



NOTICE OF ANNEXATION

To Whom It May Concern:

On August 16, 2022, Beaverton City Council approved the following annexation:

Case File	Size	Taxable Assessed Value	Dwelling Units	Ordinance No.	Effective Date
ANX2022-0002	2.157 acres	\$203,020	1	4825	After the subdivision final plat is recorded with Washington County and the annexation is filed with the Secretary of State

The complete case file is available for review by contacting the City Recorder's Office (12725 SW Millikan Way, 5th Floor, Beaverton, OR 97005) at 503-526-2497 or citymail@beavertonoregon.gov.

For more information about the project, please contact Lina Smith, Associate Planner, at 971-313-4244 or lsmith@beavertonoregon.gov.

Sincerely,

A handwritten signature in black ink that reads "Lina Smith". The signature is fluid and cursive, with the first name "Lina" written in a larger, more prominent script than the last name "Smith".

Lina Smith
Associate Planner



ORDINANCE NO. 4825

AN ORDINANCE ANNEXING PROPERTIES AT 11375 AND 11475 SOUTHWEST WALKER ROAD; WITHDRAWING THE PROPERTIES FROM THE TUALATIN VALLEY WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, AND WASHINGTON COUNTY URBAN ROAD MAINTENANCE DISTRICT; AND ADDING THE PROPERTIES TO THE CENTRAL BEAVERTON NEIGHBORHOOD ASSOCIATION COMMITTEE; ANX 2022-0002

WHEREAS, ORS 222.125 grants the City of Beaverton (City) authority to initiate an expedited annexation process with the consent of all landowners of the territory to be annexed; and

WHEREAS, the owner of the properties at 11375 and 11475 Southwest Walker Road, identified as Tax Lots 06500 and 06600 on Washington County Tax Assessor's Map 1S110AC (Properties), signed and recorded an annexation agreement with the City on March 11, 2022; and

WHEREAS, the owner of the Properties submitted a petition to annex into the City on February 14, 2022; and

WHEREAS, the Properties are 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 Council finds that the City complied with the criteria and notice provisions of Metro Code Section 3.09.045 for expedited annexations; and

WHEREAS, Council Resolution No. 3785 sets forth annexation policies for the City, and this action implements those policies;

WHEREAS, on August 16, 2022, Council held a hearing to consider the proposed annexation; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The Properties — described in **Exhibit A** and shown on **Exhibit B**, which are attached and incorporated by these references — are annexed to the City of Beaverton.

Section 2. As outlined in the March 11, 2022, annexation agreement between the owner of the Properties and the City — which is attached as **Exhibit C** and incorporated by this reference — the annexation shall not be submitted to Metro and the State for final processing until the City is informed in writing that the final plat reflecting subdivision of the Properties is recorded at Washington County.

Section 3. The annexation shall be effective on the date the ordinance is filed with the Secretary of State as specified by ORS 222.180.

Section 4. Pursuant to Beaverton Code Section 9.06.035(A), the Properties shall be added to the Central Beaverton Neighborhood Association Committee Boundary.

Section 5. The Council withdraws the Properties from the Tualatin Valley Water District, Washington County Enhanced Sheriff's Patrol District, and Washington County Urban Road Maintenance District.

Section 6. The Council adopts the staff report attached as **Exhibit D**, which is attached and incorporated by this reference, and finds that this annexation meets all applicable approval criteria.

Section 7. 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 after the City is informed in writing that the final plat reflecting subdivision of the Properties is recorded at Washington County.

Section 8. 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.

Section 9. The Council authorizes the City Attorney to approve the final form of the metes and bounds legal description of the Properties annexed by this ordinance (as shown in **Exhibits A and B**), and to incorporate any revisions needed to meet the requirements of the State of Oregon.

First reading the 19th day of July, 2022.

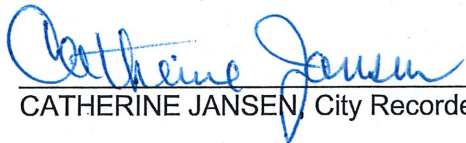
Public hearing the 17th day of August, 2022.

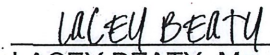
Duly passed by the Council the 17th day of August, 2022.

Signed by the Mayor the 18th day of August, 2022.

ATTESTED:

SIGNED:


CATHERINE JANSEN, City Recorder


LACEY BEATY, Mayor

STATE OF OREGON
COUNTY OF WASHINGTON
CITY OF BEAVERTON

ss CERTIFICATION

I, CATHERINE JANSEN, Recorder for the City of Beaverton, Washington County, Oregon, certify and attest that I have compared this copy with its original and determined this instrument is a true and correct copy of the original which is part of the official records of the City of Beaverton, Oregon.

Dated this 19th day of AUGUST, 2022.


RECORDER, City of Beaverton

LYNNRIDGE ESTATES

ANNEXATION AREA DESCRIPTION

PARTITION PLAT NO. 2000-021 (RECORDED AS DOCUMENT NO. 2000-22407), LOCATED IN THE SOUTHWEST ONE-QUARTER THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN WASHINGTON COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "SUMMERS PLS 1042" MARKING THE NORTHWEST CORNER OF SAID PLAT;

THENCE SOUTH 70°46'48" EAST ALONG THE NORTH LINE OF SAID PLAT, 274.98 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "LAND TECH" MARKING THE NORTHEAST CORNER OF SAID PLAT;

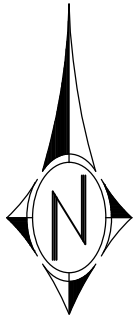
THENCE SOUTH 19°11'51" WEST ALONG THE EAST LINE OF SAID PLAT, 344.83 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SW WALKER ROAD;

THENCE NORTH 69°29'47" WEST ALONG SAID RIGHT-OF-WAY LINE, 274.90 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "SUMMERS PLS 1042" MARKING THE SOUTHWEST CORNER OF SAID PLAT;

THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 19°10'19" EAST ALONG THE WEST LINE OF SAID PLAT, 338.67 FEET TO THE NORTHWEST CORNER THEREOF AND THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 2.157 ACRES

EXHIBIT B - Ordinance No. 4825



SCALE: 1" = 60'

POINT OF BEGINNING

S70°46'48"E 274.98'

PARCEL 2
(1S110AC - 6600)

N19°10'19"E 338.67'

PARCEL 1
(1S110AC - 6500)

PARTITION PLAT NO. 2000-021

S19°11'51"W 344.83'

N69°29'47"W 274.90'
SW WALKER ROAD

LOT 5

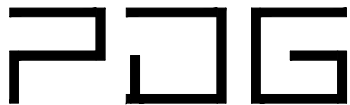
LOT 4

LOT 3

"LYNNWOOD NO. 2"
BLOCK 1

PDG JOB NO.: 285-019	DATE: 12/06/21	SCALE: 1"=60'	REVISION 1 05/26/22 - POINT OF BEGINNING ADDED
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ANNEXATION EXHIBIT



PIONEER DESIGN GROUP, INC.

9020 SW WASHINGTON SQUARE RD
SUITE 170
PORTLAND, OREGON 97223
p 503.643.8286
www.pd-grp.com

PARTITION PLAT NO. 2000-021
ALSO BEING TAX LOTS 6500 & 6600, TAX MAP 1S110AC
AND LOCATED IN THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE WILLAMETTE
MERIDIAN, WASHINGTON COUNTY, OREGON

Washington County, Oregon

2022-017767**D-IPPS**

Stn=61 N MEJIA

03/11/2022 02:41:00 PM

\$40.00 \$11.00 \$5.00 \$60.00

\$116.00

I, Joe Nelson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Joe Nelson, Director of Assessment and Taxation, Ex-Officio County Clerk

AFTER RECORDING, RETURN TO:

City of Beaverton
PO Box 4755
Beaverton, OR 97076

ANNEXATION AGREEMENT

This Annexation Agreement ("Agreement") is between the City of Beaverton, an Oregon municipal corporation ("City"), and Evengel Mission US HEA & IDQ ("Evengel Mission"), collectively, the "Parties." This Agreement shall be effective when signed by all Parties.

RECITALS

- A. This Agreement concerns the property generally described as Washington County ("County") 11375 and 11475 SW Walker Road (the "Property").
- B. The Property is shown on the survey attached as Exhibit 1 and is legally described in Exhibit 2, which are attached and incorporated by these references. It is contiguous to the jurisdictional limits of the City.
- C. The Property is subject to a purchase and sale agreement between Evengel Mission US HEA & IDQ and Westwood Homes LLC.
- D. Westwood Homes LLC intends to subdivide the Property into 10 lots, demolish the existing structures, and construct a detached single dwelling on each lot.
- E. Westwood Homes LLC has obtained County land use approval for subdivision of the property and the necessary infrastructure development permits. The City issued a service provider letter confirming that it can receive stormwater service from the City provided that annexation occurs.
- F. The City represents that it is ready, willing, and able to provide stormwater services to the Property as needed on the conditions described in this Agreement.
- G. The developer will be required to acquire a Facilities Connection (FC) permit from the City for stormwater services, prior to construction of the subdivision.
- H. Subsequent to annexation, Westwood Homes LLC will apply to the City for building permits, and any other permits required, to construct homes on the subdivided properties pursuant to City regulations in place at the time of application.
- I. The Parties wish to annex the properties into the City and intend to submit an annexation petition to begin the process pursuant to Metro Code 3.09.045 "Expedited Annexations," and ORS 222.125 "Annexation by Consent."

- J. The City will initiate the annexation process pursuant to state, regional, and city requirements no more than 30 days after receipt of the petition to annex; however, the annexation ordinance shall specify that the annexation shall not be submitted to Metro and the State for final processing until the City is informed in writing that the final plat reflecting the subdivision of the Property is recorded at Washington County.

NOW THEREFORE, the Parties agree as follows:

AGREEMENT

1. Consent to Annexation

Evengel Mission consents to annexation of the Property by the City, subject to the terms of this Agreement.

2. Application for Annexation

Evengel Mission, as owner of the property, will file an irrevocable annexation petition within 14 days of the signing of this Agreement. Unless informed in writing by Evengel Mission that it wishes to proceed with the annexation earlier, the City will delay submitting the Council-adopted annexation ordinance to Metro and the State until it is confirmed in writing that the final plat is recorded at the County.

3. Service Connections

Once this Agreement is executed by Evengel Mission and the City, Westwood Homes LLC may seek all necessary stormwater connections, subject to compliance with the City's adopted engineering design manual, construction requirements, and all other applicable standards. The City shall issue all necessary permits required for construction and connection to the City's stormwater system that comply with all City standards.

4. Land Use Actions

To facilitate the development of the Property, the City will:

A. Initiate processing of the irrevocable annexation petition within 30 days of receipt of the irrevocable annexation petition, but delay the effective date of the annexation until after the final plat is recorded at the County.

B. Concurrently with the processing of the annexation petition, or following its approval, process a Comprehensive Plan Map Amendment and a Zoning Map Amendment application to apply city land use and zoning designations to the Property. Any such map amendments must comply with the Beaverton-Washington County Urban Planning Area Agreement.

5. Withdrawal from Districts

Upon annexation, the City will withdraw the Property from the Washington County Enhanced Sheriff's Patrol District and the Tualatin Valley Water District. Sanitary sewer service will be provided by the City pursuant to the Intergovernmental Agreement with Clean Water Services, and water service will be provided by the City pursuant to the Intergovernmental Agreement with Tualatin Valley Water District.

6. Property Tax

The Property will be subject to the city's full property tax rate as of the effective date the Property is added to the City taxing district by the County tax assessor.

7. Covenants Running with the Land

The provisions of this Agreement touch and concern the Property. This Agreement shall constitute a covenant running with the Property, and it shall be binding on and enforceable by the Parties and their successors and assigns. This Agreement shall be recorded in the deed records of Washington County.

8. Assignment

No Party may assign any of its rights or responsibilities under this Agreement without the prior written consent of the other Party, which consent shall not be unreasonably withheld or delayed; provided, however, City's consent shall not be required for Evengel Mission's sale of the Property to one or more third parties.

9. Modification of Agreement

This Agreement may only be modified in a writing signed by the Parties, their successors or assigns, which writing shall be recorded as an amendment to this Agreement.

10. Termination

This Agreement shall be deemed void and have no further effect if the land use approvals granted by the County, as described in the recitals above, expire and a new land use approval is necessary for the Project.

11. Authorization

The Parties represent that they are authorized by their respective entities to enter into this Agreement and that each person signing this Agreement is duly authorized to do so on behalf of the respective Party.

12. Successors and Assigns

This Agreement shall bind and inure to the benefit of the Parties and their successors and assigns.

13. No Third-Party Beneficiaries

The Parties are the beneficiaries of this Agreement and no person or entity other than the Parties shall be construed to have any rights, powers or authority pursuant to the terms in this Agreement, provided that successors and assigns of Evengel Mission shall be entitled to the rights, powers and authority of their predecessors or assignors. Nothing provided in this Section is intended to diminish the obligations of the Parties to negotiate in good faith with one another and to enter into a binding and mutually agreeable annexation agreement.

14. Severability

The invalidity of any section, subsection, paragraph, sentence, or phrase of this Agreement, or the attached exhibits, will not affect the validity of the remaining portions of this Agreement.

15. Construction

In construing this Agreement, singular pronouns shall be taken to mean and include the plural, and the masculine pronoun shall be taken to mean and include the feminine and the neuter, as the context may require.

16. Governing Law, Venue, Consent to Jurisdiction.

This Agreement shall be governed by Oregon law, without regard to principles of conflicts of law. Any action or suit to enforce or construe any provision of this Agreement by any Party must be brought in the Circuit Court of the State of Oregon for Washington County or, if the action or suit must be brought in a federal forum, the United States District Court for the District of Oregon in Portland, Oregon. Each Party, by execution of this Agreement, consents to the personal jurisdiction of said courts.

17. Counterparts

This Agreement may be executed in one or more counterparts, all of which shall be considered one and the same agreement and shall be effective when one or more counterparts have so been signed and delivered by each of the Parties.

CITY OF BEAVERTON,
an Oregon municipal corporation.

By: [Signature]
Jenny Haruyama, City Manager

STATE OF OREGON)
) ss.
County of Washington)

On this day before me personally appeared Jenny Haruyama, the City Manager of the City of Beaverton, an Oregon municipal corporation, and acknowledged this instrument to be the free and voluntary act of such city.

Given under my hand and official seal this 16 day of February, 2022.



[Signature]
NOTARY PUBLIC for Oregon
My Commission Expires: September 28, 2024

APPROVED AS TO FORM:

By: [Signature]
Megan Thornton
Assistant City Attorney

SIGNATURES CONTINUE ON FOLLOWING PAGE

EVENGEL MISSION US HEA & IDQ

By: Shinichi Tagami
Shinichi Tagami
President

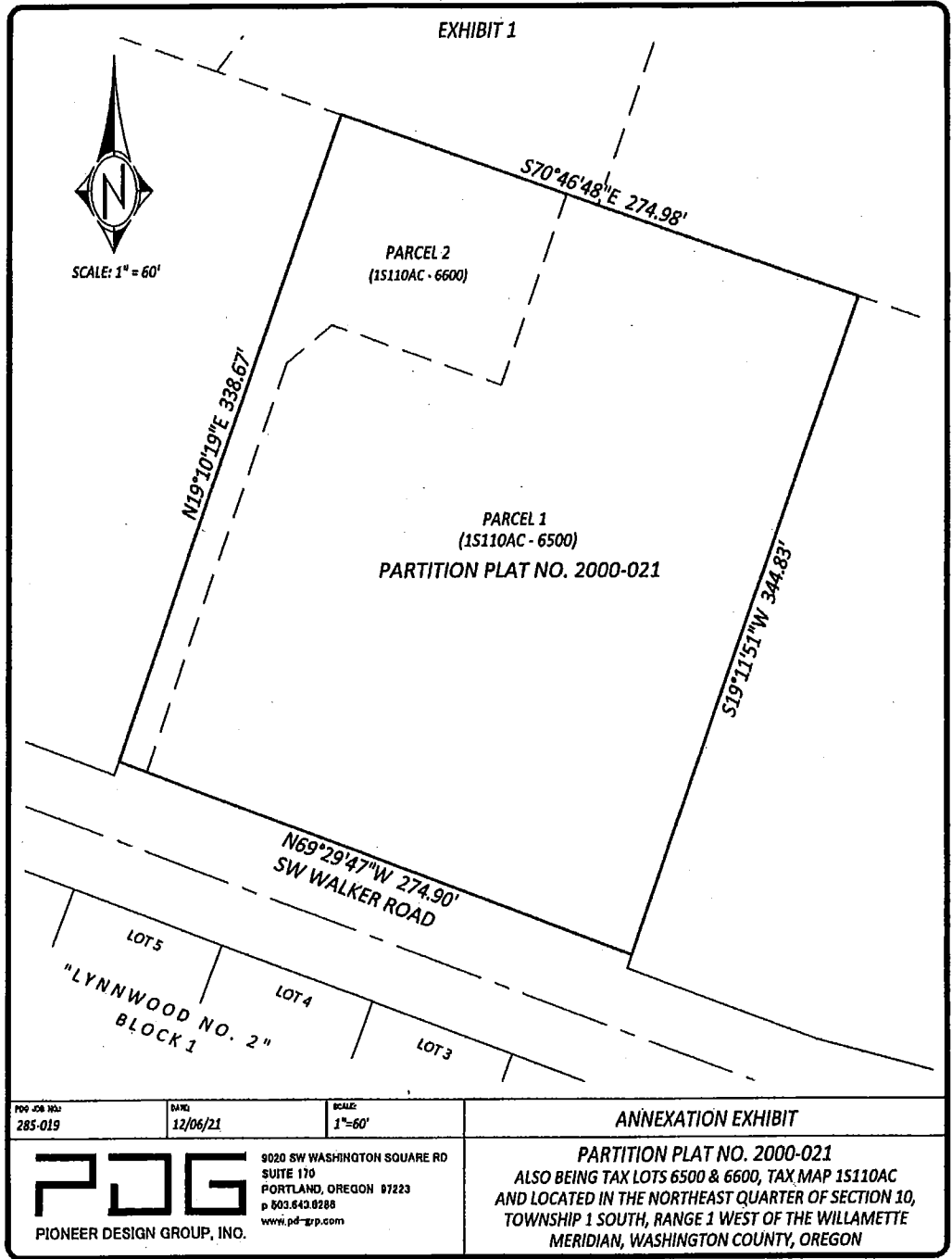
STATE OF OREGON)
) ss.
County of Washington)
)
Japan
Prefecture of Okinawa
City of Naha
Consulate General of the
United States of America } SS

On this day before me personally appeared Shinichi Tagami, President of Evengel Mission US HEA & IDQ and acknowledged this instrument to be the free and voluntary act of such corporation, for the uses and purposes therein mentioned.

Given under my hand and official seal this 14th day of January, 2022.

Susan Dunathan
Consul
Susan Dunathan
NOTARY PUBLIC for _____
My Commission Expires: **INDEFINITE**

EXHIBIT 1
Survey



7 - ANNEXATION AGREEMENT

EXHIBIT 2
Legal Description

LYNNRIDGE ESTATES

PARTITION PLAT NO. 2000-021 (RECORDED AS DOCUMENT NO. 2000-22407), LOCATED IN THE SOUTHWEST ONE-QUARTER THE NORTHEAST ONE-QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN WASHINGTON COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "SUMMERS PLS 1042" MARKING THE NORTHWEST CORNER OF SAID PLAT;

THENCE SOUTH 70°46'48" EAST ALONG THE NORTH LINE OF SAID PLAT, 274.98 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "LAND TECH" MARKING THE NORTHEAST CORNER OF SAID PLAT;

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THENCE NORTH 69°29'47" WEST ALONG SAID RIGHT-OF-WAY LINE, 274.90 FEET TO A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "SUMMERS PLS 1042" MARKING THE SOUTHWEST CORNER OF SAID PLAT;

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CONTAINING APPROXIMATELY 2.157 ACRES



EXHIBIT D - Ordinance No. 4825

CITY OF BEAVERTON
Planning Division
Community Development Department
Tel: 503-526-2420
www.beavertonoregon.gov

STAFF REPORT

Report Date: June 28, 2022

Application/Project Name: Walker Road Annexation

Application Number: ANX2022-0002

Proposal: Expedited annexation of 11375 and 11475 SW Walker Road; withdrawing the properties from the Tualatin Valley Water District, Washington County Enhanced Sheriff's Patrol District, and Washington County Urban Road Maintenance District; and adding the properties to the Central Beaverton Neighborhood Association Committee.

Proposal Location: 11375 and 11475 SW Walker Road, specifically identified as Tax Lots 06500 and 06600 on Washington County Tax Assessor's Map 1S110AC.

Applicant: City of Beaverton

Recommendation: APPROVAL of ANX2022-0002

Contact Information:

City Staff Representative: Lina Smith, Associate Planner
971-313-4244
lsmith@beavertonoregon.gov

Property Owner: Westwood Homes, LLC
12700 NW Cornell Road
Portland, OR 97229

Existing Conditions

Zoning: The subject properties are currently zoned Washington County R-5.

Surrounding Zoning:

- North: Washington County R-5
- South: Interim Washington County and Washington County R-5
- East: Washington County R-5
- West: Washington County R-5

Site Conditions: Tax Lot 6500 is developed with an approximately 3,000-square-foot building, which was previously utilized as a place of worship, and a paved parking lot. Tax Lot 6600 is developed with a single detached dwelling and accessory structures.

Site Size: Approximately 2.16 acres.

Location: 11375 and 11475 SW Walker Road, specifically identified as Tax Lots 06500 and 06600 on Washington County Tax Assessor's Map 1S110AC.

Neighborhood Association Committee (NAC): The subject property is not in a NAC but is adjacent to the Central Beaverton NAC.

Application Information

Table 1: Application Summary

Application	Application Type	Proposal Summary	Approval Criteria Location
ANX2022-0002	Annexation	Annex 11375 and 11475 SW Walker Road	Metro Code Section 3.09.045 Expedited Decisions

Table 2: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day
ANX2022-0002	Feb. 14, 2022	Feb. 14, 2022	N/A	N/A

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Analysis and Findings for Annexation Approval Criteria

Metro Code Section 3.09.045 Expedited Decisions

- A. The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

FINDING:

The proposal is to annex 11375 and 11475 SW Walker Road, specifically identified as Tax Lots 06500 and 06600 on Washington County Tax Assessor's Map 1S110AC. The City of Beaverton received a Petition for Consent Annexation signed by 100 percent of the owners of Tax Lots 06500 and 06600 on February 14, 2022. There are no electors on the subject properties. Accordingly, the city may use the expedited decision process for a minor boundary change, and no public hearing is required under Metro Code. City staff notes the subject properties were owned by Evengel Mission US HEA & IDQ when the petition was submitted to the city, but as of the date of this staff report, the properties are owned by Westwood Homes, LLC.

Conclusion: Therefore, staff finds that the proposal satisfies Section 3.09.045(A).

- B. The expedited process must provide for a minimum of 20 days' notice prior to the date set for decision to all necessary parties and other persons entitled to notice by the laws of the city or Metro. The notice shall state that the petition is subject to the expedited process unless a necessary party gives written notice of its objections to the boundary change.

FINDING:

Metro Code Section 3.09.020.J defines necessary party as "any county; city; district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory or who provides any urban service to any portion of the affected territory; Metro; or any other unit of local government, as defined in ORS 190.003, that is party to any agreement for provision of an urban service to the affected territory." Staff mailed notice of the proposal to necessary parties at least 20 days prior to the date set for the first reading of the annexation ordinance (July 19, 2022). The notice stated that the petition is subject to the expedited process unless a necessary party gives written notice of its objections to the boundary change.

Conclusion: Therefore, staff finds that the proposal satisfies Section 3.09.045(B).

- 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 extraterritorial extensions of service;

FINDING:

This staff report was posted on the city's website no later than July 12, 2022, which is seven days prior to the first reading of the annexation ordinance at the July 19, 2022, City Council meeting and 35 days before the public hearing on August 16, 2022.

Critical and essential urban services are available to the subject properties by Washington County and area special service districts. Annexation of the properties will mean a transfer of some services. The proposed annexation does not entail extraterritorial extensions of city services. More information on each urban service is provided below:

Public Water: The subject properties are currently served by the Tualatin Valley Water District (TVWD). Water service can be provided to the properties by connecting to an existing 8-inch water main in SW Walker Road. After the annexation is finalized, the properties will be withdrawn from the TVWD water service area and will be transferred to the City of Beaverton water service area.

Public Sanitary Sewer: There are two existing 8-inch sanitary sewer mains that run adjacent to the site's southern and eastern property lines. These sanitary sewer mains are currently owned by Clean Water Services (CWS), and the city will take over jurisdiction and maintenance of these lines upon annexation.

Stormwater Drainage: In September 2021, Westwood Homes, LLC, obtained land use approval from Washington County for a 10-lot subdivision on the subject properties. To provide stormwater service to the new development, the properties must connect to an existing 12-inch city stormwater main in the SW Walker Road right of way and annex into the City of Beaverton. Accordingly, Evengel Mission US HEA & IDQ signed and recorded an agreement consenting to annexation on March 11, 2022, which is attached to the ordinance as Exhibit C. The agreement confirms that the city is ready, willing, and able to provide stormwater service to the new subdivision, but the annexation will not be submitted to Metro, the Department of Revenue, or the Secretary of State to be finalized until after the subdivision final plat has been recorded with Washington County.

Transportation: The subject site fronts on SW Walker Road, which is a Washington County arterial street. Jurisdiction and maintenance responsibilities for SW Walker Road will not change as a result of this annexation. The portion of SW Walker Road that abuts the site is already located within city boundaries; therefore, no additional right of way will be annexed as part of this proposal.

Fire: Tualatin Valley Fire & Rescue (TVF&R) provides fire and ambulance services to the subject site. TVF&R is designated as the long-term service provider to this area and will continue to serve the subject site after annexation.

Schools and Parks: The subject properties are in the Beaverton School District. Because Westwood Homes, LLC, obtained approval from Washington County for a 10-lot residential subdivision on the subject properties, comments from the school district regarding student enrollment and capacity would have been provided to the County prior to subdivision approval. The proposed annexation will not modify school district boundaries or the previously approved subdivision; therefore, the proposed action will not impact the school district's service demands. The properties are in the Tualatin Hills Park & Recreation District and the park district boundaries will remain unaffected by the proposed annexation.

Police Protection: The subject site receives police protection from the Washington County Enhanced Sheriff's Patrol District (ESPD). The site will be withdrawn from the ESPD, and the City of Beaverton 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 a mutual aid agreement.

Planning, Zoning, and Building: Washington County currently provides long-range planning, development review, and building inspection services to the properties. Once the annexation becomes effective, the city will conduct all planning and zoning functions associated with the site. Additionally, the March 11, 2022, annexation agreement specifies that building permits for new residential homes on the subdivided properties must be obtained from the city. At this time, the proposal is only for an annexation. City staff will initiate Comprehensive Plan and Zoning Map Amendment applications for the subject properties at a later date.

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

FINDING:

As part of this annexation, the City of Beaverton is proposing that the subject site be withdrawn from the Tualatin Valley Water District, Washington County Enhanced Sheriff's Patrol District, and Washington County Urban Road Maintenance District. The proposed annexation will not require withdrawal of territory from any other service districts identified as necessary parties, such as Tualatin Valley Fire & Rescue and Tualatin Hills Park & Recreation District.

3. The proposed effective date of the boundary change.

FINDING:

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 J of the March 11, 2022, annexation agreement between the property owner and the city specifies that the annexation will not be submitted to Metro, the Department of Revenue, or the Secretary of State for final processing until the city is informed in writing that the final plat reflecting the subdivision of the subject properties is recorded at Washington County.

Accordingly, the subject properties shown on Exhibit B of the ordinance and described in Exhibit A are hereby annexed to the City of Beaverton, effective after recording of the subdivision final plat with Washington County and upon the date the annexation ordinance is filed with the Secretary of State (as specified by ORS 222.180).

Conclusion: Therefore, staff finds that the proposal satisfies Section 3.09.045(C).

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;

FINDING:

Cooperative, urban service, and/or intergovernmental agreements affecting provision of service to the subject site have been established with all critical and essential special district service providers. This includes Clean Water Services, Tualatin Valley Fire & Rescue, Tualatin Hills Park & Recreation District, Tualatin Valley Water District, and Washington County.

No other ORS Chapter 195 Urban Service Agreements have been executed that would affect this proposed annexation. This action is consistent with existing agreements.

b. Any applicable annexation plan adopted pursuant to ORS 195.205;

FINDING:

The city has not submitted or received voter approval for an annexation plan related to this annexation, so this criterion is not applicable.

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

FINDING:

As noted in the findings above, the city has entered into ORS Chapter 195 cooperative agreements with Clean Water Services, Tualatin Valley Fire & Rescue, Tualatin Hills Park & Recreation District, Tualatin Valley Water District, and Washington County. These agreements call for coordination of planning activities

between each service district and the city. Annexations are not subject to coordination under the agreement language because annexations do not trigger an immediate change in service provision from the special districts. However, the subject districts have been notified of this proposed annexation because they are necessary parties.

- d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

FINDING:

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 that exist in the city: stormwater 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 the city's public facilities plan, the city has effectively agreed to abide by any provisions of that master plan.

The Public Facilities and Services Element of the Washington County Comprehensive Framework Plan for the Urban Area also applies and discusses the adequate provision of facilities and services such as sanitary sewer, water supply and distribution, stormwater drainage, solid waste management, schools, and fire and police protection.

There are two existing 8-inch sanitary sewer mains that run adjacent to the site's southern and eastern property lines. These sanitary sewer mains are currently owned by CWS, and the city will take over jurisdiction and maintenance of these lines upon annexation. Water service can be provided to the properties by connecting to an existing 8-inch TVWD water main in SW Walker Road. After the annexation is finalized, the properties will be withdrawn from the TVWD water service area and will be transferred to the City of Beaverton water service area. As detailed in the March 11, 2022, annexation agreement between the property owner and the city, there is an existing 12-inch city stormwater main in the SW Walker Road right of way abutting the annexation area, and the city is ready, willing, and able to provide stormwater service to the site. The subject site will remain in the service areas for Pride Disposal (solid waste management), Beaverton School District, and TVF&R (fire protection). The subject site will be withdrawn from the Washington County ESPD, and the City of Beaverton will provide police service upon annexation. Accordingly, essential facilities and services are available to the annexation area, and the proposal complies with all applicable public facilities plans.

- e. Any applicable comprehensive plan;

FINDING:

Staff reviewed both city and county comprehensive plan documents and found three applicable plans, described below.

City of Beaverton Comprehensive Plan: There is one policy in the city's Comprehensive Plan that is relevant to annexations. Policy 5.3.1.d states that "the City shall seek to eventually incorporate its entire Urban Service Area." The subject properties are within the Assumed Urban Services Area, which is Figure V-1 of the Comprehensive Plan. The annexation proposal is therefore consistent with the city's Comprehensive Plan.

Washington County Cedar Hills – Cedar Mill Community Plan: The subject site is within the boundaries of Washington County's Cedar Hills – Cedar Mill Community Plan, which is one of a number of planning elements that together comprise the Washington County Comprehensive Plan. This Community Plan shows that the subject site does not contain any Significant Natural or Cultural Resources, and it is not located in any Areas of Special Concern. Accordingly, the proposed annexation will remain consistent with this Community Plan.

Washington County Comprehensive Framework Plan for the Urban Area: There are two policies in Washington County's Comprehensive Framework Plan for the Urban Area that are relevant to annexations. The relevant policies are:

- **Policy 3, Intergovernmental Coordination:** It is the policy of Washington County to effectively coordinate its planning and development efforts with federal, state, and other local governments and special districts to ensure that the various programs and activities undertaken by these bodies are consistent with the County Comprehensive Plan; and
- **Policy 15, Roles and Responsibilities for Serving Growth:** 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.

The city has effectively coordinated with Washington County on the proposed annexation by providing adequate notice and an opportunity for input and comments. Additionally, the proposed annexation follows the guidelines established under the Washington County – Beaverton Urban Planning Area Agreement. Changes that affect public facility and service provisions to individual properties are generally subject to agreements between the City of Beaverton, Washington County, and special districts. These agreements are adopted and periodically updated to 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 ensured that the provision of services subsequent to the proposed boundary change will be timely, orderly, and economically viable. Accordingly, the proposed annexation is consistent with Washington County's Comprehensive Framework Plan for the Urban Area.

- f. Any applicable concept plan; and

FINDING:

Washington County Cedar Hills – Cedar Mill Community Plan: The subject site is within the boundaries of Washington County's Cedar Hills – Cedar Mill Community Plan, which is one of a number of planning elements that together comprise the Washington County Comprehensive Plan. This Community Plan shows that the subject site does not contain any Significant Natural or Cultural Resources, and it is not located in any Areas of Special Concern. Accordingly, the proposed annexation will remain consistent with this Community Plan.

- 2. Consider whether the boundary change would:

- a. Promote the timely, orderly, and economic provision of public facilities and services;

FINDING:

Changes that affect public facility and service provisions to individual properties are generally subject to agreements between the City of Beaverton, Washington County, and special districts. These agreements are adopted and periodically updated to 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 ensured that the provision of services subsequent to the proposed boundary change will be timely, orderly, and economically viable.

- b. Affect the quality and quantity of urban services; and

FINDING:

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 to or higher than what is provided in unincorporated areas. Annexation to the City of Beaverton will therefore retain or enhance the quality and quantity of urban services for the annexed area.

- c. Eliminate or avoid unnecessary duplication of facilities or services.

FINDING:

This staff report identifies which agency will be responsible for the provision of various urban services in this area. The city and applicable service providers have established intergovernmental agreements that specify which agency provides services. As a result, these agreements eliminate duplication of facilities or services.

Conclusion: Therefore, staff finds that the proposal satisfies Section 3.09.045(D).

- E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

FINDING:

The territory proposed to be annexed into the City of Beaverton lies wholly within the Urban Growth Boundary (UGB).

Conclusion: Therefore, staff finds that the proposal satisfies Section 3.09.045(E).

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff concludes that the proposed owner-initiated annexation meets all pertinent criteria outlined in Metro Code Section 3.09.045 for an expedited annexation.

Therefore, staff recommends that City Council adopt an ordinance annexing 11375 and 11475 SW Walker Road; withdrawing the properties from the Tualatin Valley Water District, Washington County Enhanced Sheriff's Patrol District, and Washington County Urban Road Maintenance District; and adding the properties to the Central Beaverton Neighborhood Association Committee. The annexation will be effective after recording of the subdivision final plat with Washington County and upon the date the annexation ordinance is filed with the Secretary of State, as specified by ORS 222.180.