



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: 12/27/23
Department: Public Works

Title: Consideration of a Board Order for the Jurisdictional Transfer of a County Road Segment of Parr Road to the City of Woodburn.

Agenda Planning Date: 12/14/23 Management Update/Work Session Date: 12/7/23 Audio/Visual aids [ ]

Time Required Contact: Max Hepburn Phone: 503-566-4157

Requested Action: Approve the attached Board Order transferring jurisdiction of the subject portion of Parr Road within city limits to the City of Woodburn.

Issue, Description & Background: The City of Woodburn has requested Marion County transfer jurisdiction of the portion of Parr Road now within city limits annexed by City of Woodburn Ordinance 2610.

Financial Impacts: If approved by the Board, the transfer of jurisdiction will remove the ongoing costs of road maintenance from County responsibility. Woodburn would assume these costs.

Impacts to Department & External Agencies: The transfer will impose upon the City of Woodburn permanent responsibility for maintenance and permitting of the subject segment of Parr Road.

List of attachments: 1. Order transferring jurisdiction 2. City of Woodburn Ordinance 2610

Presenter: Max Hepburn, Public Works

Department Head Signature: [Signature]

**COUNCIL BILL NO. 3209**

**ORDINANCE NO. 2610**

**AN ORDINANCE ANNEXING APPROXIMATELY 40.93 ACRES OF TERRITORY GENERALLY LOCATED AT 8708 PARR ROAD NE, MARION COUNTY, OREGON, INTO THE CITY OF WOODBURN**

**WHEREAS**, the subject property to be annexed is owned by Kalugin Family Trust, and is legally described and mapped in Exhibit "A1", which is affixed hereto and by this reference incorporated herein; and

**WHEREAS**, the adjacent Parr Road right-of-way to be annexed is legally described and mapped in Exhibit "A2", which is affixed hereto and by this reference incorporated herein; and

**WHEREAS**, the subject property described in Exhibit "A1" is Marion County Tax Lot 052W130001001; 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 22-03); and

**WHEREAS**, the applicant, Lennar Northwest LLC, obtained written consent from the owners of the territory and has 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 Brighton Pointe subdivision; and

**WHEREAS**, on February 9, 2023, the Woodburn Planning Commission considered the annexation application and, after a duly advertised public hearing, recommended approval of the annexation; and

**WHEREAS**, on April 10, 2023, 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 Parr 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 within the City; and the City, through this ordinance, formally requests surrender of jurisdiction by Marion County over the road identified; **NOW, THEREFORE**,

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

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

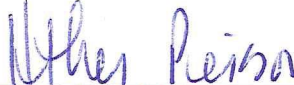
**Section 2.** That the City Council adopts the Analysis & Findings, affixed hereto as Exhibit "B" and by this reference incorporated herein.

**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 Parr Road, located within the area that has been annexed into the City of Woodburn per the attached Exhibit "A2".

Approved as to form:  05/22/2023  
City Attorney Date

Approved:   
Frank Lonergan, Mayor

Passed by the Council June 12, 2023  
Submitted to the Mayor June 13, 2023  
Approved by the Mayor June 13, 2023  
Filed in the Office of the Recorder June 13, 2023

ATTEST:   
Heather Pierson, City Recorder  
City of Woodburn, Oregon

Annexation Ordinance

Exhibit A1

EXHIBIT A – Sheet 1 of 2

April 14, 2023

**City of Woodburn Annexation Description**

All of Parcel 2 of Partition Plat 2017-054, Marion County Plat Records, except that portion conveyed to Parcel 1 of said Partition Plat per a property line adjustment recorded in Deed Document No. 2023- 060 , Marion County Deed Records, lying in the SW 1/4 of Section 13, Township 5 South, Range 2 West, W.M., City of Woodburn, Marion County, Oregon, being more particularly described as follows:

**Commencing** at the intersection of the center line of Parr Road, County Road 517 (CR 517) (60.00 feet wide) with the center line of Stubb Road CR 517 (40.00 feet wide), said point being marked with a 3” brass disk stamped “T5S R2W CR 517 Marion County”; Thence along the centerline of Parr Road, North 89°41’21” West, 89.43 feet to a point of intersection of said center line and the city limits line of the City of Woodburn, Oregon; Thence southerly along said city limits line, South 00°17’03” West, 533.72 feet to the most easterly northeast corner of said Parcel 2 and the **Point of Beginning**;

Thence continuing along said city limits line and the easterly line of said Parcel 2, South 00°17’03” West, 1089.31 feet to the southerly line of said Parcel 2: Thence along said southerly line, North 89°15’45” West, 1213.45 feet to the southwest corner of said Parcel 2; Thence along the westerly line of said Parcel 2, North 00°28’03” East, 513.85 feet to the southerly right of way line of said Parr Road, also being the boundary line of said Parcel 2; Thence along said southerly right of way line North 89°27’24” East, 30.06 feet to the easterly right of way line of said Parr Road, also being the westerly line of said Parcel 2; Thence along said westerly line the following six courses, North 00°21’58” East, 187.44 feet, South 89°31’28” East, 247.83 feet, North 45°25’22” East, 28.26 feet, North 00°22’12” East, 376.21 feet; North 89°37’58” West, 267.79 feet, North 00°32’36” East, 486.56 feet to the southerly right of way line of said Parr Road, also being the northerly line of said Parcel 2; Thence along said northerly line, South 89°41’21” East, 897.70 feet to the most northerly northeast corner of said Parcel 2; Thence along the most northerly east line of said Parcel 2 South 00°17’03” West, 503.98 feet; Thence along the easterly line of said Parcel 2, South 89°44’34” East, 280.90 feet to the **Point of Beginning**.

This parcel of land contains 37.754 acres, more or less.

Basis of Bearings: Oregon State Plane Coordinate System, North Zone, NAD 83 (2011)

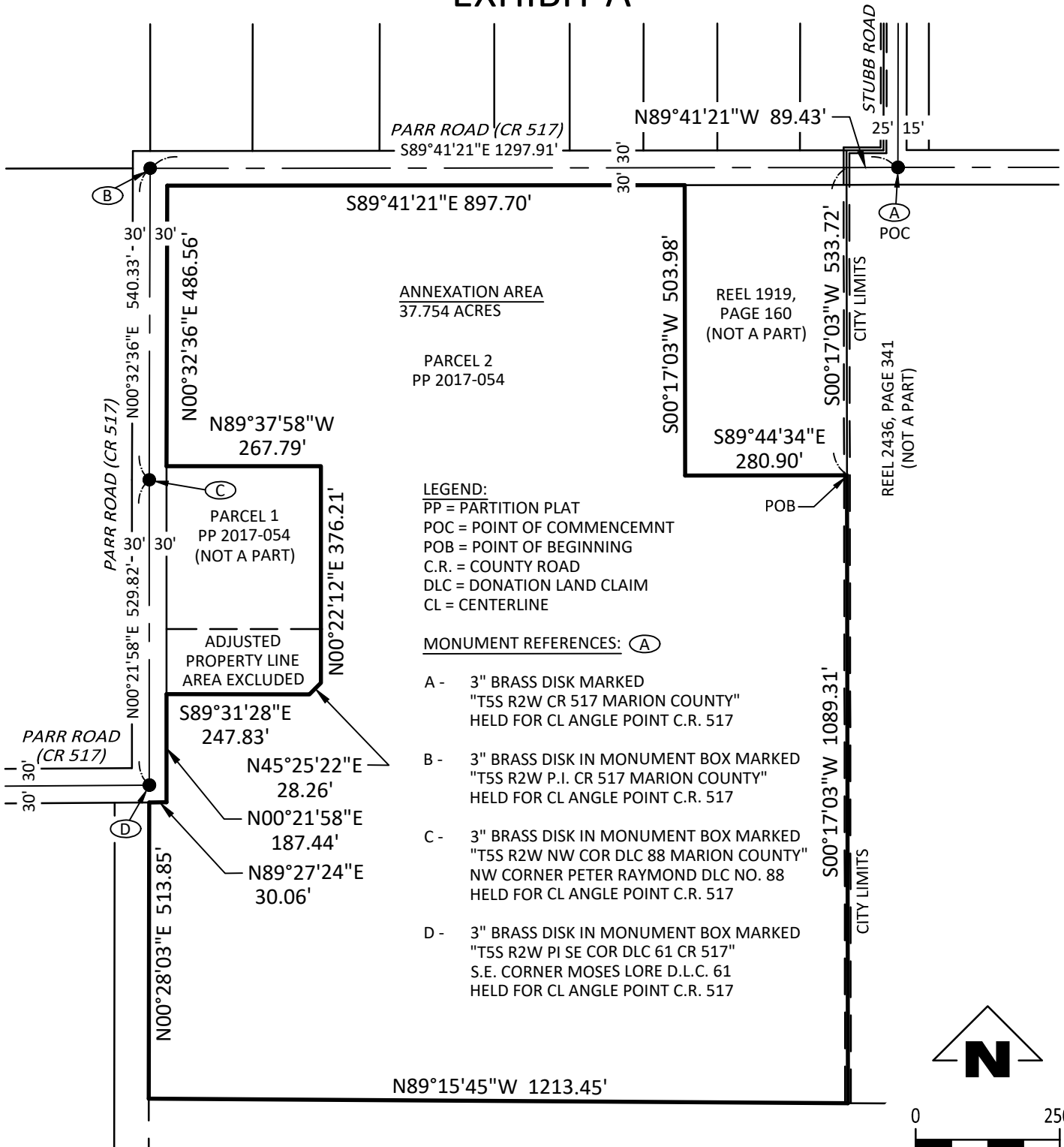
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 12, 2005  
ERIC D. LYNCH  
56544

EXPIRES 12-31-24

# EXHIBIT A



ANNEXATION AREA  
37.754 ACRES

PARCEL 2  
PP 2017-054

N89°37'58"W  
267.79'

PARCEL 1  
PP 2017-054  
(NOT A PART)

ADJUSTED  
PROPERTY LINE  
AREA EXCLUDED

S89°31'28"E  
247.83'

N45°25'22"E  
28.26'

N00°21'58"E  
187.44'

N89°27'24"E  
30.06'

N89°15'45"W 1213.45'

**LEGEND:**

- PP = PARTITION PLAT
- POC = POINT OF COMMENCEMENT
- POB = POINT OF BEGINNING
- C.R. = COUNTY ROAD
- DLC = DONATION LAND CLAIM
- CL = CENTERLINE

**MONUMENT REFERENCES:** (A)

- A - 3" BRASS DISK MARKED  
"T5S R2W CR 517 MARION COUNTY"  
HELD FOR CL ANGLE POINT C.R. 517
- B - 3" BRASS DISK IN MONUMENT BOX MARKED  
"T5S R2W P.I. CR 517 MARION COUNTY"  
HELD FOR CL ANGLE POINT C.R. 517
- C - 3" BRASS DISK IN MONUMENT BOX MARKED  
"T5S R2W NW COR DLC 88 MARION COUNTY"  
NW CORNER PETER RAYMOND DLC NO. 88  
HELD FOR CL ANGLE POINT C.R. 517
- D - 3" BRASS DISK IN MONUMENT BOX MARKED  
"T5S R2W PI SE COR DLC 61 CR 517"  
S.E. CORNER MOSES LORE D.L.C. 61  
HELD FOR CL ANGLE POINT C.R. 517



SCALE: 1" = 250'

BASIS OF BEARINGS : OREGON STATE PLANE COORDINATE SYSTEM, NORTH ZONE , NAD83 (2011)

PROJECT NO. 0196-007  
ORIG. DATE: 4/14/2023  
DRAWN BY: EDL  
SHEET No. 2 OF 2

**ANNEXATION DESCRIPTION**  
**PARCEL 2 - PARTITION PLAT 2017-054**  
**KALUGIN PROPERTY**  
**WOODBURN, OREGON**

**EMERIO**  
ENGINEERING - SURVEYING - DESIGN  
6445 SW FALLBROOK PLACE, SUITE 100  
BEAVERTON, OREGON 97008  
TEL: (503) 746-8812  
FAX: (503) 639-9592  
www.emeriodesign.com

Annexation Ordinance

Exhibit A2

EXHIBIT A – Sheet 1 of 2

April 14, 2023

**City of Woodburn Annexation Description**

That portion of Parr Road (60.00 feet wide), also known as County Road (CR) 517, lying in the SW 1/4 of Section 13, Township 5 South, Range 2 West, W.M., City of Woodburn, Marion County, Oregon, being more particularly described as follows:

**Commencing** at the intersection of the center line of said Parr Road with the center line of Stubb Road CR 517 (40.00 feet wide), said point being marked with a 3" brass disk stamped "T5S R2W CR 517 Marion County"; Thence along the centerline of Parr Road, North 89°41'21" West, 89.43 feet to a point of intersection of said center line and the city limits of the City of Woodburn, Oregon being the **Point of Beginning**;

Thence southerly along said city limits line, South 00°17'03" West, 30.00 feet to the southerly right of way line of said Parr Road; Thence along said southerly right of way line, North 89°41'21" West, 1178.60 feet to the easterly right of way line of said Parr Road; Thence along said easterly right of way line, South 00°32'36" West, 510.40 feet to an angle point; Thence continuing along said easterly right of way line, South 00°21'58" West, 559.60 feet to the southerly right of way line of said Parr Road; Thence along said southerly right of way line, North 89°58'32" West, 60.00 feet to a point of intersection of said southerly right of way line and the southerly prolongation of the westerly right of way line of said Parr Road; Thence along said southerly prolongation line and said westerly right of way line, North 00°21'58" East, 560.05 feet to an angle point; Thence continuing along said westerly right of way line, North 00°32'36" East 570.25 feet to the northerly right of way line of said Parr Road; Thence along said northerly right of way line, South 89°41'21" East, 1238.33 feet to said city limits line; Thence along said city limits line, South 00°17'03" West, 30.00 feet to the **Point of Beginning**.

This parcel of land contains 138,517 square feet or 3.180 acres, more or less.

Basis of Bearings: Oregon State Plane Coordinate System, North Zone, NAD 83 (2011)

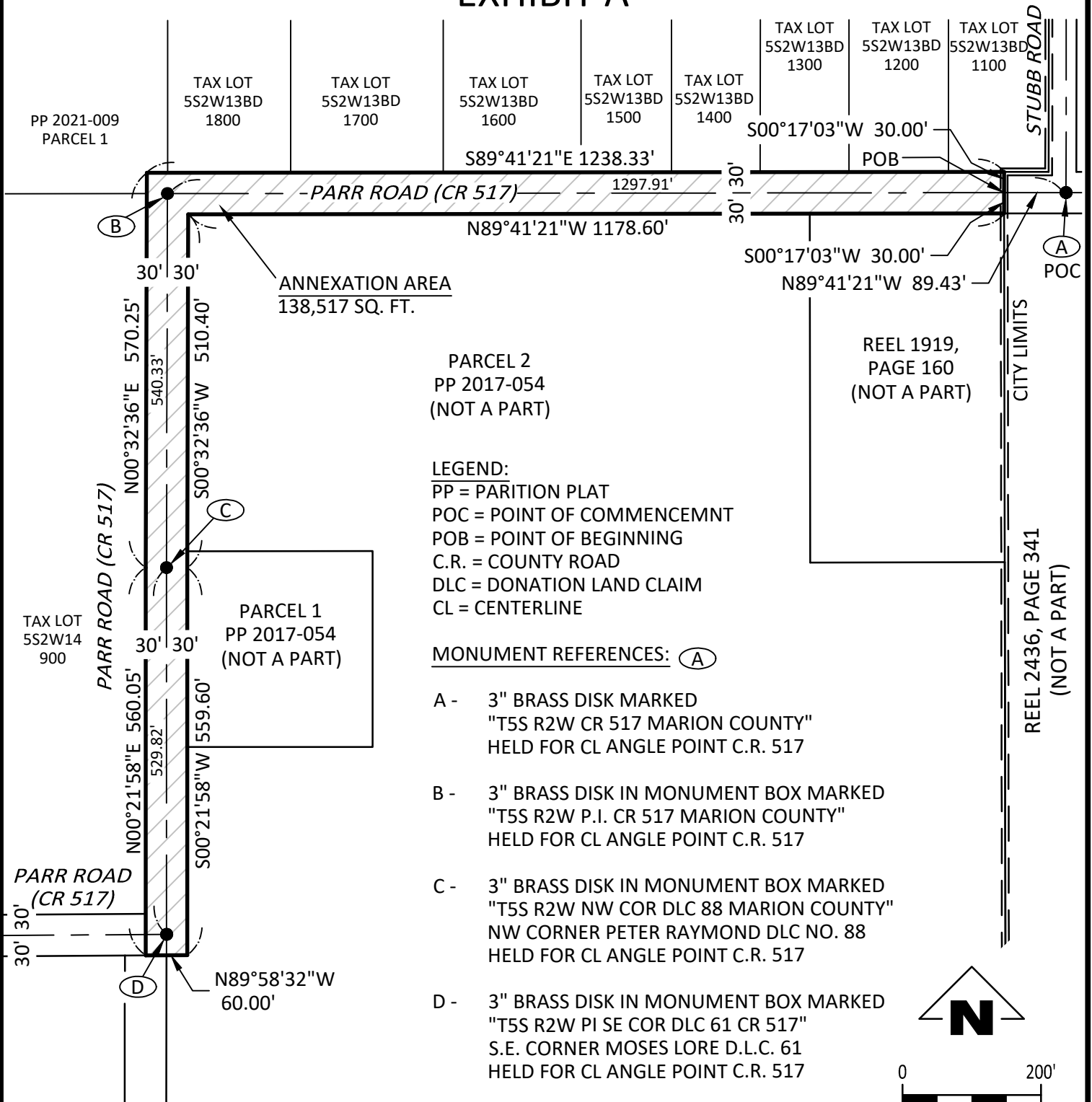
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 12, 2005  
ERIC D. LYNCH  
56544

EXPIRES 12-31-24

# EXHIBIT A



ANNEXATION AREA  
138,517 SQ. FT.

PARCEL 2  
PP 2017-054  
(NOT A PART)

PARCEL 1  
PP 2017-054  
(NOT A PART)

**LEGEND:**  
 PP = PARTITION PLAT  
 POC = POINT OF COMMENCEMENT  
 POB = POINT OF BEGINNING  
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S.E. CORNER MOSES LORE D.L.C. 61  
HELD FOR CL ANGLE POINT C.R. 517



SCALE: 1" = 200'

BASIS OF BEARINGS : OREGON STATE PLANE COORDINATE SYSTEM, NORTH ZONE , NAD83 (2011)

PROJECT NO. 0196-007  
 ORIG. DATE: 4/14/2023  
 DRAWN BY: EDL  
 SHEET No. 2 OF 2

**ANNEXATION DESCRIPTION**  
**PARR ROAD (C.R. 517)**  
 KALUGIN PROPERTY  
 WOODBURN, OREGON

**EMERIO**  
 ENGINEERING - SURVEYING - DESIGN  
 6445 SW FALLBROOK PLACE, SUITE 100  
 BEAVERTON, OREGON 97008  
 TEL: (503) 746-8812  
 FAX: (503) 639-9592  
 www.emeriodesign.com

## 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"> <li>Requirement (or guideline) met with condition of approval</li> <li>Other special circumstance benefitting from attention</li> </ul> | Modification or condition of approval required        |
| ■             | Deviation from code: Variance  | Request to modify, adjust, or vary from a requirement |

### Location

|                             |                        |
|-----------------------------|------------------------|
| <i>Address</i>              | 8708 Parr Road NE      |
| <i>Tax Lot</i>              | 052W130001001          |
| <i>Nearest intersection</i> | Parr Road / Stubb Road |

### Land Use & Zoning

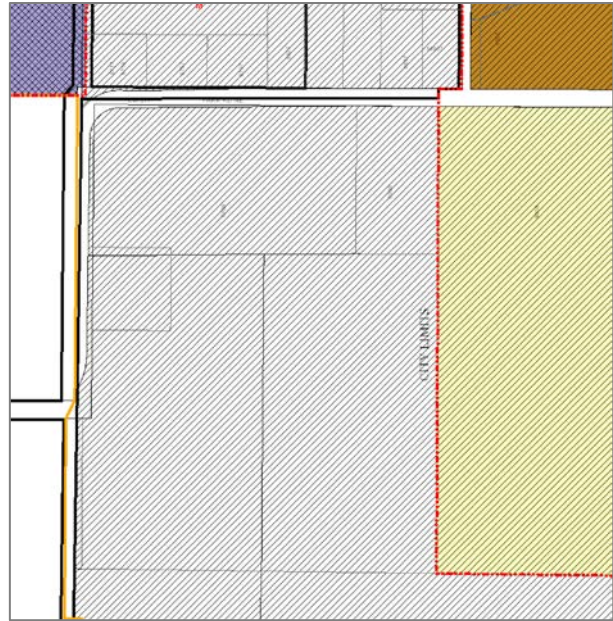
|  |  |
|--|--|
| <i>Comprehensive Plan Land Use Designation</i> | Low Density Residential, Medium Density Residential, Nodal Development Overlay                   |
| <i>Zoning District</i>                         | Nodal Single-Family Residential (RSN) and Nodal Medium Density Residential (RMN) upon annexation |
| <i>Overlay Districts</i>                       | Nodal Overlay District   |
| <i>Existing Use</i>                            | n/a; undeveloped   |

For context, the comprehensive plan land use map designations and zoning are illustrated, and adjacent zoning is tabulated, on the following page.





Comprehensive Plan land use map excerpt



Zoning map excerpt

| <i>Cardinal Direction</i> | <i>Adjacent Zoning</i>   |
|---------------------------|--|
| North                     | No City zoning because territory is not within City limits   |
| East                      | RSN  |
| South                     | No City zoning because territory is not within City limits   |
| West                      | No City zoning because territory is not within City limits and is outside of the urban growth boundary |

The Marion County Assessor property record notes the subject property is Parcel 2 of Partition Plat 2017-054 therefore it is a legal lot of record.

Section references throughout this staff report are to the vested version of the Woodburn Development Ordinance (WDO) at the time of application (Ordinance No. 2579), unless specified within a finding that the version of the WDO amended by Ordinance No. 2603 has been applied.

## Statutory Dates

The application was submitted on April 22, 2022 and deemed complete as of October 24, 2022, making the 120-day decision deadline February 21, 2023.\*

\*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 Oregon Revised Statute (ORS) 227.178(8).

To maximize availability of on-street parking, staff adds *Condition of Approval 30* to limit front-loaded driveway widths along public streets and have the front-loaded row house units utilize shared driveways.

▲ The provisions are met with *Condition 30*.

#### **5.04 Type IV (Quasi-Judicial) Decisions**

##### **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.

The subject property is contiguous with City limits. This staff report reviews the proposal for compliance with the Woodburn Comprehensive Plan and WDO, both of which were acknowledged by the state to be in compliance with statewide planning goals.

**B. Mandatory Pre-Application Conference:** Prior to requesting annexation to the City, a Pre-Application Conference (Section 4.01.04) is required. This provides the city an opportunity to understand the proposed annexation and an opportunity to provide information on the likely impacts, limitations, requirements, approval standards, and other information that may affect the proposal.

A pre-application meeting for the proposal was held on December 1, 2021 (PRE 21-35).

##### **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
  - b) Connects existing stub streets, or other discontinuous streets, with another public street.
- 5) Annexed fulfills a substantial unmet community need, that has been identified by the City Council after a public hearing. Examples of community needs include park space and conservation of significant natural or historic resources.

*Criterion 1*

Section G. "Growth Management and Annexation" of the Woodburn Comprehensive Plan includes Annexation Goal G-2 and Annexation Policies G-2.1, G-2.2, and G-2.3. Regarding Goal G-2, the applicant's narrative provides the following response (page 28):

The current boundary of the City of Woodburn is the eastern property line of the subject site. This application for annexation will add territory while keeping the service area compact in shape. The proposed annexation provides the opportunity for the growth of a variety of housing options, development of new public and private amenities, trails, and the preservation of natural features such as the wetland area. In addition, this proposal will improve circulation and connectivity aiding the city to meet a wide range of goals outlined in the comprehensive and transportation system plans. The annexation will utilize readily available services located within Parr Road right-of-way as well as expand the transportation system capacity with new routes and improved rights-of-ways. The subject property is also appropriately located to be served by other existing public facilities such as public schools and an existing large public park (Centennial Park) less than 1,000 feet from the eastern property boundary. It will facilitate utility extension with the potential to serve a future Nodal District commercial area and other residential areas helping the city achieve development of the Nodal District as envisioned in the comprehensive plan. Upon approval of this annexation request, the goal has been satisfied.

Regarding Policy G-2.1, the applicant's narrative provides the following response (page 28):

As demonstrated in the submitted application materials, the proposed annexation and preliminary development plans conform with the City's plans for Nodal District zoning and development, and capacity exists as identified by the preliminary stormwater and drainage report, and feedback from the City Engineer during the pre-application conference. The TIA addresses how capacity within the transportation system can be maintained. Service provider letters have been included with this submittal to demonstrate facility capacity. The impact on the community will be to add needed housing at a variety of price points and functional architectural styles. Other impacts are limited as the development of the subject site includes appropriate lot sizes and setbacks, improvements to the transportation network and utility extensions will be made and paid for by the developer. Upon approval of this annexation request, the goal has been satisfied.

Regarding Policy G-2.2, the applicant's narrative provides the following response (page 29):

The proposed subdivision represents an efficient pattern of development and thereby an efficient utilization of land within the City upon annexation and approval. It would also maximize use of the existing facilities located in the Parr Road right-of-way for the purpose of extension into the site and beyond. It would re-balance the costs of City services among all, benefitting residents by adding rate payers to contribute to the fund for maintenance of infrastructure and increases capacity for service. With the development of the subject site, the developer will pay for all on-site and new infrastructure to serve the lots. The builders of dwellings on the new lots also pay system development charges (SDCs) to pay for the growth-related share for planned expansion of facilities in the capital improvement plans of the city, and to help the city meet local match dollars for larger projects with the State. Finally, the applicant has provided a preliminary master plan design for the property to outline street connectivity, public services, and pedestrian connections in a way that preserves the ability of surrounding large parcels to develop with their intended uses. Upon approval of this application for annexation, the goal is met.

Regarding Policy G-2.3, the applicant's narrative provides the following response (page 29):

This is a directive to the City staff and not an approval criterion. The City can use approval of this annexation request to extend the city limits and capture the improvement jurisdiction of Parr Road. The pattern of development in this area, including along the borders of the site, will be consistent as proposed, and create a smooth transition from existing development within the Nodal development district overlay. Proposed streets and utility extensions are efficient and direct. The proposed annexation meets the goals and policies of the comprehensive plan regarding annexation criteria listed above.

Staff generally concurs with the applicant. The annexation goals and policies are effectuated by the annexation review criteria within the Woodburn Development Ordinance. The Nodal Master Plan, which was approved via Resolution 2124 in 2018, illustrates the conceptual layout of private development and public facilities throughout the Nodal overlay district area.

### *Criterion 2*

The subject property is adjacent to land annexed into City limits in 2019 via Ordinance No. 2570. The application materials include service provider letters from the City Engineer, the Woodburn Fire District, and the Woodburn School District certifying there is capacity to serve the development. Conditions of approval have been added to have the development provide connections to public facilities (streets, utilities, bike/pedestrian facilities, etc.).

### *Criterion 3*

The applicant's narrative provides the following response (pages 23-24):

The subject property's eastern boundary line is the current city limit line. Property northwest of the subject site (north of Parr Road and east of what will be Evergreen Road) and northeast of the subject site have been annexed into the City. The proposed annexation includes a subdivision to divide the property into 219 lots. No increases in buildable lands inventory are proposed as this application. The proposed subdivision is shown to be fully built-out within two phases, however all area within the subdivision boundary is proposed to be annexed at once. The subject property is identified by the comprehensive plan as residential with a Nodal overlay. Upon annexation, the property will be split zoned between the Nodal Single-Family Residential and Nodal Medium Density Residential zoning designations. The property is within the urban growth boundary of Woodburn and the proposal is consistent with the future zoning and current comprehensive plan requirements. Confirmation of adequate public facilities has been included with this application. Based on conversation with City Staff and the pre-application conference feedback, the applicant believes that the proposal reflects the city's goals for growth. Adjacent approved development at 9008 Parr Road stubbed a street to the eastern boundary of this application's subject property. This stubbed street is shown to be extended through the site, and boundary street improvements on Parr Road are also shown. This proposal includes a mix of public and private open space areas and pedestrian paths/trails totaling approx. 4.34 acres. The applicant finds that the proposed open space and pedestrian pathways meet the intent of the Nodal Master Plan showing similar sized open space and trail systems throughout the subject property. Tract A is shown to be a private park offering active recreation to be maintained by the Brighton Pointe HOA. Sidewalks are also shown on the submitted site plan to guide pedestrians through the site in a safe manor where trails may not be proposed. This proposed subdivision shows a mix of single-family attached and detached homes which the applicant believes is meeting an unmet community housing need as illustrated by the Housing Needs Analysis<sup>5</sup> by providing housing at a range of price points. The subject property is only contiguous with the city limits on one side. Also, the above criteria states that the application "should" demonstrate substantial conformance with the standards rather than stating the application shall conform to the standards. The applicant has met the burden of proof that substantial conformance with all criteria is met.

Staff generally concurs. Conditions of approval have been added to have the development provide connections to public facilities (streets, utilities, bike/pedestrian facilities, etc.).

#### **D. Procedures:**

##### **1. An annexation may be initiated by petition based on the written consent of:**

- a. The owners of more than half of the territory proposed for annexation and more than half of the resident electors within the territory proposed to be annexed; or
  - b. One hundred percent of the owners and fifty percent of the electors within the territory proposed to be annexed; or
  - c. A lesser number of property owners.
2. If an annexation is initiated by property owners of less than half of property to be annexed, after holding a public hearing and if the City Council approves the proposed annexation, the City Council shall call for an election within the territory to be annexed. Otherwise no election on a proposed annexation is required.

The applicant's narrative addresses these provisions on page 25:

The proposed annexation is initiated by the property owners and the required application forms have been signed by said property owner. 100% of the ownership has initiated the annexation process. This application includes the annexation of the public right-of-way of Parr Road on the north and west frontages. The applicant understands that the City may initiate annexation of island properties without the consent of the property owners or the resident electors. An island (under different ownership) is shown on the proposed site plan as not all adjacent property owners have joined this annexation application, nor is it the responsibility of the applicant to gain the support of adjacent ownership for this application. The criteria are met.

**E. Zoning Designation for Annexed Property: All land annexed to the City shall be designated consistent with the Woodburn Comprehensive Plan, unless an application to re-designate the property is approved as part of the annexation process.**

The Comprehensive Plan designates the subject property as split between Low Density Residential and Medium Density Residential, and wholly within the Nodal Development overlay. The territory will be assigned to the RSN and RMN zoning districts upon annexation.

**F. The timing of public improvements is as follows:**

1. Street dedication is required upon annexation.
2. Dedication of public utility easements (PUE) is required upon annexation.
3. Street improvements are required upon development.
4. Connection to the sanitary sewer system is required upon development or septic failure.
5. Connection to the public water system is required upon development or well failure.
6. Connection to the public storm drain system is required upon development.

The applicant's narrative states on pages 25-26:

All public improvements are shown as future dedicated public features. This application includes annexation of the entire right-of-way width for Parr Road along the subject property's north and west side frontages (including frontage along tax lot 900 and

1000). Improvements to this right-of-way are proposed to meet the City's public improvement standards. All utilities are shown, and a composite utility plan has been included with this submittal. Typical right-of-way sections are included on submitted sheet 5/8 to show proposed improvements. The criteria are met.

Staff concurs.

▲ With the proposed conditions of approval related to providing connections to public facilities, staff finds that the annexation provisions are met.

#### **5.04.04 Official Zoning Map Change, Owner Initiated**

**A. Purpose:** The purpose of an Owner Initiated Official Zoning Map Change is to provide a procedure to change the Official Zoning Map, in a manner consistent with the Woodburn Comprehensive Plan.

**B. Criteria:** The following criteria shall be considered in evaluating an Official Zoning Map Change;

- 1. Demonstrated need for the proposed use and the other permitted uses within the proposed zoning designation.**
- 2. Demonstrated need that the subject property best meets the need relative to other properties in the existing developable land inventory already designated with the same zone considering size, location, configuration, visibility and other significant attributes of the subject property.**
- 3. Demonstration that amendments which significantly affect transportation facilities ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:**
  - a. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or**
  - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,**
  - c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.**

**C. Delineation:** Upon approval, a zone change shall be delineated on the Official Zoning Map by the Director. A zone change subject to specific conditions shall be annotated on the Official Zoning Map to indicate that such conditions are attached to the designation.

The landowner of the subject property is requesting annexation into City limits. By its very nature, annexation of territory results in a change to the City limits boundary and the territory being annexed must be assigned to one or more zoning districts. The Comprehensive Plan designates the subject property as split between Low Density Residential and Medium Density Residential, and wholly within the Nodal Development Overlay. The territory will therefore be assigned the RSN and RMN zoning districts and the Zoning Map will be updated to reflect this.

✓ The provisions are met.

BEFORE THE BOARD OF COMMISSIONERS

FOR MARION COUNTY, OREGON

In the matter of transferring jurisdiction over )  
a portion of Parr Road within the city limits of )  
the City of Woodburn to the City of Woodburn )  
pursuant to ORS 373.270(6). )  
)

**ORDER No. \_\_\_\_**

This matter came before the Marion County Board of Commissioners at its regularly scheduled public meeting on December 27, 2023.

WHEREAS, ORS 373.270(6) authorizes the transfer of jurisdiction over county roads within the city limits of a city to the city upon the city's passage of municipal legislation requesting the transfer; and

WHEREAS, Parr Road is a County Road; and

WHEREAS, the portion of Parr Road is located within Woodburn city limits; and

WHEREAS, the City of Woodburn has adopted Ordinance 2610 formally initiating the transfer of jurisdiction process pursuant to ORS 373.270(6); and

WHEREAS, the board desires to complete the transfer of jurisdiction pursuant to ORS 373.270(6) over the portion of Parr Road located within the Woodburn city limits described in Ordinance 2610; now, therefore,

IT IS HEREBY ORDERED that Marion County surrenders to the City of Woodburn pursuant to ORS 373.270(6) the portion of Parr Road located within the Woodburn city limits as described in City of Woodburn Ordinance 2610.

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City of Woodburn Ordinance 2610 is attached hereto and incorporated herein by this reference.

DATED at Salem, Oregon, this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

MARION COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner