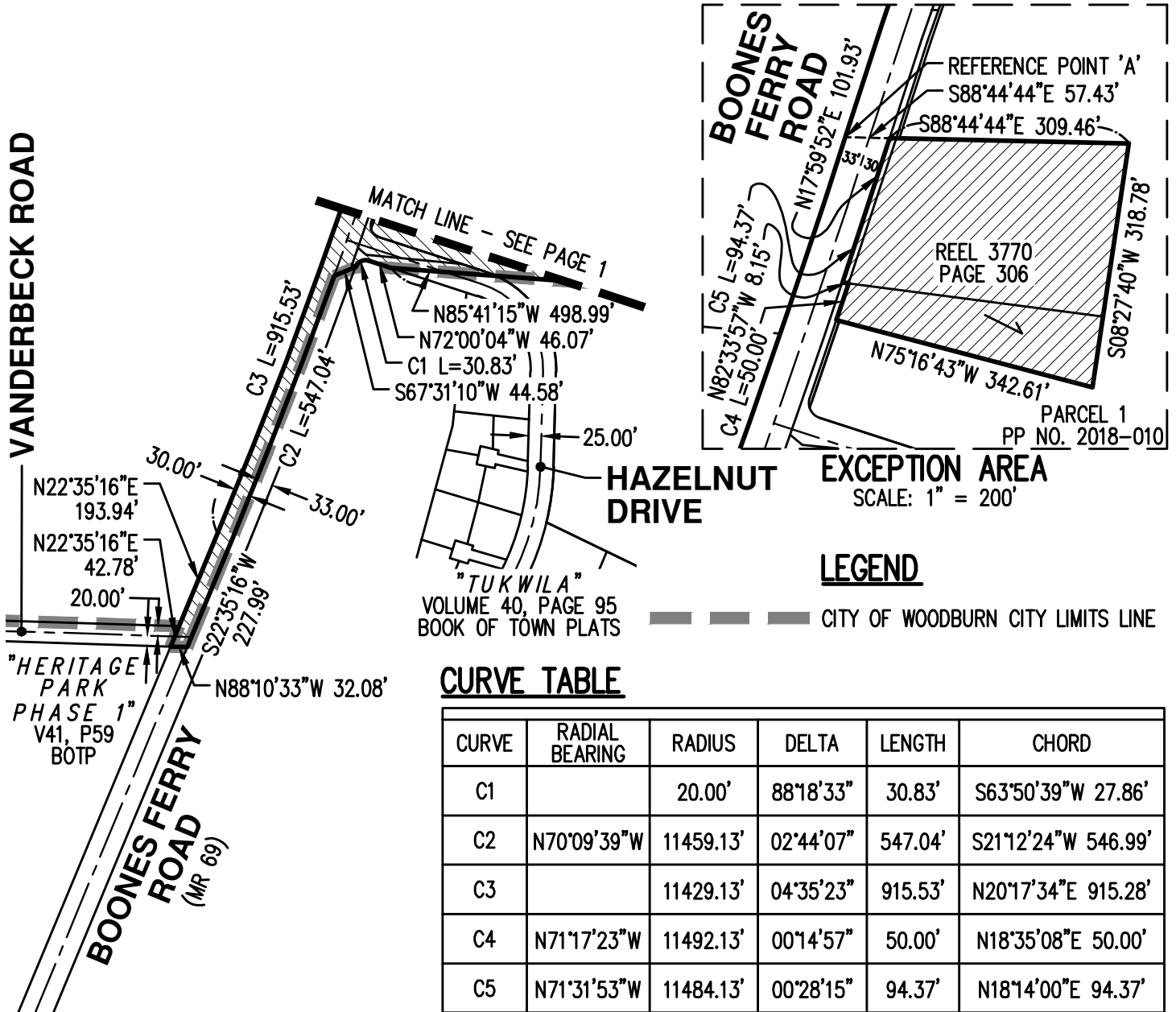
OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS
RENEWS: 12/31/22

ANNEXATION MAP	
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	
AKS	

EXHIBIT
A2
DRWN: WCB
CHKD: RDR
AKS JOB:
7564

EXHIBIT A2

A PORTION OF PARCEL 1 OF PARTITION PLAT 2018-010, AND A PORTION OF RIGHT-OF-WAY, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 6 AND THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, MARION COUNTY, OREGON



CURVE TABLE

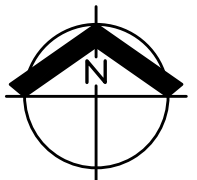
CURVE	RADIAL BEARING	RADIUS	DELTA	LENGTH	CHORD
C1		20.00'	88°18'33"	30.83'	S63°50'39"W 27.86'
C2	N70°09'39"W	11459.13'	02°44'07"	547.04'	S21°12'24"W 546.99'
C3		11429.13'	04°35'23"	915.53'	N20°17'34"E 915.28'
C4	N71°17'23"W	11492.13'	00°14'57"	50.00'	N18°35'08"E 50.00'
C5	N71°31'53"W	11484.13'	00°28'15"	94.37'	N18°14'00"E 94.37'

4/15/2022

PREPARED FOR

HOLT GROUP HOLDINGS, LLC
 1300 ESTHER STREET, SUITE 200
 VANCOUVER WA, 98660

SCALE: 1" = 300 FEET



REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]
OREGON
 JANUARY 11, 2005
 ROBERT D. RETTIG
 60124LS
 RENEWS: 12/31/22

ANNEXATION MAP		EXHIBIT A2
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: WCB CHKD: RDR AKS JOB: 7564



ANX 22-02: Analyses & Findings

This attachment to the staff report analyzes the application materials and finds through statements how the application materials relate to and meet applicable provisions such as criteria, requirements, and standards. They confirm that a given standard is met or if not met, they call attention to it, suggest a remedy, and have a corresponding recommended condition of approval. Symbols aid locating and understanding categories of findings:

<i>Symbol</i>	<i>Category</i>	<i>Indication</i>
✓	Requirement (or guideline) met	No action needed
✗	Requirement (or guideline) not met	Correction needed
⊖	Requirement (or guideline) not applicable	No action needed
▲	<ul style="list-style-type: none"> Requirement (or guideline) met, but might become unmet because of condition applied to meet separate and related requirement that is not met Plan sheets and/or narrative inconsistent Other special circumstance benefitting from attention 	Revision needed for clear and consistent records
■	Deviation: Planned Unit Development, Zoning Adjustment, and/or Variance	Request to modify, adjust, or vary from a requirement

Section references are to the [Woodburn Development Ordinance \(WDO\)](#).

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Project Name & Case File Numbers

The project name is Marion Pointe. The land use application master/parent case file number is Annexation ANX 22-02, and the children/corollary case file numbers are Property Line Adjustment PLA 22-02, Planned Unit Development PUD 22-02, Riparian Corridor and Wetlands Overlay District Permit RCWOD 22-01, Preliminary Subdivision SUB 22-03, & Zone Change 22-02.

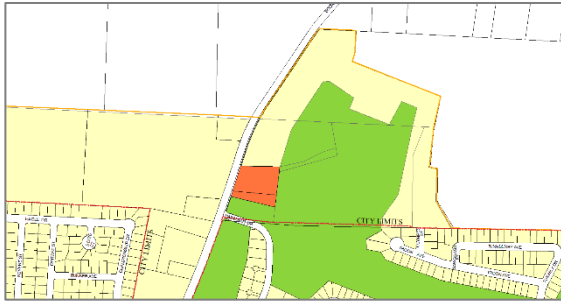
Location

<i>Address(es)</i>	None (east side of N. Boones Ferry Rd north of Hazelnut Dr)
<i>Tax Lot(s)</i>	051W06D000502 (primary), 500, & 800 and 051W06DC00201 & 300; respectively 39.21, 0.15, 0.07, 0.09, & 0.16 acres, totaling 39.69 acres
<i>Nearest intersection</i>	N. Boones Ferry Rd & Hazelnut Dr

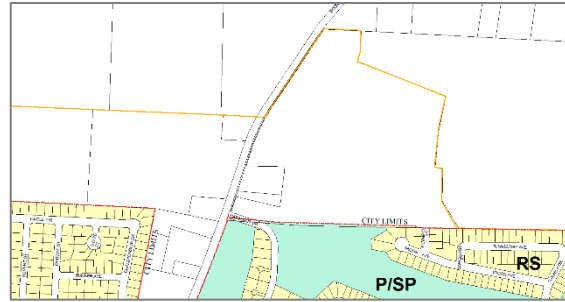
Land Use & Zoning

<i>Comprehensive Plan Land Use Designation</i>	Low Density Residential and Open Space and Parks
<i>Zoning District</i>	Residential Single Family (RS) and Public and Semi-Public (P/SP) – the latter covering the existing golf course – upon annexation
<i>Overlay District(s)</i>	Riparian Corridor and Wetlands Overlay District (RCWOD) along the west tributary of Mill Creek
<i>Existing Use(s)</i>	Closed orchard and part of Oregon Golf Association golf course

For context, the comprehensive plan land use map designations and zoning are illustrated below with excerpts from the City geographic information system (GIS) and the zoning is tabulated further below:



Comprehensive Plan land use map excerpt



Zoning map excerpt

<i>Cardinal Direction</i>	<i>Adjacent Zoning</i>
North	No City zoning because not annexed and outside the City urban growth boundary (UGB)
East	No City zoning because not annexed and outside the City urban growth boundary (UGB)
South	Mix of RS & P/SP; from east to west: The Links at Tukwila Phase IV subdivision, golf course, Tukwila Orchard Greens No. 1 subdivision, and more golf course
West	Orchard and two rural houses to be demolished and developed into the Dove Landing PUD [ANX 2020-03]

Statutory Dates

<i>Application Completeness</i>	February 14, 2022
<i>120-Day Final Decision Deadline</i>	September 9, 2022 per Oregon Revised Statutes (ORS) 227.178 . (The nearest and prior regularly scheduled City Council date would be August 22, 2022.)*

*However, the Assistant City Attorney had counseled staff on January 16, 2018 that an annexation request is not subject to the 120-day deadline for final action per 227.178(8).



Annexation Provisions

Because the proposal is for annexation, per 5.04 it requires a Type IV review with City Council decision. The applicant submitted application materials on February 14, 2022 and revised and additional materials through April 21, 2022 (excerpted within Attachment 103).

5.04.01 Annexation

- A. Purpose:** The purpose of this Type IV review is to provide a procedure to incorporate contiguous territory into the City in compliance with state requirements, Woodburn Comprehensive Plan, and Woodburn Development Ordinance.

- B. Mandatory Pre-Application Conference:** Prior to requesting annexation to the City, a Pre-Application Conference (Section 4.01.04) is required. ...

- C. Criteria:**
 - 1. Compliance with applicable Woodburn Comprehensive Plan goals and policies regarding annexation.**
 - 2. Territory to be annexed shall be contiguous to the City and shall either:**
 - a. Link to planned public facilities with adequate capacity to serve existing and future development of the property as indicated by the Woodburn Comprehensive Plan; or**
 - b. Guarantee that public facilities have adequate capacity to serve existing and future development of the property.**
 - 3. Annexations shall show a demonstrated community need for additional territory and development based on the following considerations:**
 - a. Lands designated for residential and community uses should demonstrate substantial conformance to the following:**
 - 1) The territory to be annexed should be contiguous to the City on two or more sides;**
 - 2) The territory to be annexed should not increase the inventory of buildable land designated on the Comprehensive Plan as Low or Medium Density Residential within the City to more than a 5-year supply;**
 - 3) The territory proposed for annexation should reflect the City's goals for directing growth by using public facility capacity that has been funded by the City's capital improvement program;**
 - 4) The site is feasible for development and provides either:**
 - a) Completion or extension of the arterial/collector street pattern as depicted on the Woodburn Transportation System Plan; or**

The applicant requests that the City designate the annexed territory with the Residential Single Family (RS) and Public and Semi-Public (P/SP) base zoning districts and the Riparian Corridor and Wetlands Overlay District (RCWOD).

Regarding the criteria of subsection C.:

1. The City Comprehensive Plan, Section G. Growth Management and Annexation contains annexation policies on pp. 30-31. The annexation criteria in the WDO already reflect the goals, including efficient City services.

First, the territory to be annexed is within the Woodburn Urban Growth Boundary (UGB). The premise of a UGB is to define an area feasible for the City to provide services to greenfield development over approximately 20 years as described in the Comprehensive Plan. So, in this way the annexation of territory within the UGB is consistent with the comp plan.

Second, the territory also is adjacent to infrastructure that development can make use of or extend into the territory to develop it:

- Roads and street: N. Boones Ferry Road borders to the property to the west, providing a means of access. The property also has a second access by bordering to the south the dead-end of Olympic Street. The annexation legal description and map series include the right-of-way (ROW) adjacent to the site, from the north end south to the south leg of the intersection of N. Boones Ferry Road & Hazelnut Drive.
- Transit: Along N. Boones Ferry Road and Olympic Street, the City and other agencies could run transit vehicles.
- Potable water, sanitary sewer, and stormwater sewer: These are adjacent or nearby, and as the Public Works Department Directs at the civil engineer plan (CEP) review and public works permit stage, the developer will upgrade and extend them as necessary to provide laterals to the site development and for these upgraded and extended utilities to accommodate the demands of the development.
- Other: Other franchise utility providers attend to such utilities as electric power, cable television and internet, natural gas, and cellular wireless telephony, often using existing or extended ROWs.

2. The territory is contiguous to the City. Per the comp plan and with implementation through the WDO, upon development of the territory the City would require

improvements that guarantee that public facilities have adequate capacity to serve such development.

The Public Works Department identified no impediments to serve the development that would not be resolved at the permitting stage, evidenced by the Public Works comments that are Attachment 102A.

Second, the Public Works Department, Woodburn Fire District (WFD), and Woodburn School District (WSD) submitted service provider letters (SPLs) as annexation applications require. They are in Attachment 103B. The Public Works one dated September 3, 2020 states:

“This letter is to certify that the City of Woodburn has no capacity issue with the public wastewater treatment facility or public water treatment facility. However, the subject property is not adjacent to an existing collection system for water, wastewater or a public storm sewer collection system. The requirements for these collection facilities would still need to be determined. The capacity analysis, design and installation would be the responsibility of the applicant/property owner.”

Along with the Public Works comments that are Attachment 102A, it appears to Planning Division staff that the Public Works Department has no objection to annexation and that public works can serve the development through typical public improvements by a developer of the territory to be annexed.

Additionally, the applicant’s narrative (April 21, 2022, pp. 46-47) states:

“Water service via a 12-inch-diameter mainline is available at the intersection of Hazelnut Drive and N Boones Ferry Road. This water line is planned to be extended through the community and looped back into an 8-inch-diameter water line at the current stub end of Olympic Street.

Stormwater from the project is planned to be routed to internal stormwater facilities. Per the Preliminary Composite Utility Plans (included in Exhibit D) and Preliminary Stormwater Report (Exhibit H), these facilities have capacity to accommodate surface water runoff from the project.

Sanitary sewer for the project is planned to be routed to a point of confluence at the south end of the planned extension of Olympic Street, then east and south through the golf course to an existing sanitary sewer mainline within an existing utility easement near the intersection of Troon Avenue and Tukwila Drive. The existing line has the capacity for the planned PUD project and potential future development west of N Boones Ferry Road.

Application to Marion County to extend sanitary sewer utilities within the Exclusive Farm Use (EFU) zone has been previously approved (Administrative Review Case No. 20-027), included as Exhibit L. Plans depicting the sanitary sewer and other planned utilities are included as part of Exhibit D.

The Applicant plans to install necessary water, wastewater, stormwater, and other utility facilities needed to serve the project. No obstructions to the orderly provision of public services have been identified by the Applicant or service providers. Additional review and details will be provided prior to permitting of public improvements. These criteria are met.”

There’s no written objection by the Public Works Department to the applicant’s narrative.

3. a. Examining the considerations under subsection a. because the Comprehensive Plan land use map designates the territory Low Density Residential and Open Space and Parks, and the territory is to be designated with Residential Single Family (RS) and Public and Semi-Public (P/SP) base zoning districts consistent with both the applicant’s request and Comprehensive Plan Policy Table 1:

- 1) Following ANX 2020-03 Dove Landing PUD west across Boones Ferry Road NE, the territory to be annexed meets the guideline that it “should be contiguous to the City on two or more sides”.
- 2) The applicant’s narrative (pp. 47) states:

“The Comprehensive Plan Land Use Map designates the territory as a combination of Low Density Residential and Open Space and Parks. Per the City’s Housing Needs Analysis adopted December 9, 2019, the territory was included in the Buildable Lands Inventory and had been previously designated Low-Density Residential; therefore, the project helps meet the needs identified within the Housing Needs Analysis and Buildable Lands Inventory. Changes to density or zoning designation are not planned.

This petition for annexation represents only a small portion of the residentially designated lands within the UGB. The Housing Needs Analysis states that the future estimated housing need to be provided by single-family detached dwellings, manufactured homes, and mobile homes is 1,563 net new dwellings. The planned 90-lot PUD is planned to provide 5.76 percent of the total needed single-family detached dwellings or slightly more than one year’s supply. There is no known oversupply of annexed Low Density Residential lands and the supply of these lands following annexation is not more than a 5-year supply for residential growth.”

Staff concurs.

3) The applicant's narrative (p. 48) states:

"The project involves the extension of an existing public street stub from Olympic Street to N Boones Ferry Road and provide for future local street connections to surrounding development. The project is planned to also correct a previous dedication error to accommodate right-of-way for future N Boones Ferry Road widening needs. Utility projects related to this project that increase capacity or serve other developments are part of the City's Capital Improvement Plan."

There's no written objection by the Public Works Department to the applicant's narrative.

4) Regarding (a) & (b), the applicant's narrative (p. 48) states:

"The territory is feasible for development. The RS-zoned lands are relatively flat former farmland with no obvious physical constraints other than the unnamed North Mill Creek tributary. The territory is adjacent to City utilities and street infrastructure. The annexation includes right-of-way along N Boones Ferry Road. Infrastructure for the project including potable water extends along or under N Boones Ferry Road. The *Woodburn Comprehensive Plan* addresses the extension of utility infrastructure for the project and its criteria are addressed within this written narrative below. The existing Olympic Street stub is planned to be extended to N Boones Ferry Road. These provisions, required by WDO, are illustrated within the Preliminary Plans (Exhibit D). Additional street stubs are shown to be dedicated for potential future development. These criteria are met."

Staff concurs.

5) The applicant asserts (p. 48) that the annexation fulfills a substantial unmet community need by filling the City's housing needs per the City adopted Housing Needs Analysis (December 9, 2019). Because these analyses and findings come before the first public hearing by the Planning Commission, it is yet unknown if annexation fulfills a substantial unmet community need because the City Council has not yet identified such a need. Examples of community needs include park space and conservation of significant natural or historic resources, and the corollary development includes Tracts G & H along the west tributary of Mill Creek that the developer is to improve and dedicate as common area tracts to be owned and maintained by an association such as a homeowners association (HOA).

No public parkland is proposed, and the applicant's narrative (p. 48) notes, "Public park land, as yet undeveloped, is available for resident use approximately 200 feet from the PUD. The next closest public park, Heritage Park, is located ±2,000 feet from Marion Pointe." The applicant is referring to ANX 2020-03 Dove Landing PUD.

Annexation of the subject territory demonstrates substantial conformance with the criteria.

Regarding D., the applicant obtained the requisite written consent and such that no election is needed.

Regarding E., the applicant confirms the proposal includes no request to amend the Comprehensive Plan land use designation or upon annexation to designate the territory with City base zoning districts other than RS and P/SP. (Pursuant to Comprehensive Plan Policy Table 1, RS and P/SP are each the only zoning district that implements the respective Low Density Residential and Open Space and Parks designations.)

Regarding F., the applicant need not address subsection 1. because the territory to be annexed includes adjacent ROW and because the public improvements including ROW and public utility easement (PUE) dedications that F. describes are addressed through development review, i.e. site plan review process, instead of annexation itself.

✓ The criteria are met.