

Final Documents
For
Annexation to the
Tualatin Hills Park & Recreation District

WA0101
DOR 34-1491-2001
Ordinance #01-32

Final to DOR: _____

Signature:

 _____

Date of
Mailing: 03/23/01

Final to Secretary of State: _____

Signature:

 _____

Date of
Mailing: 04/02/01

WA0101

Sent

Received

DOR:

03/23/01

03/28/01

Sec. State:

04/02/01

N/A

Assessor:

04/02/01

Elections:

04/02/01

Mapped:

Yes

Posted to Web:

Tax Lot/Address List

Address .

1N129AA 10900	14893 NW Purvis Drive
1N129AA 11000	14875 NW Purvis Drive
1N129AA 11100	No Address
1N129AA 11200	3963 NW 148 th Place
1N129AA 11300	3979 NW 148 th Place
1N129AA 11400	3995 NW 148 th Place
1N129AA 11500	3988 NW 148 th Place
1N129AA 11600	No address
1N129AA 11700	No address
1N129AA 11800	No address
1N129AA 11900	No address
1N129AA 12000	No address

Notice to Taxing Districts

ORS 308.225



Cartographic Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

Tualatin Hills Park and Rec. Dis
Budget Officer
15707 SW Walker Road
Beaverton, OR 97006

Description and Map Approved
March 28, 2001
As Per ORS 308.225

Description Map received from: METRO
On: 3/27/01

This is to notify you that your boundary change in Washington County for
ANNEX TO THE TUALATIN HILLS PARK & RECREATION DIST.

RES. #01-32 (WA-0101)

has been: Approved 3/28/01
 Disapproved

Notes:

Department of Revenue File Number: 34-1491-2001

Prepared by: Jennifer Dudley, 503-945-8666

Boundary: Change Proposed Change
The change is for:

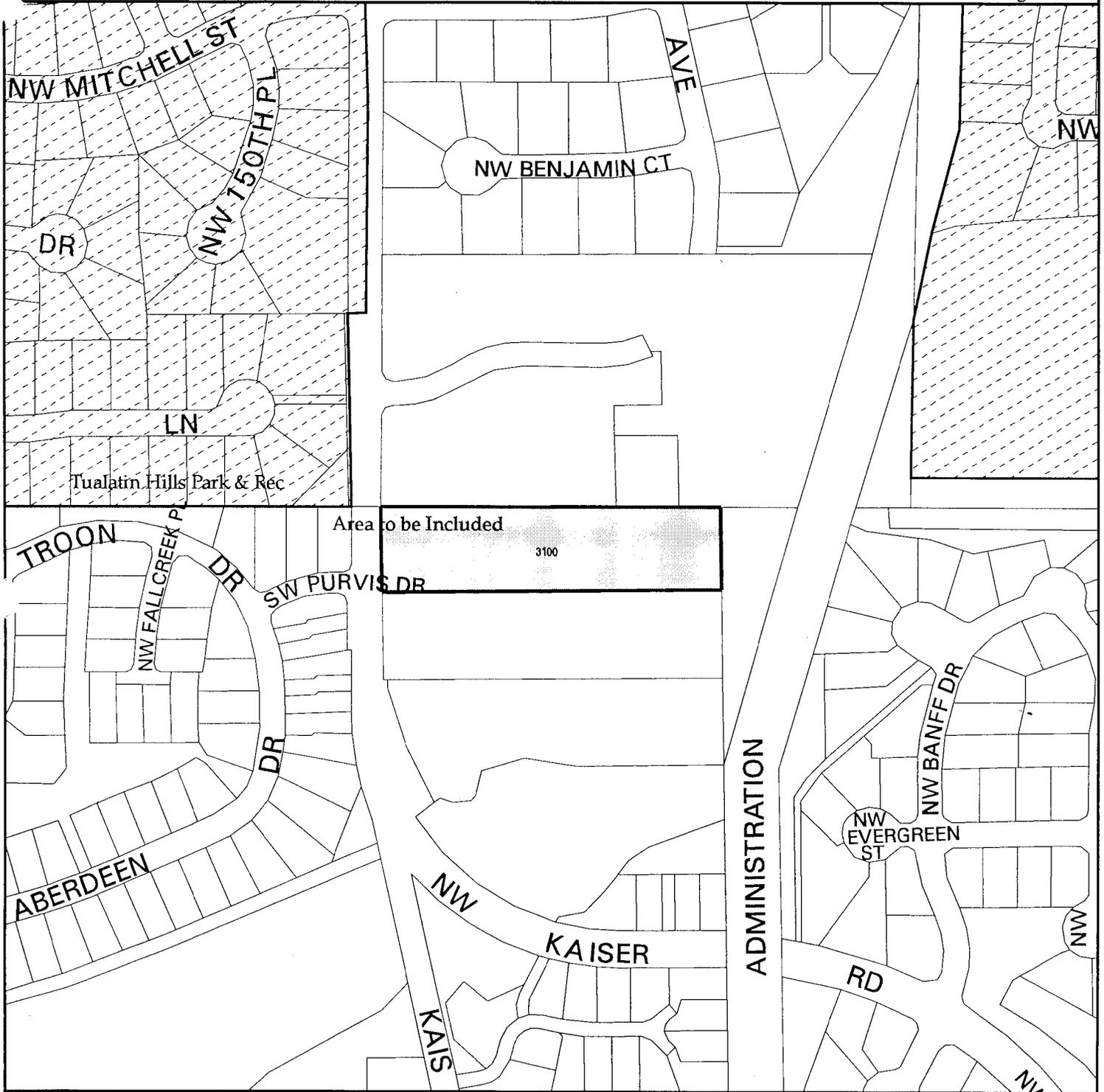
- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

Proposal No. WA0101

1N1W29AA

Annexation to the Tualatin Hills Park & Recreation Dist.

Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email drc@metro-region.org

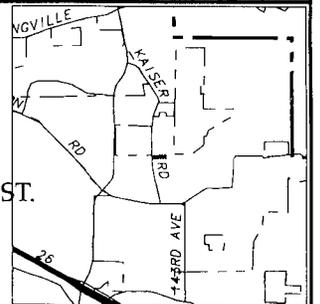
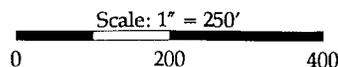
METRO

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

- County lines
- Annexation boundary
- District

- Urban Growth Boundary

Proposal No. WA0101
TUALATIN HILLS PARK & RECREATION DIST.
Figure 1



Metro

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category Public Hearing - County Administrative Office

Agenda Title ANNEXATION OF 2.4 ACRES TO THE TUALATIN HILLS PARK & RECREATION DISTRICT

To be presented by Charles Cameron, County Administrator

SUMMARY (Attach Support Documents if Necessary)

As your Board is aware, the 1997 Legislature passed Senate Bill 947 that abolished the Boundary Commission and passed the boundary change function back to the local level. Effective January 1, 1999, the County became responsible for district boundary changes. Cities handle their own boundary changes.

The County has received a request to annex 2.4 acres to the Tualatin Hills Park & Recreation District. The applicant proposes to develop the territory to be annexed with a 10-lot subdivision. The property is located generally on the northwest side of the District, on the east edge of NW Kaiser Road at its intersection with Purvis Drive.

The Tualatin Hills Park & Recreation District Board has endorsed the annexation. Notice of today's hearing has been made in accordance with state law requirements. A staff report has been prepared by the County's contractor, Ken Martin, Metro, Local Government Boundary Office. This report (File WA 0101) is available at the clerk's desk. Mr. Martin will be available to answer any questions.

COUNTY ADMINISTRATOR'S REQUESTED ACTION:

Hold a public hearing to consider the annexation of this property to the Tualatin Hills Park & Recreation District. Adopt a Resolution and Order approving the annexation.

Agenda Item No. 4.a.
Date 3/20/01

RO 01-32

1 RESOLVED AND ORDERED that this boundary change proposal shall be effective 30
2 days following the date that this decision is mailed to all necessary parties and that the County
3 Administrator or his designees shall take all necessary steps to effectuate this proposal.

4 DATED this 20th day of March, 2001.

6 BOARD OF COUNTY COMMISSIONERS
7 FOR WASHINGTON COUNTY, OREGON

8
9 Tom Brian
CHAIRMAN

	AYE	NAY	ABSENT
BRIAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEEPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10
11 Barbara Hejtmancik
12 RECORDING SECRETARY

FINDINGS

Based on the study and the public hearing, the Board found:

1. The territory to be annexed contains 2.40 acres, 1 single-family home and has an assessed value of \$375,000.
2. The owners propose to develop the territory to be annexed with a 10-lot subdivision. The Bethany Community Plan states that residents of Bethany should strongly consider annexation to the Tualatin Hills Park and Recreation District. The owners are applying for annexation to the District to comply with County development standards.
3. Contiguity is not required for annexation to a park and recreation district.
4. ORS 198.850 provides that the Board is to consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district when deciding an annexation proposal to a district.

A second set of criteria can be found in the Metro Code. That Code states that a final decision shall be based on substantial evidence in the record of the hearing and that the written decision must include findings of fact and conclusions from those findings. The findings and conclusions shall address seven minimum criteria:

1. Consistency with directly applicable provisions in ORS 195 urban service provider agreements or an ORS 195 annexation plan.
2. Consistency with directly applicable provisions of *urban planning area agreements* or other agreement between the annexing entity and a necessary party.
3. Consistency with directly applicable standards for boundary changes contained in Comprehensive land use plans and public facility plans.
4. Consistency with directly applicable standards for boundary changes contained in the Regional Framework Plan or any functional plan.
5. Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
6. If the boundary change is to Metro, determination by Metro Council that territory should be inside the UGB shall be the primary criteria.
7. Consistency with other applicable criteria for the boundary change in question under state and local law.

The Metro Code also contains a second set of 10 factors which are to be considered where no ORS 195 agreements have been adopted and the boundary change is being

contested by a necessary party. This boundary change is not being contested by a necessary party so these additional criteria need not be addressed.

5. The territory slopes gently down from the northwest corner. The east end of the property is open forest. To the north is a PGE substation. A single family subdivision lies to the east. On the west across Kaiser Road are single and multiple family residences. On the south is a single family residence.
6. The territory is within the regional Urban Growth Boundary (UGB) and the boundary of Metro.

The Regional Urban Growth Goals and Objectives, the Regional Framework Plan, Urban Growth Management Functional Plan and the Regional Transportation Functional Plan were examined and found to not contain any criterion directly applicable to a decision to annex land to a special district.

7. The Washington County Comprehensive Plan contains an element pertaining to recreation. The following policies are relevant to the proposal.

Policy 33 IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THAT RESIDENTS OF ITS URBAN INCORPORATED AREAS ARE PROVIDED WITH ADEQUATE OPEN SPACE AND PARK FACILITIES AND SERVICES.

Implementing Strategies

The County will:

- a. Work with all public agencies providing recreational services within the County to ensure that opportunities for citizen participation in park and recreation decisions are provided;
- b. Coordinate with private recreation service providers in the planning of park and recreation facilities and services for the urban unincorporated area.

* * *

Policy 35 IT IS THE POLICY OF WASHINGTON COUNTY TO WORK WITH THPRD AND THE CITIES AND SCHOOL DISTRICTS IN COMPREHENSIVE PLANNING FOR OPEN SPACE AND RECREATIONAL FACILITIES AND SERVICES FOR THE COUNTY.

Implementing Strategies

The County will:

- a. Encourage THPRD to expand its boundaries to be responsible for providing neighborhood and community scale recreation facilities and services to all urban unincorporated areas of the county, with the possible exception of the Metzger Local Improvement District and areas subject to annexation by cities with park programs. . . .

* * *

- d. Work with the THPRD to plan for the provision of recreational facilities presently outside the THPRD boundaries but within their sphere of influence.

* * *

The territory is within the Bethany Community Planning Area. The Community Plan designates the area as R-9, which permits lower density detached and attached residential development of nine units per acre.

General Design Element No. 5 of the Bethany Community Plan states:

As Bethany develops, a coordinated approach to the provision of park and recreation facilities will be necessary. Bethany is currently not a part of an organized park system. Residents of Bethany should strongly consider annexing to the Tualatin Hills Park and Recreation District in order to provide a coordinated approach to the acquisition, dedication and maintenance of a quality park system.

8. The territory is within the City of Beaverton area of planning interest identified on the Washington County/Beaverton Urban Planning Area Agreement. The Beaverton agreement contains no provision relating to annexation of lands within Beaverton's area of interest to special districts.
9. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. The statute was enacted in 1993 but there are no urban service agreements in place in this part of Washington County.
10. The District was formed in 1955 to provide park and recreation activities to the northeast portion of Washington County. It maintains 175 park and recreation facilities that serve approximately 165,000 people within a 52 square mile area.
11. The territory is within the Unified Sewerage Agency. The District has collector sewer service available to the site.
12. The area is served by the Tualatin Valley Water District. There is a 12-inch District

water line adjacent to the site in Kaiser Road. The District purchases water from the City of Portland. The District collects systems development charges from new connections and uses these funds to finance system expansions as needed.

13. The territory is within the Tualatin Valley Fire and Rescue District. Fire service will not change as a result of annexation to the park and recreation district.
14. The territory is within the Washington County Enhanced Law Enforcement District which provides a level of service of .51 officers per 1,000 population. The District's level of service plus the general County base level of .43 officers per 1000 population provides a total of .94 officers per 1,000 population. This service will not be affected by this annexation.
15. The territory is within the Washington County Urban Road Maintenance District. NW Kaiser Road is designated as a major collector. The proposed annexation will have no effect on this District.
16. The Unified Sewerage Agency is responsible for storm drainage management of territory inside the UGB, and generally within Washington County. The territory drains towards Bronson Creek which runs through the southeast corner of the property.
17. The territory is within the boundary of Washington County Service District #1 for street lights. The proposed annexation will have no effect on the District.
18. The territory is within the boundary of the Washington County Service District for vector control. The proposed annexation will have no effect on the District.

Other County services (such as planning, zoning, building inspection, public health and general government) will continue to be provided by Washington County.

CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code requires the decision to be consistent with any ORS 195 urban service agreement or ORS 195 annexation plan. As noted in Finding No. 9 there are no ORS 195 agreements in place in this area. The term "consistent" means a lack of conflict. Because there are no ORS 195 agreements or plans there is no conflict.
2. The Metro Code calls for consideration of any directly applicable standards or criteria in urban planning area agreements or other agreements between the annexing entity and a necessary party. As noted in Finding No. 8 there are no directly applicable criteria in the Beaverton/Washington County Urban Planning Area Agreement.

3. The Metro Code at 3.09.050 (d) (3) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans." ORS 198 requires the Board to consider the applicable local comprehensive plan and any service agreements affecting the area. The Board has reviewed the applicable comprehensive plan, which is the Washington County Comprehensive Plan and Bethany Community Plan and finds approval of this annexation to be consistent with the plan, particularly the implementing strategy of Policy 35, which says the County will encourage Tualatin Hills Park and Recreation District to expand its boundaries to urban unincorporated areas of the County.
4. The Metro Code at 3.09.050 (d) (4) calls for consistency between the Board decision and any "specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan." As noted in Finding No. 6 all elements of the Regional Framework Plan, the Urban Growth Management Functional Plan and the Regional Transportation Functional Plan were examined and found not to contain any directly applicable standards and criteria for boundary changes.
5. Metro Code 3.09.050 (d) (5) states that another criteria to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services." The Board finds that Tualatin Hills Park and Recreation District can directly provide the service it controls to the site immediately in adequate quantity and quality. Other services are available from other service districts.

EXHIBIT B

Proposal No. WA-0101

Kaiser Road Park Plat Boundary Legal Description

SITUATED IN THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 1-NORTH, RANGE 1-WEST, OF THE WILLAMETTE MERIDIAN; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, ON THE NORTH LINE OF SECTION 29, LOCATED S 89°16'52" W 338.44 FEET FROM THE NORTHEAST CORNER THEREOF; THENCE, S 00°21'16" E 173.75 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SECTION 29, S 89°16'52" W 601.69 FEET TO THE 25 FOOT RIGHT OF WAY LINE OF N.W. KAISER ROAD; THENCE ALONG LAST SAID LINE N 00°37'54" W 173.75 FEET TO THE NORTH LINE OF SECTION 29; THENCE N 89°16'52" E 602.53 FEET TO THE INITIAL POINT OF BEGINNING.

CONTAINING: 2.40 ACRES.

000023

Proposal No. WA0101



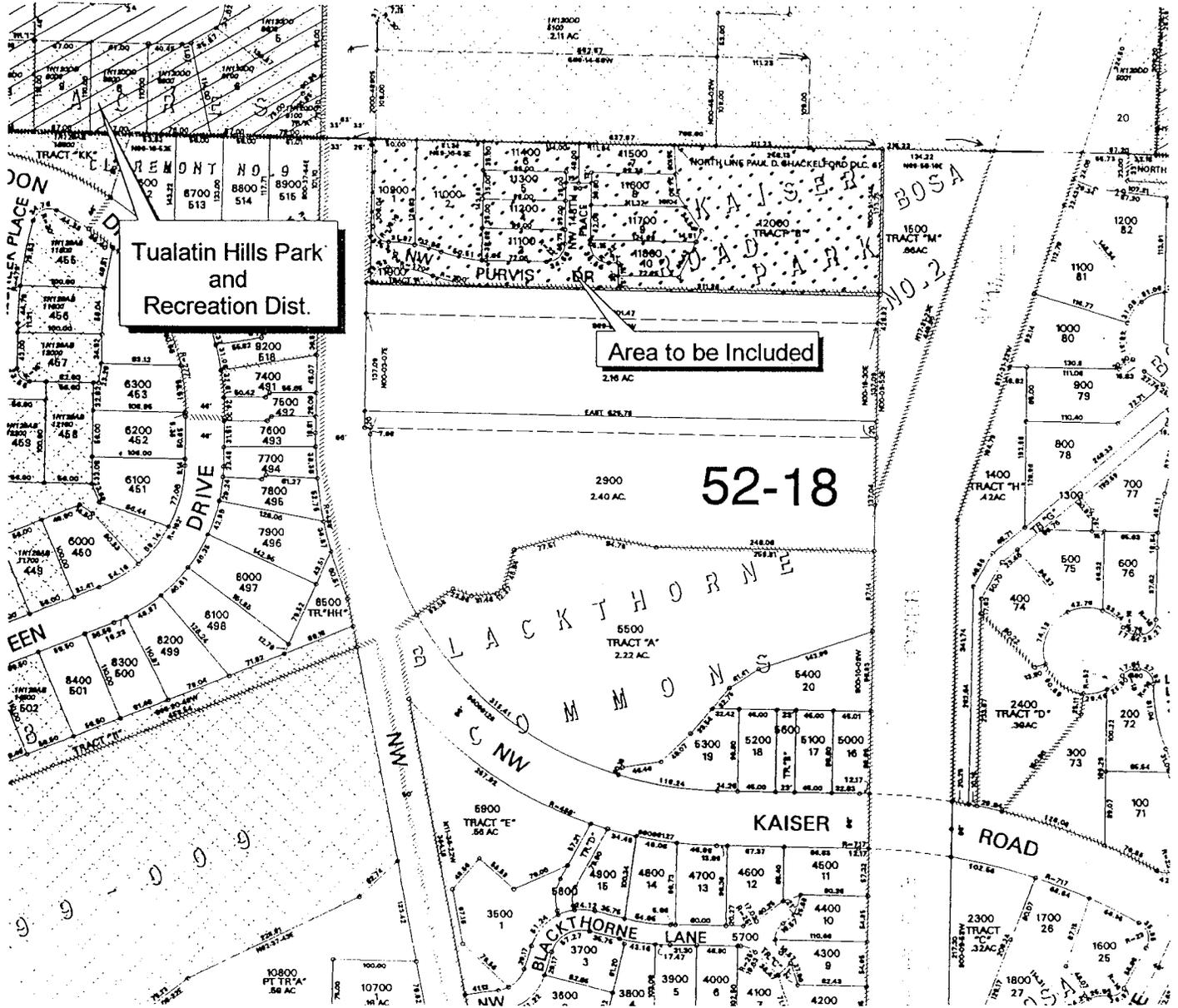
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Email drc@metro-region.org

Annexation to the Tualatin Hills Park & Recreation Dist.
Washington Co.

9AA

EXHIBIT C

Proposal No. WA-0101



PROPOSAL NO. WA0101
TUALATIN HILLS PARK & RECREATION DIST.
Figure 2

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