



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

7/27/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment
DLCD File Number 005-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, August 11, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Ken Reacher, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed
DATE
STAMP

DEPT OF

JUL 22 2010

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Beaverton**Local file number: **TA2010-0002**Date of Adoption: **7/19/2010**Date Mailed: **7/21/2010**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 5/14/2010☐ Comprehensive Plan Text Amendment☐ Comprehensive Plan Map Amendment☒ Land Use Regulation Amendment☐ Zoning Map Amendment☐ New Land Use Regulation☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Restrict maximum density within the SC-HDR zone when adjacent to and within 120 feet of low density zoning to 12 units per acre.

Does the Adoption differ from proposal? Yes, Please explain below:

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location: **NE corner of SW Murray Blvd. and SW Jenkins Rd.**Acres Involved: **18.46**Specify Density: Previous: **variable**New: **variable**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☒	☐	☐	☒	☒	☒	☒	☒	☒	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ NoDLCD file No. 005-10 (18307) [16228]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Ken Rencher**

Phone: (503) 526-2427 Extension:

Address: PO Box 4755

Fax Number: 503-526-3720

City: Beaverton

Zip: 97075

E-mail Address: krencher@ci.beaverton.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009

ORDINANCE NO. 4546

AN ORDINANCE ANNEXING ONE PARCEL LOCATED AT 12050 NW CORNELL ROAD AND A SEGMENT OF NW CORNELL ROAD RIGHT-OF-WAY FRONTING THE PROPERTY TO THE CITY OF BEAVERTON, ADDING THE PROPERTY TO THE CENTRAL BEAVERTON NEIGHBORHOOD ASSOCIATION COMMITTEE AND DECLARING AN EMERGENCY: EXPEDITED ANNEXATION 2010-0002

- WHEREAS,** ORS 222.125 grants the City authority to initiate an expedited annexation process with the consent of all land owners of the territory to be annexed; and
- WHEREAS,** the owners of the subject parcel have signed and submitted a petition to annex the property into the City; and
- WHEREAS,** the property is in Beaverton's Assumed Urban Services Area, and Policy 5.3.1.d of the City's acknowledged Comprehensive Plan states: "The City shall seek to eventually incorporate its entire Urban Services Area."; and
- WHEREAS,** the property is located in area "B" defined in the "Beaverton-Washington County Intergovernmental Agreement Interim Urban Service Plan" as an area requiring formal endorsement of the Washington County Board of Commissioners to proceed with annexation into the City of Beaverton, and
- WHEREAS,** as documented in Exhibit D of this ordinance, the Washington County Board of Commissioners met on May 11, 2010, and issued a Minute Order formally approving the request to annex the property into the City, and
- WHEREAS,** the City Council adopts this ordinance with emergency provisions in order to hasten the City development review and permitting processes so that construction of proposed improvements may occur within the current building cycle, and
- WHEREAS,** Council Resolution No. 3785 sets forth annexation policies for the City, and this action implements those policies; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

- Section 1.** The property shown on Exhibit A, and more particularly described in Exhibit B, is hereby annexed to the City of Beaverton, effective on the date the ordinance is filed with the Secretary of State as specified by ORS 222.180.
- Section 2.** The Council declares an emergency to exist and that the Ordinance shall be final and effective on the date the ordinance is filed with the Secretary of State as specified by ORS 222.180.

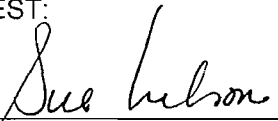
- Section 3.** Pursuant to Beaverton Code Section 9.06.035A, this property shall be added to the Central Beaverton Neighborhood Association Committee Boundary.
- Section 4.** The Council hereby withdraws the property annexed by this Ordinance from the Washington County's Enhanced Sheriff's Patrol District and Washington County's Urban Road Maintenance District.
- Section 5.** The Council accepts the findings in the staff report attached hereto as Exhibit C as adequate demonstration of compliance with all applicable approval criteria.
- Section 6.** The City Recorder shall place a certified copy of this Ordinance in the City's permanent records, and the Community Development Department shall forward a certified copy of this Ordinance to Metro and all necessary parties within five working days of adoption.
- Section 7.** The Community Development Department shall transmit copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities affected by this Ordinance in accordance with ORS 222.005.

First reading this 21st day of June, 2010.

Passed by the Council this 21st day of June, 2010.

Approved by the Mayor this 22nd day of June, 2010.

ATTEST:



SUE NELSON, City Recorder

APPROVED:

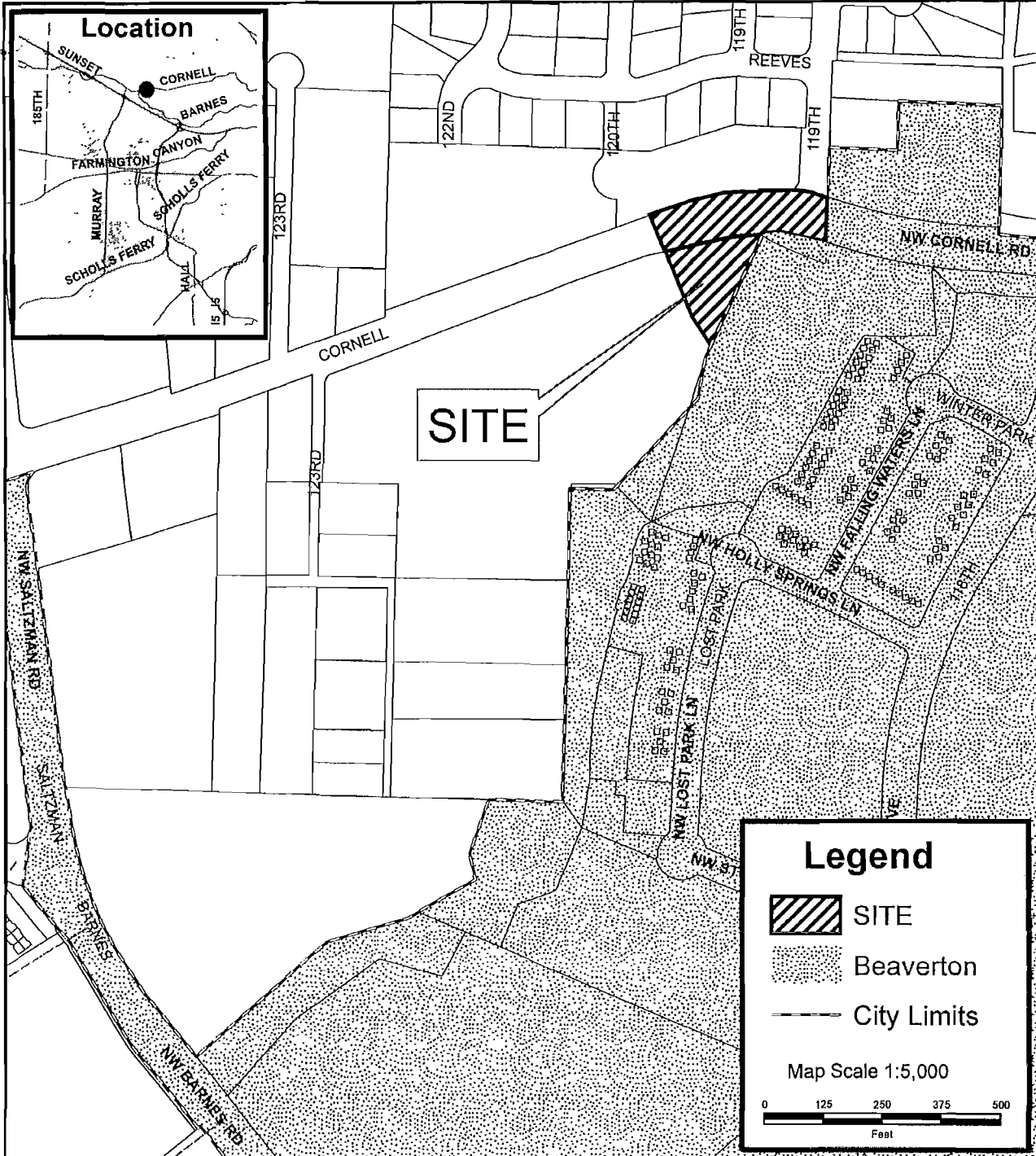


DENNY DOYLE, Mayor

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 32

EXHIBIT "A"



City of Beaverton

Historic John Quincy Adams Young House
EXPEDITED ANNEXATION

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

05/03/10

Tax Lot #'s

1N134C000201



Application #

ANX2010-0002



City of Beaverton
Engineering Department

EXHIBIT B

Ord. No. 4546

**LEGAL DESCRIPTION
FOR
ANX 2010-002**

EXPLANATION: THIS LEGAL DESCRIPTION IS PREPARED FOR THE OREGON DEPARTMENT OF REVENUE FOR THE PURPOSE OF DESCRIBING PARCELS OF LAND AND ROADWAY IN UNINCORPORATED WASHINGTON COUNTY TO BE ANNEXED TO THE CITY OF BEAVERTON, LOCATED SOUTH OF N.W. CORNELL ROAD AND WEST OF N.W. 119TH AVENUE, WASHINGTON COUNTY, OREGON.

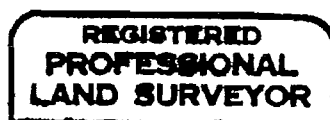
BEING ALL OF PARCEL ONE (1) AS SHOWN IN RECORD OF SURVEY 29867 PROPERTY LINE ADJUSTMENT RECORDED IN THE WASHINGTON COUNTY RECORDERS OFFICE, WASHINGTON COUNTY, LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT C OF WILLAMETTE RIDGE SUBDIVISION PLAT RECORDED AS DOCUMENT 2006078026 ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF N.W. CORNELL ROAD, IN THE WASHINGTON COUNTY RECORDERS OFFICE;

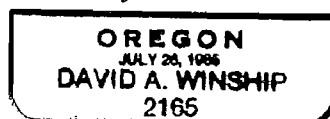
1. THENCE SOUTH 22°31'47" WEST, ALONG TRACT C WILLAMETTE RIDGE SUBDIVISION A DISTANCE OF 273.76 FEET;
2. THENCE NORTH 33°52'28" WEST, A DISTANCE OF 70.98 FEET;
3. THENCE NORTH 21°30'11" WEST, A DISTANCE OF 154.78 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. CORNELL ROAD;
4. THENCE CONTINUING NORTH 21°30'11" WEST, A DISTANCE OF 90.69 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID N.W. CORNELL ROAD AND SOUTH LINE OF LOT 51 OF HICKETHIER PARK SUBDIVISION;
5. THENCE NORTH 68°35'48" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 73.05 FEET TO A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 455.46 FEET;
6. THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 301.38 FEET HAVING A CHORD BEARING OF NORTH 87°33'12" EAST WITH A CHORD LENGTH OF 295.91 FEET TO THE EAST RIGHT OF WAY LINE OF N.W. 119TH AVENUE;
7. THENCE SOUTH 00°53'23" WEST, ALONG THE EXTENSION LINE OF THE EAST RIGHT OF WAY LINE OF N.W. 119TH AVENUE, A DISTANCE OF 93.39 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. CORNELL ROAD TO A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1318.24 FEET;
8. THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING COURSES TO THE POINT OF BEGINNING, NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 1.06 FEET, WITH A CHORD BEARING OF NORTH 73°44'46" WEST, WITH A CHORD LENGTH OF 1.06 FEET;
9. THENCE NORTH 73°43'23" WEST, A DISTANCE OF 30.03 FEET;
10. THENCE NORTH 79°00'20" WEST, A DISTANCE OF 70.38 FEET TO A NON-TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 755.00 FEET;
11. THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 28.95 FEET, WITH A CHORD BEARING OF SOUTH 85°03'06" WEST, WITH A CHORD LENGTH OF 28.95 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 58,028 SQUARE FEET, 1.33 ACRES

BASIS OF BEARING: IS NORTH 68°26'37" EAST, ALONG THE CENTERLINE OF N.W. CORNELL ROAD, AS SHOWN ON RECORD OF SURVEY No. 29867, IN THE WASHINGTON COUNTY RECORDERS OFFICE, WASHINGTON COUNTY, OREGON.

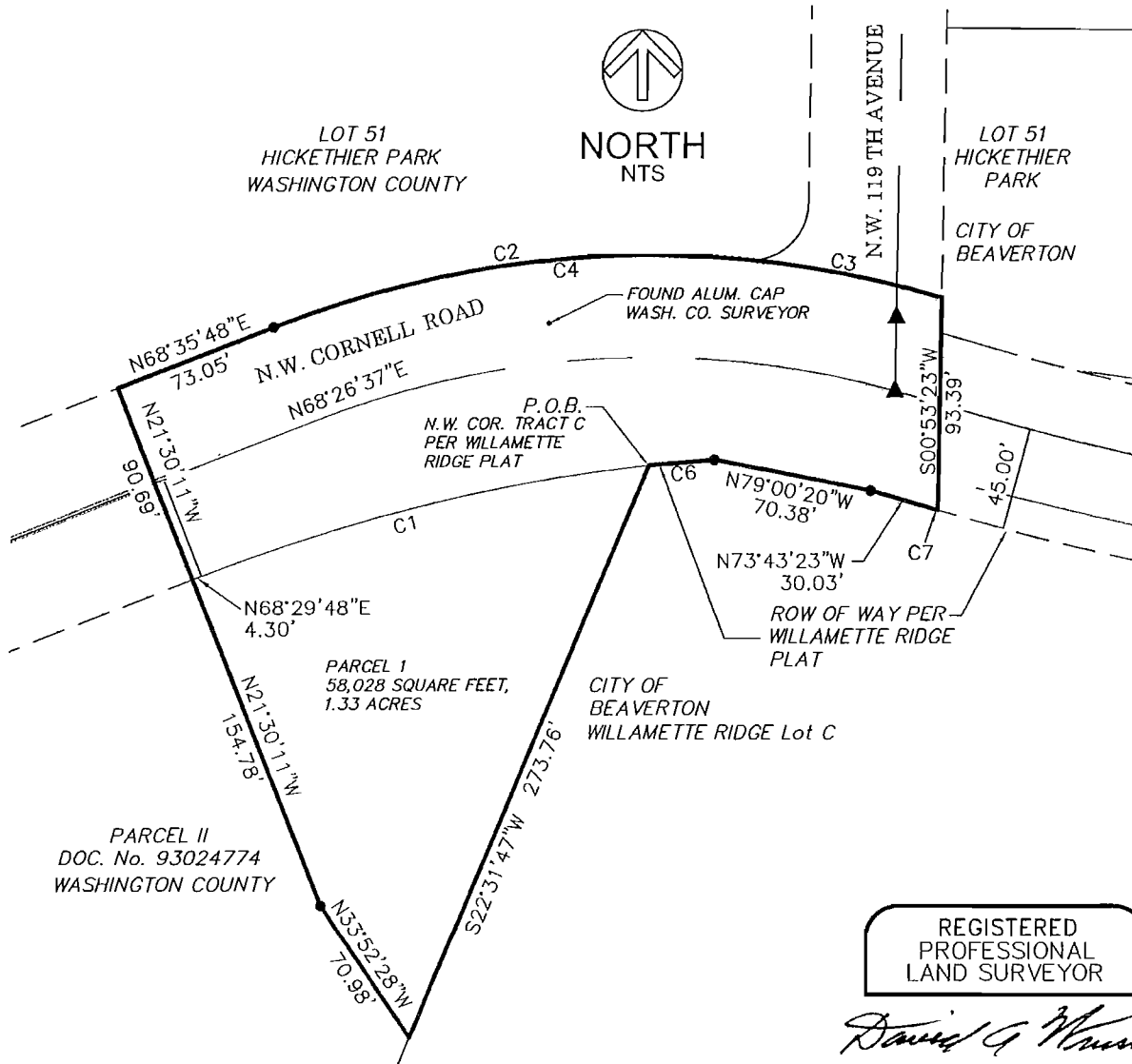


David A. Winship



Expires 6/30/12

EXHIBIT B
ANX 2010-0002 EXHIBIT MAP
 A PARCEL OF LAND LYING IN
 SW 1/4 OF SECTION 34, T.1N., R.1W., W.M.,
 WASHINGTON COUNTY, OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

David A. Winship

OREGON
JULY 26, 1985
DAVID A. WINSHIP
2165

RENEWAL DATE 06/30/12

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	755.00'	203.65'	203.03'	N 76°13'26" E	15°27'17"
C2	455.46'	212.93'	210.99'	N 81°59'23" E	26°47'08"
C3	455.45'	88.45'	88.32'	N 79°03'14" W	11°07'38"
C4	455.46'	301.38'	295.91'	N87°33'12"E	37°54'47"
C6	755.00'	28.95'	28.95'	S85°03'06"W	02°11'50"
C7	1318.24'	1.06'	1.06'	N73°44'46"W	00°02'46"

Y:\SURV\martin\2010\annexations\anx2010-002\anx-2010-002.dwg

SHEET 1 OF 1



City of Beaverton

EXHIBIT MAP FOR
ANX 2010-0002
LEGAL DESCRIPTION

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

JOB NO:10-0002
DATE: 04.20.10

DRAWN BY: MTS

CHECKED BY: MTS

APPROVED BY:

REVISION: _____

REVISION: _____



CITY of BEAVERTON

EXHIBIT C

Ord. No. 4546

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

STAFF REPORT

TO: City Council

AGENDA DATE: June 21, 2010 **REPORT DATE:** 6/14/10

FROM: Jeff Salvon, AICP, Associate Planner
Community Development Department

SUBJECT: Expedited Annexation (ANX2010-0002)

ACTIONS: Annexation to the City of Beaverton of one parcel located at 12050 NW Cornell Road and a segment of NW Cornell Road that fronts the property. The property proposed for annexation is identified as tax lot 1N134C000201 as shown on the attached map, and more particularly described by the attached legal description (Attachment A). Annexation is owner initiated and is being processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045.

NAC: The subject parcel is located adjacent to the boundary of the Central Beaverton Neighborhood Association Committee (NAC). The Neighborhood Office is recommending that staff include a provision in the ordinance to amend the NAC boundaries to include the parcel proposed for annexation.

AREA: The parcel is approximately 0.57 acres.

TAXABLE ASSESSED VALUE: \$ 0

ASSESSOR'S REAL MARKET VALUE: \$ 220,830

NUMBER OF LOTS: 1

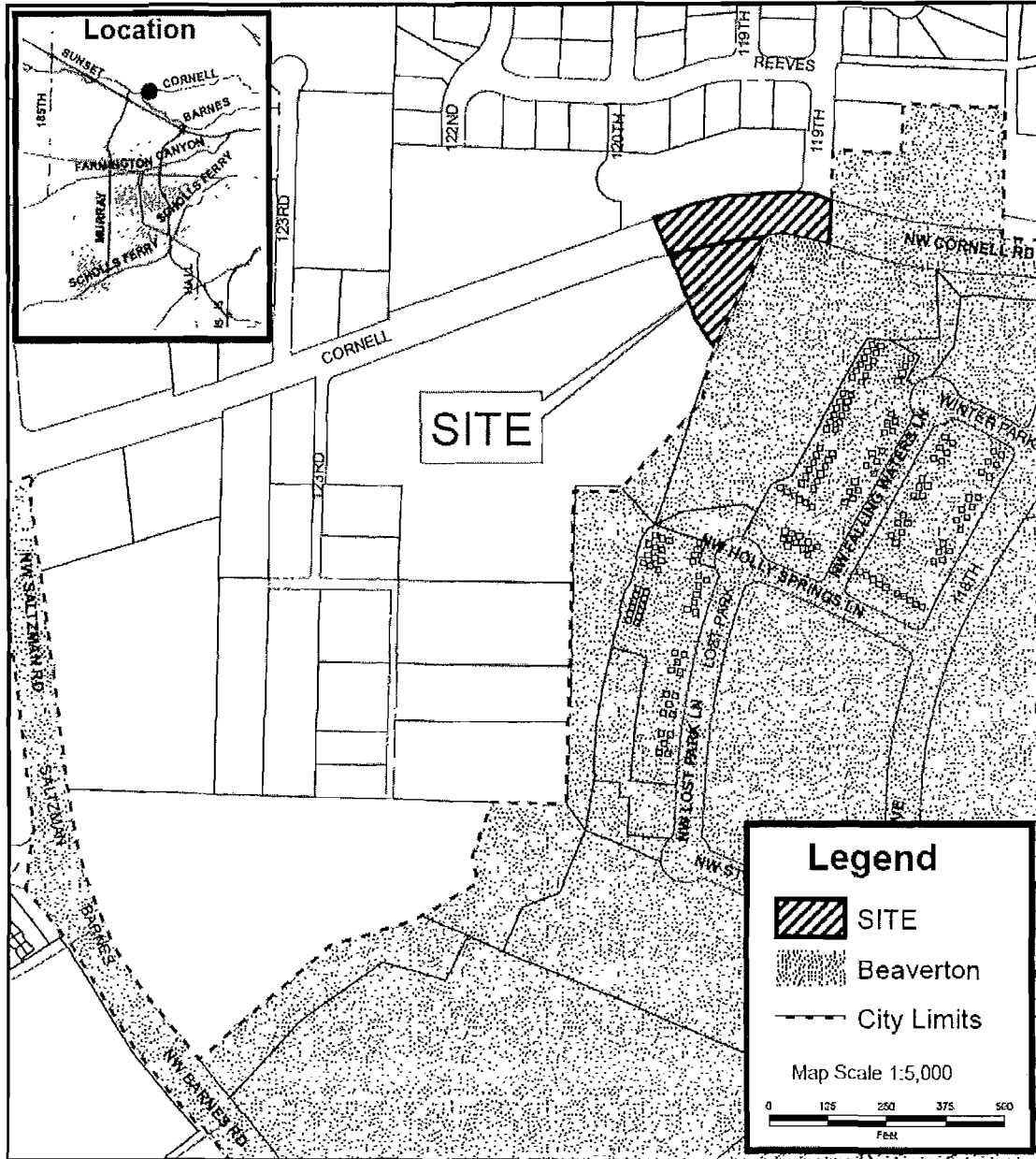
EXISTING COUNTY ZONE: The subject parcel is designated Institutional by Washington County.

RECOMMENDATION: Staff recommends the City Council adopt an ordinance annexing the referenced property and street segment, and withdrawing the property from the Washington County Urban Road Maintenance District and Enhanced Sheriff's Patrol, effective as of the date the ordinance is filed with the Secretary of State as specified by ORS 222.180.

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 32

EXHIBIT "A"



City of Beaverton

Historic John Quincy Adams Young House
EXPEDITED ANNEXATION

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

05/03/10

Tax Lot #'s
1N134C000201

Application #
ANX2010-0002



BACKGROUND

The subject property is owned by the Tualatin Hills Park and Recreation District and supports the historic John Quincy Adams Young House. The property abuts a riparian area of Cedar Mill Creek and features a small waterfall within the tree canopy. The neighboring property upon which the waterfall is located is currently within the City of Beaverton's corporate limits and is being developed to support a mix of single-family and multiple-family neighborhoods. The subject parcel is within unincorporated Washington County.

The development being constructed on the adjacent parcel includes a boardwalk that will extend into the riparian area and provide the public with a rare view of the waterfall. For structural purposes, design of the boardwalk requires that a small segment of the subject parcel be included in the boardwalk design. Both property owners acknowledge that the boardwalk will augment the John Quincy Adams Young property with a natural feature not common among the parks holdings. Therefore, subsequent to construction of the boardwalk, the developer plans to convey the facility and the land it occupies to the Park District and the District will assume all maintenance responsibilities affiliated with ownership.

As the development of the boardwalk will affect both properties, one of which is within the City of Beaverton and the other within unincorporated Washington County, there is concern on the part of the developer that proposed development will be complicated by the fact that the land use application and permitting will be subject to both a City and County approval process. To simplify this process, the District is petitioning to annex of the subject parcel so that the approval will be confined to a single process.

Consent to annex on the part of the landowner allows this proposal to be processed as an expedited annexation under ORS 222.125 and Metro Code 3.09.045 so no public hearing is required. However, on December 2004, the City and Washington County entered into an Intergovernmental Agreement for an Interim Urban Services Plan that established an area "A", in which the City could proceed with annexations without County consent and an area "B", in which the City would need to obtain County consent to proceed with annexation. The proposed annexation is in area "B" requiring endorsement by Washington County. On April 27, 2010 the Washington County Board of Commissioners voted to approve the request to annex the property (Minute Order # 10-129). That approval was amended on May 11, 2010 to include a segment NW Cornell Road situated in front of the property (Minute Order #10-146). Documentation verifying County endorsement is provided as Attachment C.

In accordance with the Beaverton-Washington County Urban Planning Area Agreement (UPAA), the City will apply its Town Center Plan designation and TC-HDR Zone through an annexation related non-discretionary process requiring approval by the City Council. The UPAA specifies that in cases where Washington County Institutional is annexed,

application of City plan and zone designations reflect the most restrictive abutting zones to the subject parcel. As the property is zoned Washington County Institutional, the City's Town Center plan designation and TC-HDR zone qualify as the most restrictive abutting plan and zone designations for the subject parcel.

EXISTING CONDITIONS

Map and Tax Lot	Site Address	Lot Size (acres)	Existing Land Use
1N134C000201	12050 NW CORNELL RD	0.57	Park

SERVICE PROVISION:

Cooperative, urban service and intergovernmental agreements affecting provision of service to the subject property include that following:

- The City has entered into ORS Chapter 195 cooperative agreements with Washington County, Tualatin Valley Fire and Rescue District, West Slope Water District, Tualatin Hills Park and Recreation District, and Clean Water Services.
- The City has entered into an ORS Chapter 190 intergovernmental agreement with Clean Water Services.
- The City has been a party to a series of ORS Chapter 190 intergovernmental agreements "for Mutual Aid, Mutual Assistance, and Interagency Cooperation Among Law Enforcement Agencies Located in Washington County, Oregon", the last of which was signed by Beaverton Mayor Rob Drake on August 9, 2004. This agreement specifies the terms under which a law enforcement agency may provide assistance in response to an emergency situation outside its jurisdiction when requested by another law enforcement agency.
- On December 22, 2004, the City entered into an intergovernmental agreement with Washington County defining areas that the City may annex for ten years from the date of the agreement without opposition by the County. The property proposed for annexation by this application is included in the areas the City may not annex without County consent. Washington County Board of County Commissioners agreed to the request for annexation of the property and reconsidered the request when staff added the abutting right of way for NW Cornell Road.

This action is consistent with those agreements.

The following details the various services available to the property to be annexed.

POLICE: The property to be annexed currently receives police protection from the Washington County Enhanced Sheriff's Patrol District (ESPD). The property will be withdrawn from the ESPD, and the City will provide police service upon annexation. In practice,

whichever law enforcement agency is able to respond first, to an emergency, does so in accordance with the mutual aid agreement described above.

FIRE: Tualatin Valley Fire & Rescue (TVF&R) provides fire and ambulance service to the property. The City annexed its own fire services to TVF&R in 1995. TVF&R is designated as the long-term service provider to this area.

SEWER: The property proposed for annexation is within Clean Water Service's (CWS) service area and is served by a 21" concrete pipe extending along the eastern edge of the property. This pipe is fed by a 24" pipe under the segment of Cornell Rd also proposed for annexation. Under the terms of an agreement that the City has with CWS, all lines under 24" in diameter will transfer over to the City. Lines over 24" remain within CWS. For those lines under 24" the City will take over maintenance responsibilities when the annexation becomes effective. Future improvements requiring sewer line upgrades will be assessed in the City's development review process. Permitting and inspection of these improvements will be conducted by the City after annexation.

WATER: The subject parcel falls within the service area of the Tualatin Valley Water District. The parcel is supplied with water via a 12" line located under NW Cornell Rd. Subsequent to annexation, Tualatin Valley Water District will continue to provide service to the parcel and bill the property for services rendered. The District would also bill for sewer and storm water service and disperse funds for those services to the City.

STORM WATER DRAINAGE: The property proposed for annexation is within Clean Water Service's (CWS) service area and is served by a 12" concrete storm pipe which directs runoff into the adjacent creek. After annexation, the City will assume maintenance functions affiliated with storm water drainage. If improvements are made to the property, future storm water facilities may be required. Such requirements will be determined in the City's development review process. Permitting and inspection of these improvements will be conducted by the City after annexation.

STREETS and ROADS: The property fronts NW Cornell Road (classified on the County's Functional Classification Map as an arterial). As part of this annexation, the subject property will be withdrawn from the County Urban Road Maintenance District. However, as the street is classified as a County arterial, Washington County will continue to assume maintenance responsibilities for the street subsequent to

annexation.

**PARKS and
SCHOOLS:**

The proposed annexation is within the Beaverton School District and the Tualatin Hills Parks and Recreation District. Because the proposed action does not involve residential uses, school enrollment will not be significantly affected by the proposed annexation and no additional service demands will be imposed upon the District. Subsequent to annexation, service district boundaries will remain unaffected. Because the owner of the subject parcel is a public entity and is not assessed property tax, taxes for both districts will not be affected by the proposed annexation.

**PLANNING,
ZONING and
BUILDING:**

Washington County currently provides long-range planning, development review, and building inspection for the property. Upon annexation, the City will provide those services. Washington County designations remain on the property until City Comprehensive Plan and Zoning Designations are applied in a separate process.

CRITERIA FOR APPROVAL

REGIONAL ANNEXATION CRITERIA

In December 1998 the Metro Council adopted Metro Code Chapter 3.09 (Local Government Boundary Changes). This Chapter was recently amended through Ordinance 07-1165A (adopted January 17, 2008). Metro Code Sections 3.09.045 (c) and (d) include the following minimum criteria for expedited annexation decisions:

3.09.045 (c) At least seven days prior to the date of decision the City or Metro shall make available to the public a report that includes the following information:

(1) The extent to which urban services are available to serve the affected territory, including any extra-territorial extensions of service;

The proposal involves annexation of a single parcel of approximately 0.57 acres of land. As indicated in the previous section, adequate capacity exists in terms of water, sanitary sewer, storm water, and transportation facilities to service the property in its current use or with desired future improvements that may be incurred.

Other essential urban services are already provided to the parcel by the County and area special service districts. Services that will transfer to the City subsequent to annexation are sanitary and storm sewer maintenance, police protection, long-range planning, development review and building inspection. The proposed annexation does not entail extra-territorial extensions of service.

(2) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party;

Consistent with the provisions established in the City of Beaverton - Clean Water Services Inter-Governmental Agreement signed July 1, 2004, the City will assume sanitary and storm sewer maintenance responsibilities for the property from Clean Water Services subsequent to annexation. Additionally, in accordance with the terms specified in the City of Beaverton – Washington County Urban Planning Area Agreement, the property will be removed from Washington County's Enhanced Sheriff's Patrol and Urban Road Maintenance Districts. The proposed annexation will not require withdrawal of territory from any other service districts identified as necessary parties.

(3) The proposed effective date of the boundary change.

ORS 222.180 specifies that the date an approved annexation becomes effective is determined by the date the Secretary of State files the jurisdiction's decision with its office. ORS 222.180 also specifies that when annexation proceedings are initiated by a city, the city may specify a later effective date than that determined by the Secretary of State. Section 36 of the Beaverton City Charter specifies that City ordinances shall take effect thirty days after their adoption by the Council and approval of the mayor. Section 36 also contains provisions that allow for special circumstances in the event of an emergency. It states the following:

An ordinance takes effect thirty (30) days after its adoption by the council and approval by the mayor or passage over the mayor's veto. When the council deems it advisable, an ordinance may provide a later time for it to take effect. In the event of any emergency, where the reasons for the emergency have been expressly stated, an ordinance may take effect immediately upon its adoption by the council and approval by the mayor or passage over a veto, or at any other designated time within thirty (30) days thereof.

The proposed annexation was prompted by a desire on the part of the adjacent property owner to construct a boardwalk. Working in conjunction with the Park District, an arrangement was made to provide a system development charge credit as an incentive to ensure that the facility is constructed. Although this arrangement provides that the amenity will eventually be handed over to the park district for public use, the primary incentive on the part of the developer is to construct a facility enhance the livability of the adjacent neighborhood. To this end, the developer is under considerable pressure to construct the boardwalk within the current building season.

The City's annexation process requires that the proposed ordinance receive first and second readings on consecutive meeting dates. Additionally, the City charter specifies that under normal conditions, an ordinance is to be effective 30 days after it is approved by City Council. These hindrances together with administrative delays that were

imposed in securing Washington County's consent could likely jeopardize an amenity that will eventually provide a treasured public amenity. To avert this outcome, staff is proposing that this proposal follow an expedited process declaring an emergency so that both first and second reading occur within the same meeting and the 30-day waiting period be waived. Therefore, the ordinance language for this proposal will be composed to indicate the following:

The property shown on Exhibit A, and more particularly described in Exhibit B, is hereby annexed to the City of Beaverton effective upon the date the ordinance is filed with the Secretary of State (as specified by ORS 222.180).

FINDING: Having addressed the elements contained in Metro Code Section 3.09.045 (c) above, and as this staff report will be made available to the public on or before June 14, 2010, at least seven days prior to the date of decision, the proposal satisfies Metro Code Section 3.09.045 (c).

3.09.045 (d) To approve a boundary change through an expedited process, the city shall:

(1) Find that the change is consistent with expressly applicable provisions in:

(A) Any applicable urban service agreement adopted pursuant to ORS 195.065;

The Service Provision section of this staff report addresses the provision of services in detail. However, although discussion with other urban services providers on the content of an agreement have occurred sporadically over the last several years, and the City has proposed an agreement that is acceptable to most of the parties, the City has not yet entered into an urban services provider agreement under ORS 195.065 that relates to all potential urban service providers in and around the City.

As previously noted, on December 22, 2004 the City did enter into an interim intergovernmental agreement with Washington County, titled the "Beaverton-Washington County Intergovernmental Agreement Interim Urban Services Plan". This agreement identifies areas that require Washington County consent before the City may annex in those areas. The agreement has an effective date ten years, and references ORS 195.065(1) among its recitals. The property proposed for annexation by this application requires County consent in accordance with this agreement. On May 11, 2010 the Washington County Board of Commissioners formally approved the annexation request and on May 11, 2010 approved modification of the request to include the right-of-way for NW Cornell Road abutting the annexation (Attachment C). No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this proposed annexation.

FINDING: *Staff finds that where applicable, the proposed annexation is consistent with urban service agreements in place as demonstrated in the staff report and as such the proposal satisfies Metro Code Section 3.09.045 (d)(1)(A).*

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

As noted previously, the City has not yet entered into an urban services provider agreement under ORS 195.065 that relates to all potential urban service providers in and around the City. Because a comprehensive urban service agreement has not been completed, it is not possible to consider adoption of individual annexation plans as provided under ORS 195.205.

FINDING: *Due to the fact that a comprehensive urban service agreement has not been established as a basis for preparing City annexation plans, staff finds that provisions in Metro Code Section 3.09.045 (d)(1)(B) do not apply.*

(C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party:

As noted in the Urban Service Provision Section of this report the City has entered into ORS Chapter 195 cooperative agreements with Washington County, Tualatin Valley Fire and Rescue District, Tualatin Valley Water District, Tualatin Hills Park and Recreation District, and Clean Water Services. These agreements call for coordination of planning activities between each service district and the City, although annexations are not subject to coordination under the agreement language. However, as necessary parties, the subject districts have been notified of this proposed annexation.

FINDING: *Staff finds that the proposed annexation is not subject to existing cooperative agreements.*

(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

The City's public facilities plan consists of the Public Facilities and Services Element of the Comprehensive Plan, the Transportation Element of the Comprehensive Plan, the City's Capital Improvements Plan, and the most recent versions of master plans adopted by providers of the following facilities and services in the City: storm water drainage, potable water, sewage conveyance and processing, parks and recreation, schools and transportation. Where a service is provided by a jurisdiction other than the City, by adopting the master plan for that jurisdiction as part of its public facilities plan, the City has essentially agreed to abide by any provisions of that master plan. No

relevant urban services as defined by Metro Code Section 3.09.020(l) will change subsequent to this annexation.

Staff could not identify any provisions in the Washington County Public Facilities Plan relevant to this proposed annexation.

FINDING: Staff finds that the proposed annexation is consistent with applicable Public Facility Plans and therefore satisfies Metro Code Criterion 3.09.045 (d)(1)(D).

(E) Any applicable comprehensive plan;

The only relevant policy of the City of Beaverton's Comprehensive Plan is Policy 5.3.1.d, which states "The City shall seek to eventually incorporate its entire Urban Services Area." The subject territory is within Beaverton's Assumed Urban Services Area, which is Figure V-1 of the City of Beaverton's Acknowledged Comprehensive Plan.

In reviewing the Washington County Comprehensive Framework Plan for the Urban Area on the County's web site (reflecting changes through County Ordinance No. 734) that amended the Comprehensive Framework Plan, staff finds that the following provisions may be applicable to this proposed annexation:

- A paragraph in the "County-Wide Development Concept" at the beginning of the Comprehensive Framework Plan which states:

As development occurs in accordance with this development concept, issues of annexation or incorporation may arise. Annexation or incorporation issues will necessarily relate to various other planning issues such as community identity, fiscal impacts of growth and service provision, coordination between service providers to achieve efficiencies and ensure availability, etc. As such issues arise; the County should evaluate community identity as an issue of equal importance with public service provision issues when developing policy positions on specific annexation or incorporation proposals.

Staff views this statement as direction to the County itself in how to evaluate annexation proposals, and not guidance to the City regarding this specific proposal. As a necessary party, the County has an opportunity to comment on and appeal this proposed boundary change if they believe the boundary change is inconsistent with the approval criteria (see Metro Code Section 3.09).

- Policy 15 of the Comprehensive Framework Plan, relating to Roles and Responsibilities for Serving Growth, says:

It is the policy of Washington County to work with service providers, including cities and special service districts, and Metro, to ensure that facilities and services required for growth will be provided when needed by the agency or agencies best able to do so in a cost effective and efficient manner.

Two implementing strategies under Policy 15 that relate to annexation state:

The County will:

- f. If appropriate in the future, enter into agreements with service providers which address one or more of the following:
 - 3. Service district or city annexation
- g. Not oppose proposed annexations to a city that are consistent with an urban service agreement or a voter approved annexation plan.

The City of Beaverton, Washington County and the other urban service providers for the subject area worked off and on for several years to arrive at an urban service area agreement for the Beaverton area pursuant to ORS 195.065 that would be consistent with Policy 15 and the cited implementing strategies. Unfortunately, although most issues were resolved, a few issues remained between the County and the City that prevented completion of the agreement. These issues do not relate to who provides services or whether they can be provided when needed in an efficient and cost effective manner so much as how the transfer of service provision responsibility occurs, particularly the potential transfer of employees and equipment from the County to the City. As previously noted the County and the City have entered into an intergovernmental agreement that sets an interim urban services plan area in which the County commits to not oppose annexations by the City.

Cedar Hills – Cedar Mill Community Plan

Finally, staff has reviewed other elements of the County Comprehensive Plan and has determined that in addition to being listed on the National Register of Historic Places, the subject is designated on the Cedar Hills – Cedar Mill Community Plan as a Historic and Cultural Resource. As such, the following provisions apply.

Historic and Cultural Resource Overlay District

Historic Resources described in the Washington County Cultural Resources Inventory, including sites, structures, objects and buildings. Historic buildings and structures are protected by regulations in the County's Historic and Cultural Resource Overlay District. Under this designation, proposed development affecting this property is subject to Section 3.73 of the County's Development Code. This section applies standards intended to maintain the historical integrity of designated resources when improvements to the property are proposed. Until the City changes the designations on the property, the County Historic designation shall remain.

Response: Subsequent to annexation, the City of Beaverton will apply its plan and zone designations to the parcel as a substitute for what had been imposed by

Washington County. Selection as to which designations are appropriate will be dictated by the terms specified in the Beaverton – Washington County Urban Planning Area Agreement (UPAA). The intent is to apply City designations that most closely correspond to what had previously been applied.

In order to approximate the restrictions imposed through Washington County's Historic and Cultural Resource Overlay District, the City will amend the City's Historic Landmarks and Trees Map to include the subject parcel. This amendment will subject any subsequent development of the property to a review under Development Code Section 40.35, Historic Review, and ensure that adequate protection is in place to reflect the County's standards.

FINDING: Staff finds that the proposed annexation is consistent with applicable provisions contained in the City's of Beaverton's Comprehensive Plan, Washington County's Framework Plan and the Cedar Hills – Cedar Mill Community Plan. The proposed amendment therefore satisfies Metro Code Criterion 3.09.045 (d)(1)(E).

(2) Consider whether the boundary change would:

(A) Promote the timely, orderly and economic provision of public facilities and services;

The existing conditions section of this staff report contains information addressing this criterion in detail. As indicated, changes that affect public facility and services provision to individual properties are generally subject to agreements between the City of Beaverton, Washington County, and special districts. These agreements address which urban service provider will assume responsibilities for service in the event of a boundary change. By entering into these agreements and through the adoption of planning documents the City and its service district partners have attempted to ensure that the provision of services subsequent to the proposed boundary change will be timely, orderly, and economically viable.

FINDING: Staff finds that for the reasons indicated above, changes in service provision occurring subsequent to the proposed boundary change have been adequately anticipated and planned for. The proposed amendment therefore satisfies Metro Code Criterion 3.09.045 (d)(2)(A).

(B) Affect the quality and quantity of urban services;

The existing conditions section of this staff report contains information addressing this criterion in detail. As indicated, responsibilities pertaining to the provision of public facilities and services will either remain unchanged or transfer to the City. In general, because cities provide services on an urban scale, they can provide services at a level equal or higher than provided to unincorporated areas. Accordingly, the City is

generally regarded as offering a level of service to properties that annex from unincorporated County that is equal or higher than what was previously received. Annexation to the City of Beaverton will therefore benefit the quality and quantity of urban services transferred to the City.

FINDING: The proposed annexation will generally have a beneficial affect on the quality and quantity of urban service. Criterion 3.09.045(d)(2)(B) has been met.

(C)Eliminate or avoid unnecessary duplication of facilities or services.

The intent of the intergovernmental agreements described in the Existing Conditions Section of this report is to clarify which agency bears responsibility for the provision of urban services in specific areas of the City and in circumstances of a jurisdictional boundary transfer. These agreements therefore fulfill the role of attempting to eliminate duplication of services where jurisdictional responsibilities may be unclear. The issue of duplication has therefore been addressed and resolved through these agreements.

FINDING: As the proposed annexation is subject to the terms established by established service agreements between the City and its special district service providers, provisions have been made to avoid unnecessary duplication of facilities or services involving the subject parcel. Criterion 3.09.045(d)(2)(C) has been met.

PROCESS

- Consistent with Metro Code Section 3.09.045, the City sent notice of the proposed annexation on or before May 27, 2010 (25 days prior to the City Council's first and second reading of the ordinance that would approve the annexation) to all necessary parties including Washington County, Metro, affected special districts and County service districts.
- The notice and a copy of this staff report will be posted on the City's web page on June 14, 2010 (7 days prior to the City Council's first and second reading of the ordinance that would approve the annexation).

CONCLUSION

Based on the facts and findings in this report, staff concludes that approval of the owner initiated annexation of Tax Lot #s 1N134C000201, and adjacent right-of-way meet all pertinent criteria outlined in Metro Section 3.09.045.

Attachments: A) Legal Description
 B) City Annexation Policies

ANX 2010-0002
6/21/10 Agenda Date

13



**City of Beaverton
Engineering Department**

ATTACHMENT A

**LEGAL DESCRIPTION
FOR
ANX 2010-002**

EXPLANATION: THIS LEGAL DESCRIPTION IS PREPARED FOR THE OREGON DEPARTMENT OF REVENUE FOR THE PURPOSE OF DESCRIBING PARCELS OF LAND AND ROADWAY IN UNINCORPORATED WASHINGTON COUNTY TO BE ANNEXED TO THE CITY OF BEAVERTON, LOCATED SOUTH OF N.W. CORNELL ROAD AND WEST OF N.W. 119TH AVENUE, WASHINGTON COUNTY, OREGON.

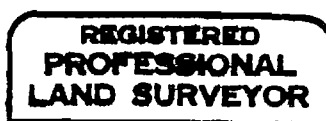
BEING ALL OF PARCEL ONE (1) AS SHOWN IN RECORD OF SURVEY 29867 PROPERTY LINE ADJUSTMENT RECORDED IN THE WASHINGTON COUNTY RECORDERS OFFICE, WASHINGTON COUNTY, LYING IN THE SOUTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT C OF WILLAMETTE RIDGE SUBDIVISION PLAT RECORDED AS DOCUMENT 2006078026 ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF N.W. CORNELL ROAD, IN THE WASHINGTON COUNTY RECORDERS OFFICE;

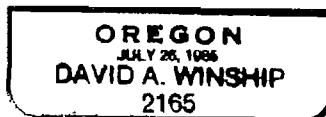
1. THENCE SOUTH 22°31'47" WEST, ALONG TRACT C WILLAMETTE RIDGE SUBDIVISION A DISTANCE OF 273.76 FEET;
2. THENCE NORTH 33°52'28" WEST, A DISTANCE OF 70.98 FEET;
3. THENCE NORTH 21°30'11" WEST, A DISTANCE OF 154.78 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. CORNELL ROAD;
4. THENCE CONTINUING NORTH 21°30'11" WEST, A DISTANCE OF 90.69 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID N.W. CORNELL ROAD AND SOUTH LINE OF LOT 51 OF HICKETHIER PARK SUBDIVISION;
5. THENCE NORTH 68°35'48" EAST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 73.05 FEET TO A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 455.46 FEET;
6. THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 301.38 FEET HAVING A CHORD BEARING OF NORTH 87°33'12" EAST WITH A CHORD LENGTH OF 295.91 FEET TO THE EAST RIGHT OF WAY LINE OF N.W. 119TH AVENUE;
7. THENCE SOUTH 00°53'23" WEST, ALONG THE EXTENSION LINE OF THE EAST RIGHT OF WAY LINE OF N.W. 119TH AVENUE, A DISTANCE OF 93.39 FEET TO THE SOUTH RIGHT OF WAY LINE OF N.W. CORNELL RIGHT OF WAY TO A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 1318.24 FEET;
8. THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING COURSES TO THE POINT OF BEGINNING, NORTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 1.06 FEET, WITH A CHORD BEARING OF NORTH 73°44'46" WEST, WITH A CHORD LENGTH OF 1.06 FEET;
9. THENCE NORTH 73°43'23" WEST, A DISTANCE OF 30.03 FEET;
10. THENCE NORTH 79°00'20" WEST, A DISTANCE OF 70.38 FEET TO A NON-TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 755.00 FEET;
11. THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 28.95 FEET, WITH A CHORD BEARING OF SOUTH 85°03'06" WEST, WITH A CHORD LENGTH OF 28.95 FEET TO THE POINT OF BEGINNING.

HAVING AN AREA OF 58,028 SQUARE FEET, 1.33 ACRES

BASIS OF BEARING: IS NORTH 68°26'37" EAST, ALONG THE CENTERLINE OF N.W. CORNELL ROAD, AS SHOWN ON RECORD OF SURVEY No. 29867, IN THE WASHINGTON COUNTY RECORDERS OFFICE, WASHINGTON COUNTY, OREGON.

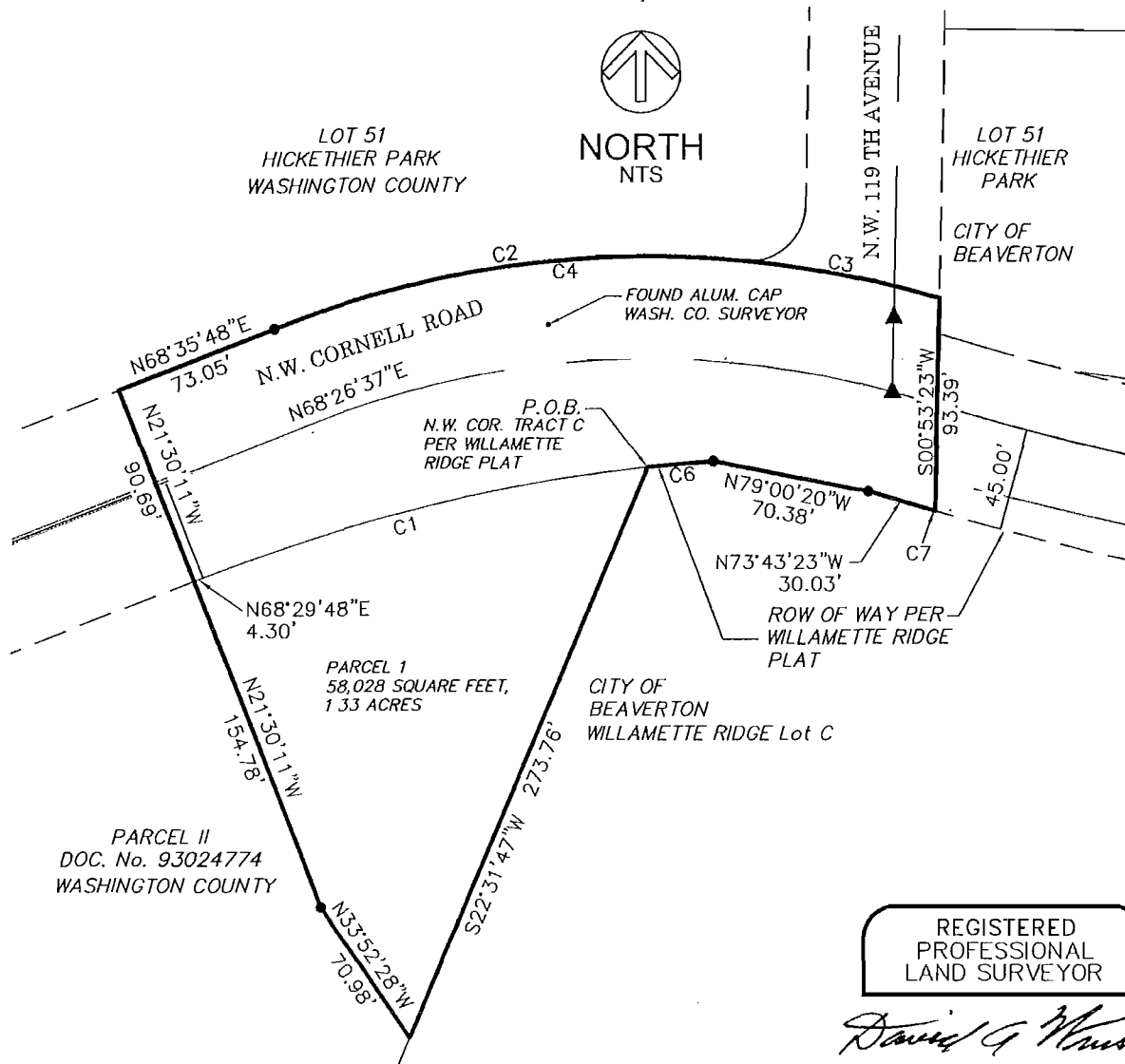


David A. Winship



Expires 6/30/12

EXHIBIT B
ANX 2010-0002 EXHIBIT MAP
 A PARCEL OF LAND LYING IN
 SW 1/4 OF SECTION 34, T.1N., R.1W., W.M.,
 WASHINGTON COUNTY, OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

David A. Winship

OREGON
JULY 26, 1985
DAVID A. WINSHIP
2165

RENEWAL DATE 06/30/12

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	755.00'	203.65'	203.03'	N 76°13'26" E	15°27'17"
C2	455.46'	212.93'	210.99'	N 81°59'23" E	26°47'08"
C3	455.45'	88.45'	88.32'	N 79°03'14" W	11°07'38"
C4	455.46'	301.38'	295.91'	N87°33'12"E	37°54'47"
C6	755.00'	28.95'	28.95'	S85°03'06"W	02°11'50"
C7	1318.24'	1.06'	1.06'	N73°44'46"W	00°02'46"

Y:\SURV\martin\2010\annexations\anx2010-002\anx-2010-002.dwg

SHEET 1 OF 1



EXHIBIT MAP FOR
ANX 2010-0002
LEGAL DESCRIPTION

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

JOB NO:10-0002
DATE: 04.20.10

DRAWN BY: MTS
CHECKED BY: MTS

APPROVED BY:

REVISION: _____

REVISION: _____

City of Beaverton Urban Service Area and Corporate Limits Annexation Policies

A. City of Beaverton Urban Service Area Policy

The City remains committed to annexing its urban services area over time, but the City will be selective regarding the methods of annexation it chooses to use. The City of Beaverton prefers to avoid use of annexation methods that may force annexation against the will of a majority of voters in larger unincorporated residential neighborhoods. The City is, however, open to annexation of these areas by other means where support for annexation is expressed, pursuant to a process specified by State law, by a majority of area voters and/or property owners. The City is open to pursuing infrastructure/service planning for the purposes of determining the current and future needs of such areas and how such areas might best fit into the City of Beaverton provided such unincorporated residents pursue an interest of annexing into the City.

B. City of Beaverton Corporate Limits Policy

The City of Beaverton is committed to annexing those unincorporated areas that generally exist inside the City's corporate limits. Most of these areas, known as "islands", generally receive either direct or indirect benefit from City services. The Washington County 2000 Policy, adopted in the mid-1980s, recognizes that the County should not be a long-term provider of municipal services and that urban unincorporated areas including unincorporated islands should eventually be annexed to cities. As such, primarily through the use of the 'island annexation method', the City's objectives in annexing such areas are to:

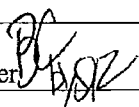
- Minimize the confusion about the location of City boundaries for the provision of services;
- Improve the efficiency of city service provision, particularly police patrols;
- Control the development/redevelopment of properties that will eventually be within the City's boundaries;
- Create complete neighborhoods and thereby eliminate small pockets of unincorporated land; and
- Increase the City's tax base and minimize increasing the City's mill rate.

In order to achieve these stated objectives, the City chooses to generally pursue the following areas for 'island annexation' into the City of Beaverton:

- Undeveloped property zoned for industrial, commercial uses or mixed uses;
- Developed or redevelopable property zoned for industrial, commercial or mixed uses;
- Undeveloped or redevelopable property zoned for residential use;
- Smaller developed property zoned residential (within a neighborhood that is largely incorporated within the City of Beaverton).

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Action-Land Use & Transportation (CPO 1)
Agenda Title: RECONSIDER AN ANNEXATION REQUEST FROM THE CITY OF BEAVERTON
Presented by: Brent Curtis, Planning Manager 

SUMMARY:

On May 4, 2010, the Board acted to reconsider its action on April 27, 2010 concerning a request from the City of Beaverton to annex a Tualatin Hills Park & Recreation District (THPRD) property located outside of Area "A" of the 2004 Beaverton-Washington County Intergovernmental Interim Urban Services Plan. The city's new request asks the Board to also authorize annexation of the adjacent public right-of-way along NW Cornell Road. The attached map shows the THPRD property previously authorized and the subject adjacent road right-of-way.

The THPRD property is located at 12050 NW Cornell Road. The historic John Quincy Adams Young house is on the site. The site is located adjacent to Cedar Mill falls. THPRD would like to annex their property and the adjacent NW Cornell Road right-of-way to the city in order to simplify the land use and building review processes for the construction of a boardwalk by consolidating them under one jurisdiction versus two jurisdictions. The boardwalk will be constructed on the adjacent residential development in Beaverton and end on the THPRD property.

The 2004 Beaverton-Washington County Intergovernmental Agreement Interim Urban Services Plan specifies that the County may provide the City with written consent to initiate or accept a specific annexation in the area outside of that shown on Map "A" upon a request from the City. The subject parcel and road right-of-way are located outside of Area "A" as shown on the attached vicinity map.

Attachments: City of Beaverton requests (May 3, 2010 and February 11, 2010), map of subject areas, and vicinity map of affected area of Maps "A" and "B"

DEPARTMENT'S REQUESTED ACTION:

Approve the requests from the City of Beaverton authorizing annexation of the THPRD site and its adjacent NW Cornell Road right-of-way.

COUNTY ADMINISTRATOR'S RECOMMENDATION:

APPROVED WASHINGTON COUNTY
BOARD OF COMMISSIONERS

MINUTE ORDER # 10-146

DATE 5-11-10

BY Barbara Hejmanek
CLERK OF THE BOARD

100-601000

Agenda Item No. _____
Date: <u>5-11-10</u>



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 TEL: (503) 526-2481 Fax (503) 526-2571

DENNY DOYLE
MAYOR

May 3, 2010

Chair Tom Brian
Washington County
155 N First Avenue, Suite 300
Hillsboro, OR 97124-3072

Dear Chair Brian:

The City of Beaverton recently received a letter from the Tualatin Hills Parks and Recreation District (THPRD) requesting annexation of property located at 12050 NW Cornell Road which supports the John Quincy Adams Young House. On April 27th the Washington County Board of Commissioners approved the petition to annex the property.

Subsequent to that approval, City staff reviewed the proposed annexation request and would like to amend the request to include the annexation of a segment of NW Cornell Road adjacent to the subject parcel. This segment of street is highlighted on the enclosed map (identified as Exhibit A). This request is being made to conform with the City's preference that annexations involving specific tax lots include adjacent street right-of-way and underlying utilities so that services that affect the property may be included as part of the initial boundary expansion.

If you would present this proposal to the Board of County Commissioners for consideration and provide the City with a written response, we would appreciate it. If the County affirms this request, the City of Beaverton will proceed with our normal voluntary annexation procedures to move this forward.

If you have questions, please contact Jeff Salvon, Associate Planner, at (503) 526-3725.

Sincerely,

Denny Doyle
Mayor

c: Board of Commissioners
Bob Davis, County Administrator
Hal Bergsma, THPRD

Enclosures: Vicinity Map (Exhibit A)
Agenda Bill item 6.a dated 4/27/10



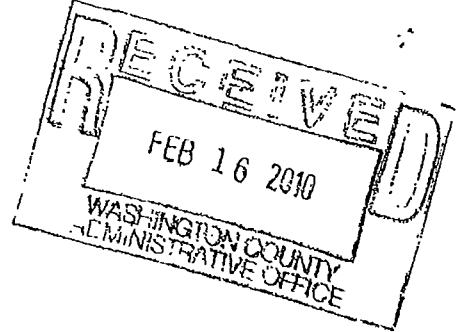
CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755; Beaverton, OR 97076 TEL: (503) 526-2481 Fax (503) 526-2571

February 11, 2010

DENNY DOYLE
MAYOR

Mr. Tom Brian, Chair
Washington County Board of Commissioners
155 N First Avenue, Suite 300
Hillsboro, OR 97124-3072



Dear Tom:

The City of Beaverton received a letter from the Tualatin Hills Parks and Recreation District (THPRD) requesting annexation of property located at 12050 NW Cornell Road. This parcel currently supports the John Quincy Adams Young House and is located adjacent to Cedar Mill falls.

As stated in the letter, the developer of the adjacent property to the east is proposing to build a boardwalk that will provide a viewpoint for the falls and involve a small segment of the THPRD property to the west. As the adjacent property is part of the City of Beaverton, THPRD would like to pursue annexation in order to simplify the development process so that the proposed development will be subject to a single review process.

The 2004 Beaverton-Washington County Intergovernmental Agreement Interim Urban Services Plan specifies that "[the] COUNTY may provide CITY with written consent to initiate or accept a specific annexation in the area outside of that shown on Map 'A' upon a request from CITY". As the subject parcel is located outside of Area 'A' as specified in the agreement, the City of Beaverton would like to request that Washington County authorize City annexation of the subject parcel in order to assist the District in their development objectives. Please consider this request and provide the City with a written response.

Thank you for your consideration and we look forward to hearing from you. If you have questions, please contact Barbara Fryer, Senior Planner, at 503-526-3718.

Sincerely,

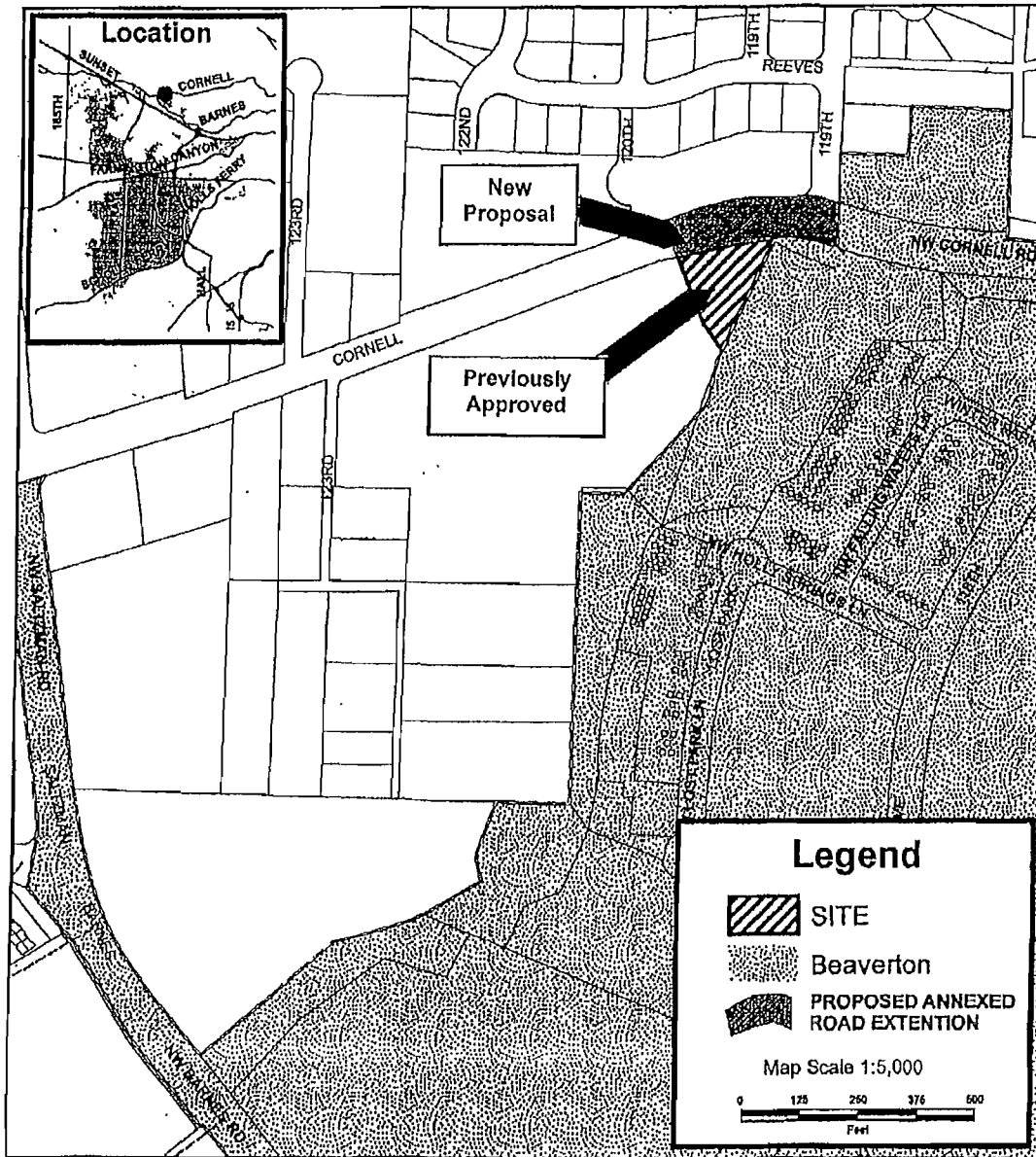
Denny Doyle
Mayor

c: Board of Commissioners
Bob Davis, County Administrator
Hal Bergsma, THPRD

Enclosures: Vicinity Map
THPRD Letter dated 2/3/10

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 32



City of Beaverton

Historic John Quincy Adams Young House
12050 NW CORNELL RD PROPOSED ANNEXATION

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

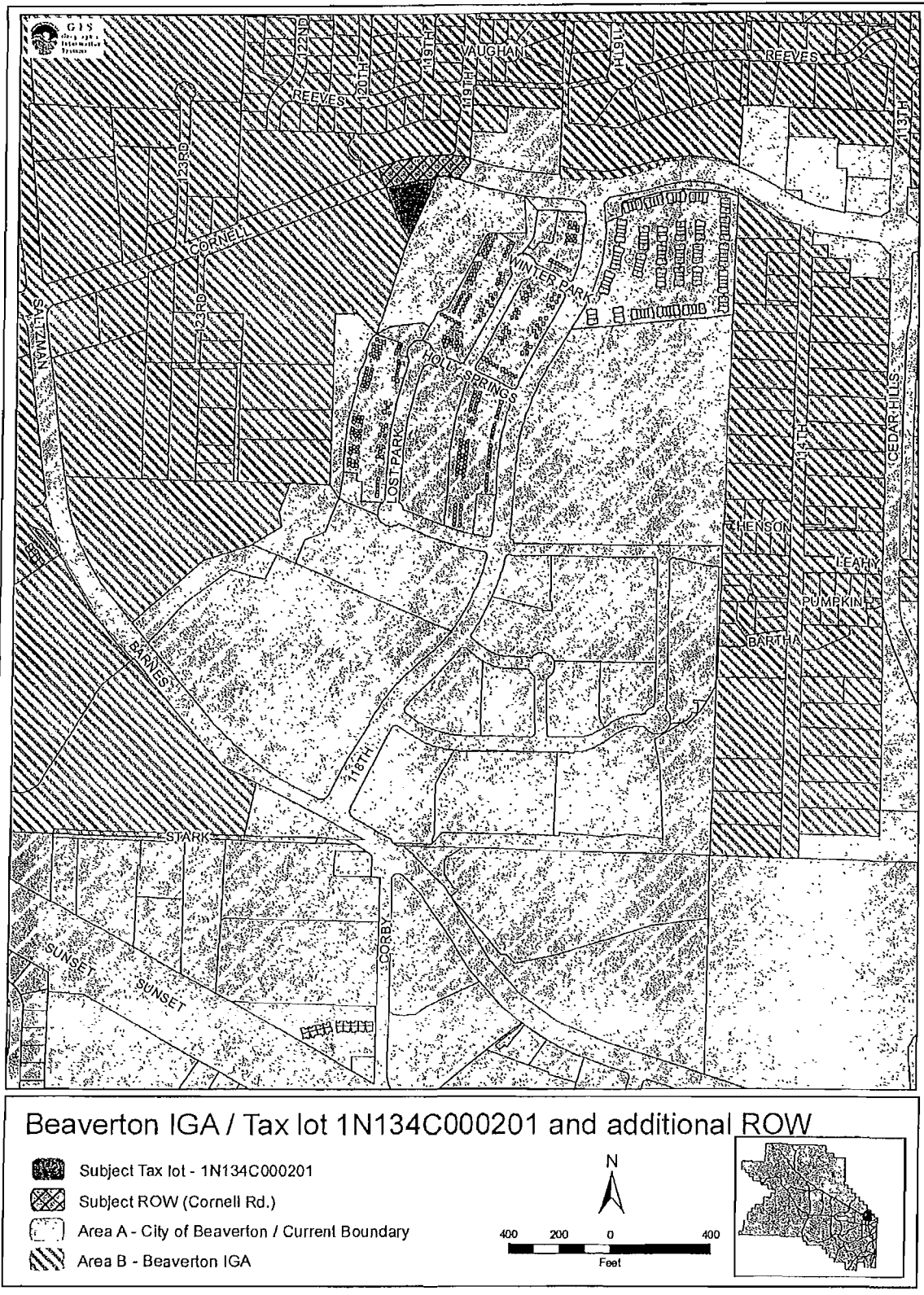
05/03/10

Tax Lot #'s
1N124C000201

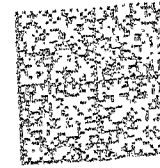
Application #
ANX2010-0002



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FIRST CLASS



UNITED STATES POSTAGE
\$ 02.75⁰⁰
0004873521 JUL 27 2001
MAILED FROM ZIP CODE 97001



City of Beaverton
Community Development Department
4755 S.W. Griffith Drive
P.O. Box 4755
Beaverton, OR 97076

TO:

**ATTENTION:PLAN AMENDMENT
SPECIALIST
DEPARTMENT OF LAND
CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OR 97301-2540**