

Final Documents

For

Annexation to the  
**Clean Water Services District**

WA2706

Ordinance 06-163

DOR 34-1812-2006

Sec. State: SD-2006-0090

Property Information:

9320 SW Norwood Rd (2S135D000110)

No site address (2S135D000106)

23370 SW Boones Ferry (2S135D000300)

23560 SW Boones Ferry (2S135D000302)



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August 14, 2006

Metro  
Robert Knight  
600 NE Grand Ave  
Portland, Oregon 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed, as of August 2, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)		Our File Number
OR NO 5643	(City of Hillsboro)	AN 2006-0247
OR NO 06-163	(Clean Water Services District)	SD 2006-0090
OR NO 2459	(City of Lake Oswego)	AN 2006-0249
OR NO 2460	(City of Lake Oswego)	AN 2006-0250

For your records please verify the effective date through the application of ORS 199.519.

Our assigned file number(s) are included in the above information.

Sincerely,

Linda Bjornstad  
Official Public Documents

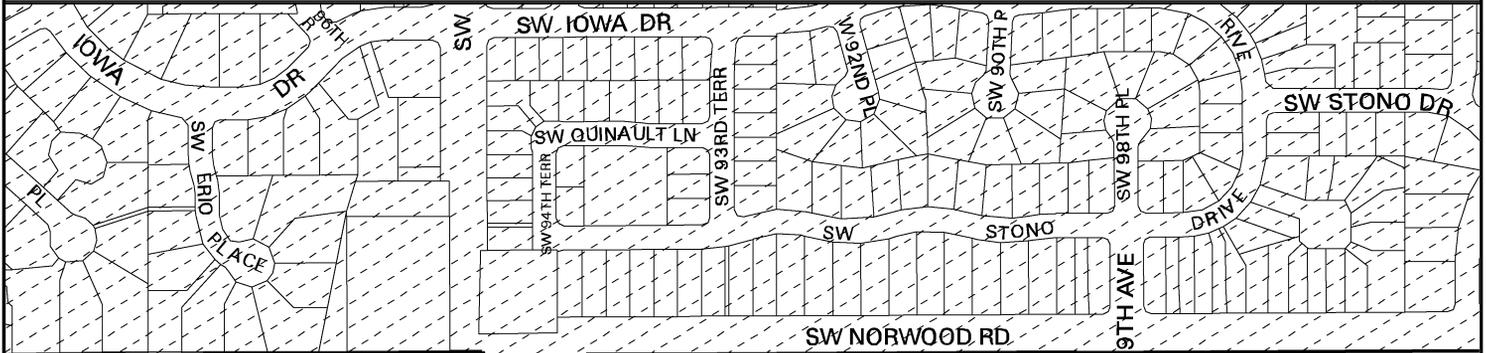
cc: County Clerk(s)  
Department of Revenue  
ODOT  
Population Research Center

# Proposal No. WA2706

1S1W35

Annexation to the Clean Water Services District

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

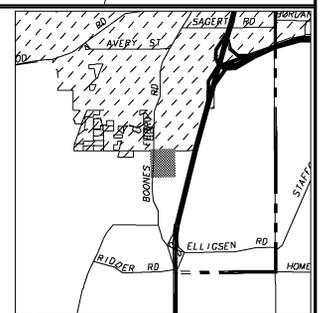
**METRO**

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

Proposal No. WA2706  
CLEAN WATER SERVICES DISTRICT  
Figure 1

Scale: 1" = 400'



# Notice to Taxing Districts

ORS 308.225



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

Clean Water Services Dist.  
 Support Services Manager  
 155 N First Ave, Suite 270  
 Hillsboro, OR 97124

**Description and Map Approved**  
**August 7, 2006**  
**As Per ORS 308.225**

Description     Map received from: METRO  
 On: 7/27/2006

This is to notify you that your boundary change in Washington County for

ANNEX TO CLEAN WATER SERVICES DISTRICT WA-2706 (GRACE COMMUNITY CHURCH)

RES. AND ORDER #06-163

has been:     Approved            8/7/2006  
                    Disapproved

Notes:

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Department of Revenue File Number: 34-1812-2006

Prepared by: Carolyn Sunderman, 503-945-8882

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

 <p>WASHINGTON COUNTY DEPARTMENT OF LAND USE AND TRANSPORTATION PLANNING DIVISION ROOM 350-14 155 NORTH FIRST AVENUE HILLSBORO, OREGON 97124 (503) 846-3519 fax: (503) 846-4412</p>	<p><b>Applicant:</b> Grace Community Church 7400 SW Sagert Road Tualatin, OR 97062</p>
<h2>NOTICE OF DECISION</h2>	<p><b>Applicant's Representative:</b> Westlake Consultants, Inc. 15115 SW Sequoia Parkway, Suite 150 Tigard, OR 97224</p> <p><b>Contact Person:</b> Lee Leighton</p>
<p><b>CPO:</b> 5 Tualatin - Sherwood</p>	<p><b>Petitioners/Owners:</b> (Multiple Owners – See Case file for listing)</p>
<p><b>Existing Land Use District:</b> AF-10 Agriculture &amp; Forest</p>	
<p><b>Community Plan:</b> N/A</p>	
<p><b>Assessor Map No(s):</b> 2S1 35D</p>	
<p><b>Site Size:</b> 37.91 acres</p>	
<p><b>Tax Lot No(s):</b> 106, 110, 300, 302</p>	
<p><b>Address:</b> 9320 SW Norwood Road, 23370 SW Boones Ferry Road and 23560 SW Boones Ferry Road, Tualatin, OR 97062</p>	
<p><b>Location:</b> Southeast corner of SW Norwood Road and SW Boones Ferry Road</p>	
<p><b>Proposed Minor Boundary Change:</b> Annexation to the Clean Water Services District of 37.91 acres.</p>	

Notice is hereby given that the County Board of Commissioners **APPROVED** the request for the above-stated proposed Minor Boundary Change at a meeting on **July 18, 2006**.

**NOTICE MAILING DATE: July 21, 2006**

THE APPROVED MINOR BOUNDARY CHANGE DOES NOT AUTHORIZE OR PREVENT ANY SPECIFIC USE OF LAND. CURRENT COUNTY PLANNING DESIGNATIONS WILL NOT BE AFFECTED BY THIS PROPOSED CHANGE.

**NECESSARY PARTIES:** THIS DECISION MAY BE CONTESTED BY A NECESSARY PARTY AND A PUBLIC HEARING HELD BY FILING A NOTICE OF APPEAL IN ACCORDANCE WITH METRO CODE CHAPTER 3.09.070 WITHIN 10 CALENDAR DAYS OF THE DATE THIS NOTICE WAS MAILED. A NECESSARY PARTY MAY NOT CONTEST A BOUNDARY CHANGE WHERE THE BOUNDARY CHANGE IS EXPLICITELY AUTHORIZED BY AN URBAN SERVICES AGREEMENT ADOPTED PURSUANT TO ORS 195.065.

**NON-NECESSARY PARTIES:** THIS DECISION MAY BE APPEALED TO THE LAND USE BOARD OF APPEALS (LUBA) BY FILING A NOTICE OF INTENT TO APPEAL WITH LUBA WITHIN 21 DAYS OF THE DATE THIS DECISION IS FINAL. CONTACT YOUR ATTORNEY IF YOU HAVE QUESTIONS REGARDING AN APPEAL TO LUBA.

THIS DECISION WILL BE FINAL IF NO CONTEST OR APPEAL IS FILED BY THEIR RESPECTIVE DUE DATES.

THE COMPLETE APPLICATION, REVIEW STANDARDS, RECORD OF PROCEEDINGS, FINDINGS FOR THE DECISION AND DECISION ARE AVAILABLE AT THE COUNTY FOR REVIEW.

FOR FURTHER INFORMATION, PLEASE CONTACT:

**Paul Schaefer, Senior Planner**  
WASHINGTON COUNTY  
DEPARTMENT OF LAND USE & TRANSPORTATION  
(503) 846-3519.

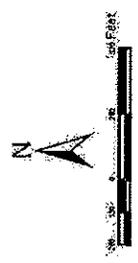
(SEE REVERSE SIDE FOR SITE MAP)

# EXHIBIT B

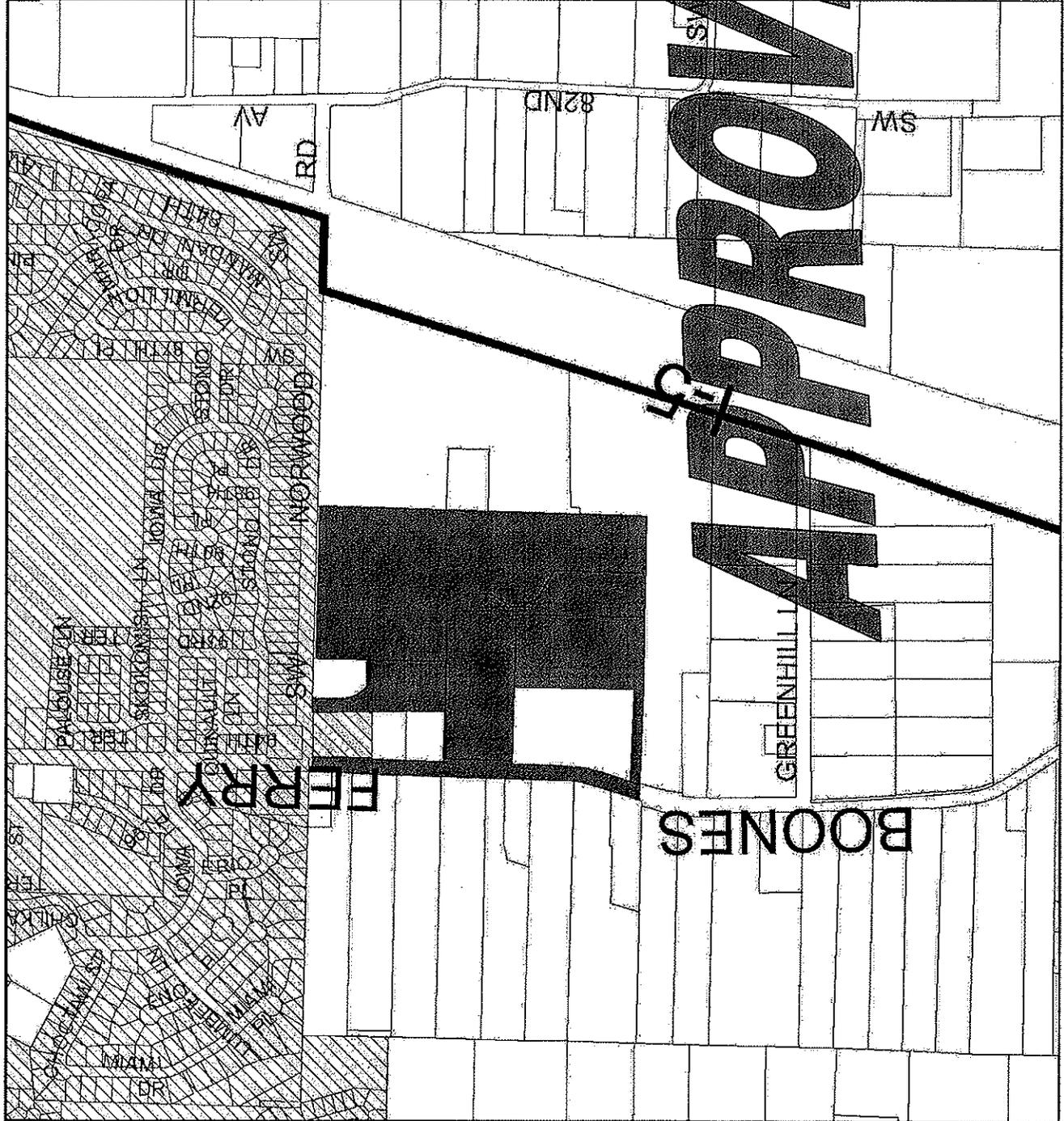
## WA-2706

Annexation to  
Clean Water Services  
(CWS)

- Subject Taxlot
- CWS
- Urban Growth Boundary



This map was derived from several databases. The County cannot accept responsibility for any errors. There fore, there are no warranties for this product. However, notification of errors would be appreciated.



# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

**Agenda Category:** Public Hearing – Department of Land Use & Transportation (CPO 5)

**Agenda Title:** CONSIDER THE ANNEXATION OF PROPERTY ENCOMPASSING APPROXIMATELY 38 ACRES, PLUS RIGHT-OF-WAY, TO CLEAN WATER SERVICES DISTRICT (WA-2706)

**Presented by:** Brent Curtis, Planning Division Manager

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### SUMMARY:

The County has received a request to annex property consisting of four parcels, plus right-of-way, to the Clean Water Services District (District). The property is located at the southeast corner of SW Norwood and SW Boones Ferry Roads in unincorporated Washington County and is further identified as tax map and lot numbers 2S1 35D 106, 110, 300 and 302. The property was added to the Regional Urban Growth Boundary in 2004. In order for the property to receive the necessary sanitary and storm sewer service from the District, it must be annexed to the District.

The applicant has also filed a petition for annexation into the City of Tualatin. The Tualatin City Council is scheduled to consider the annexation of the property into the city on August 28, 2006. If approved on August 28th, the City Council would then consider the adoption of an annexation ordinance on September 11, 2006. If adopted, the city annexation would become effective 30-days later. On June 26, 2006, the City Council discussed the proposed city annexation as well as the proposed minor boundary change. In written comments received from City of Tualatin Community Development Director Doug Rux dated June 27, 2006, the city expressed support of annexation of the property into the District as well as the city.

(continued)

Notice of today's hearing has been made in accordance with the state law requirements. The staff report (File Number: WA-2706) will be provided to you under separate cover and will also be available at the clerk's desk. Staff will be available to answer any questions. A Resolution and Order approving the annexation is attached to the agenda.

### DEPARTMENT'S REQUESTED ACTION:

Hold a public hearing to consider the annexation of these properties into the Clean Water Services District. Adopt a Resolution and Order approving the annexation subject to conditions of approval set forth in Exhibit D. Staff also recommends that the Board approve the request with the approval becoming effective immediately.

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### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 06-163

Agenda Item No.	<u>5.a.</u>
Date:	07-18-06

CONSIDER THE ANNEXATION OF APPROXIMATELY 38 ACRES  
TO THE CLEAN WATER SERVICES DISTRICT

July 18, 2006

Page 2

The City Council also recommends that if the Board approves the minor boundary change that the approval become effective immediately. Annexation into the District would allow the applicant to connect to the public sanitary sewer system without first having to construct a private 'temporary' septic system. The City Council concluded that installation of a private 'temporary' septic system as a temporary means of providing for the sanitary sewer needs of the high school and church was not in the best interest of the community. Installation of a private septic system sized to serve the development would not be an efficient use of land. A standard septic system would also be expensive.

1 IN THE BOARD OF COUNTY COMMISSIONERS

2  
3 FOR WASHINGTON COUNTY, OREGON

4  
5 In the Matter of Approving Boundary ) RESOLUTION AND ORDER  
6 Change Proposal No. WA-2706 ) No. 06-163

7  
8 The above-entitled matter (WA-2706) came before the Board at its  
9 regular meeting on July 18, 2006; and

10 It appearing to the Board that this proposal involves the annexation of  
11 four tax lots (2S1 35D / 106, 110, 300 and 302), plus right-of-way, located at  
12 the southeast corner of the intersection of SW Norwood and SW Boones  
13 Ferry Roads to the Clean Water Services District; and

14 It appearing to the Board that the applicant has filed an annexation  
15 petition (ANN 06-06) for annexation into the City of Tualatin and that the  
16 Tualatin City Council is scheduled to consider the annexation of the property  
17 into the city on August 28, 2006. If approved on August 28<sup>th</sup>, the City Council  
18 would then consider the adoption of an annexation ordinance on September  
19 11, 2006. If adopted, the city annexation would become effective 30-days  
20 later; and

21 It appearing to the Board that on June 26, 2006, the Tualatin City  
22 Council discussed the proposed minor boundary change and provided written  
23 comments in support of this proposal and recommends that if the Board  
24 approves this proposal that the approval become effective immediately; and

25 It appearing to the Board that WA-2706 was initiated by a consent  
26 petition of the property owners and registered voters and meets the  
27 requirement for initiation set forth in ORS 198.855 (3), ORS 198.750 and  
28 Metro Code 3.09.040 (a); and

1           It appearing to the Board that the proposal has not been contested by  
2 any necessary party and therefore may become effective immediately upon  
3 adoption pursuant to Metro Code Section 3.09.050 (f); and

4           It appearing to the Board that the Board is charged with deciding  
5 petitions for boundary changes pursuant to ORS Chapter 198 and Metro Code  
6 Chapter 3.09; and

7           It appearing to the Board that notice of the meeting was provided  
8 pursuant to ORS 198.730, ORS 197.763 and Metro Code 3.09.030; and

9           It appearing to the Board that County staff have reviewed the proposed  
10 boundary change and determined that it complies with the applicable  
11 procedural and substantive standards and should be approved; and

12           It appearing to the Board that the Board has reviewed whatever written  
13 and oral testimony has been provided regarding this proposal; now, therefore  
14 it is

15           RESOLVED AND ORDERED that Boundary Change Proposal No. WA-  
16 2706, as described in the staff report, is hereby approved, based on the  
17 analysis, findings and conclusions set forth in Exhibit A, incorporated herein  
18 by reference; and it is further

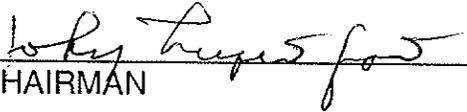
19           RESOLVED AND ORDERED that the property depicted in Exhibit B  
20 and legally described in Exhibit C is hereby declared to be annexed to the  
21 Clean Water Services District; and it is further

22           RESOLVED AND ORDERED that the minor boundary change approval  
23 shall be subject to the Conditions of Approval set forth in Exhibit D; and it is  
24 further

1 RESOLVED AND ORDERED that this boundary change proposal shall  
2 be effective upon adoption and that the County Administrator or his designees  
3 shall take all necessary steps to effectuate this proposal.

4 DATED this 18<sup>th</sup> day of July, 2006.

5 BOARD OF COUNTY COMMISSIONERS  
6 FOR WASHINGTON COUNTY, OREGON  
7  
8  
9

10  
11   
12 CHAIRMAN

	AYE	NAY	ABSENT
16 BRIAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17 SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18 LEEPER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21 DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13  
14  
15  
16   
17 RECORDING SECRETARY

18 Date Signed: 7/18/06

22 Approved as to form:

23  
24  
25  
26   
27 Assistant County Counsel for  
28 Washington County, Oregon

**FINDINGS**

Based on the study and the public hearing, the Board of County Commissioners (Board) finds:

1. The petition meets the requirement for initiation set forth in ORS 198.855 (3) (double majority annexation law), ORS 198.750 (section of statute which specifies contents of petition) and Metro Code 3.09.040 (a) (which lists minimum requirements for petition). At the time of writing, a necessary party is not contesting this boundary change.
2. The property is located in unincorporated Washington County and was added to the Regional Urban Growth Boundary (UGB) by Metro Ordinance 04-1040B on June 24, 2004. The property is also inside Metro's jurisdictional boundary.
3. The property is located adjacent to the City of Tualatin. The applicant has filed an annexation petition (ANN 06-06) for annexation into Tualatin. The Tualatin City Council is scheduled to consider the annexation of the property into the city on August 28, 2006. If approved on August 28th, the City Council would then consider the adoption of an annexation ordinance on September 11, 2006. If adopted, the city annexation would become effective 30-days later.
4. On June 26, 2006, the City Council discussed the proposed city annexation as well as the proposed minor boundary change. In written comments received from City of Tualatin Community Development Director Doug Rux dated June 27, 2006, the city expressed support of annexation of the property into the District as well as the city. The City Council also recommended that if the Board approves the minor boundary change that the approval become effective immediately. Annexation into the District would allow the applicant to connect to the public sanitary sewer system without having to first construct a private 'temporary' septic system.
5. The area to be annexed consists of four parcels encompassing approximately 38 acres, plus right-of-way. The property is located at the southeast corner of SW Norwood Road and SW Boones Ferry Road. The property is further identified as tax map and lot number 2S1 35D 106, 110, 300 and 302. Two of the parcels involved each support a detached single family residential dwelling and accessory structures.
6. There are no identified Goal 5 resources, floodplains or drainage hazard areas present on the property. To the north of the property (across SW Norwood Road) is an established single family residential development located in the City of Tualatin. To the west of the property (across SW Boones Ferry Road) are single family residential uses on land currently designated AF-5. The land to the south and east of the property, with one exception, is vacant, undeveloped land currently designated AF-10. The exception is a small parcel owned by the City of Tualatin, which is developed with two city water reservoir tanks.
7. Development of the property currently underway is governed by three County land use applications: Casefile 02-209-SU/D, Casefile 02-528-SU, and Casefile 03-434-SU/D. The property was not located in the Regional UGB when the applications were approved. The approved development applications, with the exception of the park, were approved as rural uses - without the benefit of urban services, such as public sanitary and water. They are now urban uses.

Casefile 02-209-SU/D: On October 9, 2002 the applicant received County land use approval through Casefile 02-209-SU/D to construct a church (Grace Community Church) on the property. When the staff report for Casefile 02-209-SU/D was prepared, the church was located on another site inside the Urban Growth Boundary with a membership of approximately 1600 people. The approved church is being developed to accommodate a membership of 3300 persons. The land use approval was for three structures totaling 110,000 square feet. Building 1 will be a two-story 45,000 square foot Sanctuary and Multi-Purpose Building. The sanctuary will have a seating capacity of 3300 people. Building 2 will be a two-story 25,000 square foot "Ministry" Building located north of Building 1. Building 2 will include office space and classroom/conference room space. Building 3 will be a two-story 40,000 square foot "Ministry" Building located south of Building 1. Building 3 will include office space and classroom/conference room space.

Casefile 05-528-SU: On April 13, 2003, the applicant received County land use approval through Casefile 02-528-SU to construct a school (Horizon Christian High School) in conjunction with Grace Community Church on the same property. The applicant proposed a high school with an enrollment of 150 students. However, according to the staff report for Casefile 02-528-SU, the applicant identified that the long-range (approximately seven years) plan on the site was for a combination middle school and high school with an enrollment of 1200 students. Land use approval was only for a maximum enrollment of 150 students. The school will be operated in the three church buildings approved in Casefile 02-209-SU/D.

Casefile 03-434-SU/D: On January 27, 2004, the applicant received County land use approval through Casefile 03-434-SU/D to construct a private park in conjunction with Grace Community Church on the subject property. Most of the park facilities will be located on the southern-most portion of the property. The park will include a 40,000 square foot Sports Center building, football, baseball, softball and soccer fields, grandstands, and concessions. One ball field will be located on the north of the church building (on tax lot 106). The remaining facilities, football, baseball, softball and soccer fields, grandstands, and concessions building will be located on tax lot 401.

According to the staff report prepared for Casefile 03-434-SU/D, the Sports Center building will support the church's existing basketball program and the future school team(s) for the 150-student school on the property. The Sports Center will also provide indoor facilities for volleyball, soccer, dance, weight training, and other indoor sports activities.

8. The applicant requests approval of the minor boundary change in order to allow the high school and church to be served by public sanitary and storm sewer. Extension of public sanitary and storm sewer would alleviate the need for the applicant to construct a private septic system. The principle high school building (Building 3) is currently under construction. At time of writing, according to County Building Services staff, Building 3 is more than 75-percent complete. Construction of Buildings 1 and 2 has not yet started. The property must be brought into the Clean Water Services District (District) in order to be provided the necessary sanitary and storm sewer service.
9. Oregon Revised Statute 198.852 directs the Board to consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district. The property is located within the Regional UGB and in unincorporated Washington County, but is in the process of being annexed into the City of Tualatin. Upon annexation into

the City of Tualatin, the property will be subject to the city's comprehensive plan and development regulations. Until annexation into the city, the property remains subject to the County's Comprehensive Plan. The proposed minor boundary change is consistent with the County's Comprehensive Plan.

10. An 8-inch public sanitary sewer line maintained by the District is located in the Boones Ferry Road right-of-way to a point just north of the intersection of Boones Ferry and Norwood Roads. If the proposed minor boundary change is approved by the Board and certain conditions of approval are met, the applicant would be required to extend the public system to the upstream edge of their property and then could apply for a connection permit to serve the private high school currently under construction. The District will provide the sewage treatment and transmission of effluent to the regional treatment plant through major trunks and interceptors.

The District has endorsed the proposed minor boundary change, subject to certain conditions of approval (see Exhibit D). The District's Design and Construction Standards do not apply to rural development located outside of the District's service boundary, and the church and school were approved before the property was brought into the Regional UGB. The District recommends that certain conditions of approval be imposed to ensure that the development complies with the District's Design and Construction Standards 04-09, now that the property is inside the Regional UGB and soon to be within the City of Tualatin. The four conditions of approval are necessary to ensure that the development of the church and school campus does not adversely affect the health and welfare of the public, including the future development that will eventually occur in areas surrounding the property that were also added to the Regional UGB in 2004. The development of the church and school campus are now considered urban uses and therefore should be conditioned through the annexation to follow the District's standards applicable to urban development.

11. The City of Tualatin has a domestic 12-inch water line in SW Norwood Street (north property line) that is capable of serving the private high school currently under construction and the church. However, the property must be annexed into the City of Tualatin in order to receive city urban services, such as water. As stated previously, the applicant has filed an annexation petition with the city to have the property brought into the city. In the interim, the applicant is working with the city on an agreement that would allow the city to provide water to the property.
12. Tualatin Valley Fire & Rescue (TVF&R) serves this property. TVF&R Fire Station #56 is located nearby at 8455 SW Ellingsen Road, in Wilsonville.
13. The Washington County Sheriff's Department currently serves the property. Upon the effective date of the annexation to the City of Tualatin, the city will provide police protection.
14. Annexation to the District will not effect transportation through unincorporated Washington County. Access to this site will be provided from SW Norwood and SW Boones Ferry Roads. The County is responsible for reviewing all county developments that access County public roads for compliance with the adopted Transportation Plan and Article V. of the Community Development Code.

Access was addressed through Casefile 02-209-SU/D (land use approval for a church), Casefile 02-528-SU (land use approval for a high school in conjunction with a church), and Casefile 03-

434-SU/D (land use approval for a private park in conjunction with a church). Upon annexation into the city, any future development on the property would be subject to the City of Tualatin's development regulations and transportation plan.

15. Prior to the property's inclusion in the Regional UGB, the applicant was conditioned to ensure that the roadway drainage along SW Boones Ferry Road frontage would be adequate. The applicant was required to clean, grade and shape the roadside ditch in order to ensure proper and adequate drainage of storm water generated on the property. Additionally, the applicant proposed two water quality swales along the main entrance road from SW Boones Ferry Road to treat on-site storm water prior to its release in the roadside ditch. With the annexation, the storm water infrastructure will become part of the District's Municipal Separate Storm Sewer System (MS4) and the church and high school development will be connecting to that system. Therefore, the District recommends that certain conditions of approval be imposed relating to the application of the District's current Design and Construction Standards to the current development (see Exhibit D).

Application of the District's design and construction standards relating to storm water management and water quality are necessary to ensure that storm water generated by the now-urban development can be accepted into the District's MS4 system. Due to the size of the church and high school development at full build-out, including the large areas of impervious areas, the applicant should be required to revise the approved projects as necessary to implement the District's standards governing water quality. Imposition of such measures is necessary to ensure that storm water runoff from the once-rural church and high school will not adversely affect existing urban areas, specially given the fact that the surrounding area (south of Norwood Road) – once the Title 11 planning is completed – will urbanize. The developing institutional uses should be held to the same storm water management practices that surrounding urban and future urban uses are and will be subject to. The property is no longer rural, but urban.

The District has responsibility for surface water management within the Washington County urban growth boundary. The District has entered into an intergovernmental agreement with the City of Tualatin for allocation of City and District responsibilities. Therefore, upon annexation into the City of Tualatin, the city will have the responsibility for operations and maintenance of public storm and surface water facilities located within the city in the vicinity of the property.

16. The property is not located in a service district that provides park and recreational services. However, the development includes recreational facilities in the form of athletic fields. Notwithstanding, the City of Tualatin maintains its own Park & Recreation Department. The annexation to the District will not affect the provision of park and recreation services to the developing high school and church campus.
17. The property is located within the Sherwood School District. At full build-out, the high school is expected to accommodate between 1,000 and 1,200 students. The application also indicated that future plans include the addition of a junior high school. Development of the approved high school campus (currently under construction) will provide alternatives to Sherwood School District schools as well as to the schools operated by the Tigard-Tualatin School District (Note: SW Norwood Road, in the vicinity of the property, generally forms the boundary between the Sherwood School and Tigard-Tualatin School Districts).

18. Planning Division staff concurs with the City of Tualatin's finding that installation of a private 'temporary' septic system as a temporary means of providing for the sanitary sewer needs of the high school and church is not in the best interest of the community. Installation of a private septic system sized to serve the development would not be an efficient use of land and would be expensive.

A standard septic system to serve the development could cost \$35,000, including a holding tank that would need to be periodically pumped (Pumping service fees would be additional). If approval was granted with a delayed effective date to October of 2006 (to coincide with the effective date of the city annexation), the private septic system would be operational for only about 3 months, which would not be an efficient use of financial resources. In addition, the applicant would later face the added expense of decommissioning the septic system. The unique circumstances surrounding this annexation support an immediate effective approval, if approval is granted. Staff therefore recommends that if approval is granted that the approval becomes effective immediately.

19. The District supports the proposed annexation to its boundary, subject to certain conditions of approval. The Board of County Commissioners has endorsed this annexation as the Board of Directors of Clean Water Services District, subject to certain conditions of approval (see Exhibit D).
20. A necessary party has not contested this boundary change. Therefore, the change may become effective immediately upon adoption by the Board.

## CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Commission concludes:

1. 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 . . . regional framework and functional plans . . ."* There are no directly applicable criteria in Metro's regional framework plan or in the two adopted functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan.
2. ORS 198 and the Metro Code at 3.09.050 (d) (3) call for consistency between the Board decision and any *"specific directly applicable standards or criteria for boundary changes contained in comprehensive plans, public facilities plans . . ."* The Board has reviewed the applicable comprehensive plan which is the Washington County Comprehensive Plan and finds that the proposed minor boundary change is consistent with the County's Comprehensive Plan.
3. The Metro Code also requires that the decision address consistency between this decision and any urban service agreements under ORS 195. [ORS 195 agreements are cooperative agreements and urban service agreements.] The required cooperative agreement between service districts, cities and Washington County has been adopted. The advertisement of the public hearing for the proposed annexation was consistent with the adopted cooperative agreement. The Board therefore concluded that its decision is not inconsistent with the adopted cooperative agreement.

4. Metro Code 3.09.050 (e) (3) 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 the District can serve this area. Therefore the Board finds that the annexation is a logical step towards making urban services available to the property and will not interfere with the timely provision of those services, provided that the property annexes into the City of Tualatin. The property is in the process of annexing into the City of Tualatin.

The Tualatin City Council is scheduled to consider the annexation of the property into the city on August 28, 2006. If approved on August 28<sup>th</sup>, the City Council would then consider the adoption of an annexation ordinance on September 11, 2006. If adopted, the city annexation would become effective 30-days later. On June 26, 2006, the City Council discussed the proposed city annexation as well as the proposed minor boundary change.

In written comments received from City of Tualatin Community Development Director Doug Rux dated June 27, 2006, the city expressed support of annexation of the property into the District as well as the city. The City Council also recommends that if the Board approves the minor boundary change that the approval become effective immediately. Annexation into the District would allow the applicant to connect to the public sanitary sewer system without having to first construct a private 'temporary' septic system.

An immediate effective date (of the approval) is in the best interest of the community and the applicant and will result in a more efficient use of the property and of the applicant's financial resources.

5. The District supports the proposed annexation to its boundary, subject to conditions of approval set forth in Exhibit D. The Board of County Commissioners has endorsed this request as the Board of Directors of Clean Water Services District, subject to the conditions of approval set forth in Exhibit D. Endorsement was given by the District Board of Directors on July 18, 2006.
6. A necessary party has not contested this boundary change. Therefore, the change may become effective immediately upon adoption by the Board pursuant to Metro Code Section 3.09.050 (f).

# EXHIBIT B

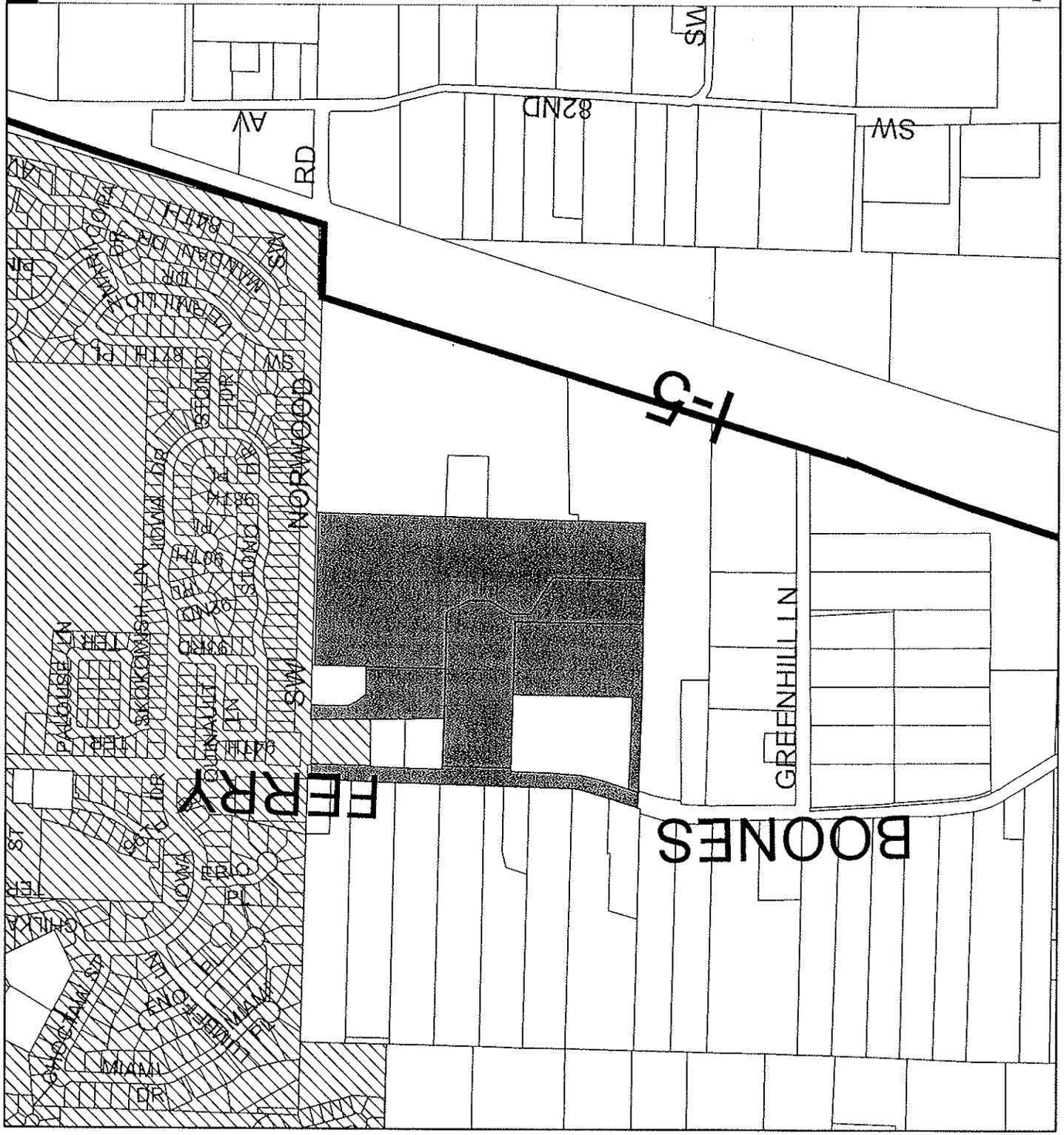
## WA-2706

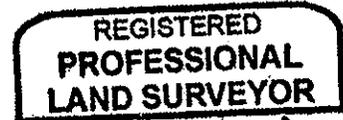
Annexation to  
Clean Water Services  
(CWS)

-  Subject Taxlot
-  CWS
-  Urban Growth Boundary



This map was derived from several databases. The County cannot accept responsibility for any errors. Therefore, there are no warranties for this product. However, notification of errors would be appreciated.





*Scott F. Field*



*Renewal 12/31/2007*

Property Description  
Project No. 1892-01  
May 4, 2006  
Annexation to the City of Tualatin  
Page 1 of 3

**PROPERTY DESCRIPTION**

A tract of land located in southwest ¼ and southeast ¼ of Section 35, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the northwest corner of the southeast ¼ of said Section 35;

Thence along the northerly line of said southeast ¼, North 89°41'31" East a distance of 30.00 feet to a point on the Tualatin City Limits line;

Thence along said City Limits line and parallel with and 30.00 feet easterly of the centerline of SW Boones Ferry Road, when measured at right angles there from, South 00°05'17" East a distance of 330.00 feet, more or less, to a point on the northerly line of that property conveyed to Paul J. Dionne and Norma F. Dionne by Warranty Deed recorded June 6, 1986 as Document No. 86-023829, Deed Records of Washington County, Oregon;

Thence along the northerly line of said Dionne property and the Tualatin City Limits line North 89°41'31" East a distance of 10.00 feet to the northeast corner of that property dedicated to the public by Dedication Deed recorded October 11, 1984 as Document No. 84-040292, Deed Records of Washington County, Oregon, said point on the easterly right-of-way line of SW Boones Ferry Road;

Thence departing the Tualatin City Limits Line and along the easterly line of that property dedicated by said Document No. 84-040292, being also the easterly right-of-way line of SW Boones Ferry Road, South 00°05'17" East a distance of 165.00 feet to the southeast corner of that property dedicated by said Document No. 84-040292, said point being also on the northerly line of that property conveyed to Diane M. Yackey and Tod C. Gannett, wife and husband, by Deed recorded May 31, 2002 as Document No. 2002-062462, Deed Records of Washington County, Oregon;

Thence along the northerly line of said Yackey property South 89°41'31" West a distance of 10.00 feet to a point on the easterly right-of-way line of SW Boones Ferry Road that is 30.00 feet from the centerline thereof when measured at right-angles.

Thence along said easterly right-of-way line South 00°05'17" East a distance of 181.44 feet, more or less, to a point on the southerly line of said Yackey property;

Thence departing said easterly right-of-way line and along the southerly line of said Yackey property North 89°38'45" East a distance of 264.00 feet to the southwest corner of that property conveyed to Grace Community Church Non-Profit Corporation by Warranty Deed recorded October 7, 2005 as Document No. 2005-124105, and re-recorded May 3, 2006 as Document No. 2006-052495, Deed Records of Washington County, Oregon;

Thence along the westerly line of said Grace Community Church property North 00°05'17" West a distance of 661.23 feet to the most easterly southeast corner of that property conveyed to the public by Warranty Deed of Dedication recorded September 6, 1974 in Book 991, Page 609, Deed Records of Washington County, Oregon, said point being also on the Tualatin City Limits line;

Thence continuing along the westerly line of said Grace Community Church property and the Tualatin City Limits Line North 00°05'17" West a distance of 15.00 feet to the northwest corner of said Grace Community Church property, said point being on the southerly right-of-way line of SW Norwood Road and the northerly line of said southeast ¼;

Thence along said southerly right-of-way line and the Tualatin City Limits line North 89°41'31" East a distance of 85.00 feet, more or less, to the northwest corner of that property conveyed to Tom K. Williams by Warranty Deed recorded August 22, 1989 as Document No. 89-038984, Deed Records of Washington County, Oregon;

Thence departing the Tualatin City Limits line and along the westerly line of said Williams property South 00°05'17" East a distance of 215.00 feet to a point;

Thence along the southwesterly line of said Williams property South 53°03'42" East a distance of 77.67 feet to the most southerly southwest corner thereof;

Thence along the southerly line of said Williams property North 89°41'40" East a distance of 110.00 feet to the southeast corner thereof, being also a point on the westerly line of Parcel II of that property conveyed to Grace Community Church of the Assemblies of God, Inc. by Warranty Deed recorded June 12, 2001 as Document No. 2001-055727, Deed Records of Washington County, Oregon;

Thence along the westerly line of said Parcel II, North 00°05'17" West a distance of 262.00 feet to the northwest corner thereof, said point being on said southerly right-of-way line and the Tualatin City Limits line;

Thence along the northerly line of said Parcel II and the Tualatin City Limits line North 89°41'31" East a distance of 748.98 feet, more or less, to the northeast corner thereof;

Thence departing the Tualatin City Limits line along the easterly line of said Parcel II and the southerly extension thereof South 00°09'07" East a distance of 1647.78 feet to a point on the northerly line of that property conveyed to Kimball Hill Homes Oregon, Inc. by Warranty Deed recorded October 3, 2005 as Document No. 2005-121808, Deed Records of Washington County, Oregon;

Thence along the northerly line of said Parcel I South 89°36'05" West a distance of 1365.65 feet, more or less, to a point on the easterly right-of-way line of SW Boones Ferry Road;

Thence North 72°53'43" West a distance of 60.00 feet to a point on the westerly right-of-way line of SW Boones Ferry Road 30.00 feet from the centerline thereof, when measured at right angles;

Thence along said westerly right-of-way line North 17°06'17" East a distance of 176.90 feet to a point;

Thence continuing along said westerly right-of-way line 260.91 feet through the arc of a 869.50 foot radius curve to the left, said curve having a central angle of 17°11'34", a chord bearing of North 08°30'30" East and a chord length of 259.93 feet to a point;

Thence continuing along said westerly right-of-way line North 00°05'17" West a distance of 1206.33 feet, more or less to the northerly line of the southwest ¼ of said Section 35;

Thence along the northerly line of said southwest ¼, North 89°41'31" East a distance of 30.00 feet to the Point of Beginning.

EXCEPTING THEREFROM a tract of land located in the southwest and southeast ¼ of Section 35, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being that portion of the property conveyed to Thomas J. Re and Kathryn S. Re, Husband and Wife by Warranty Deed recorded September 15, 2003 as Document No. 2003-156709, Deed Records of Washington County, Oregon, lying easterly of the easterly right-of-way line of SW Boones Ferry Road and more particularly described as follows:

Commencing at the northwest corner of said southeast ¼; thence along the westerly line of said southeast ¼, South 00°05'17" East a distance of 1024.86 feet, more or less to the northwest corner of said Re property; thence along the northerly line of said Re property North 89°36'07" East a distance of 30.00 feet to a point on said easterly right-of-way line and the Point of Beginning.

Thence continuing along the northerly line of said Re property North 89°36'07" East a distance of 349.92 feet, more or less, to the northeast corner thereof;

Thence along the easterly line of said Re property South 00°06'08" East a distance of 574.95 feet, more or less, to the southeast corner thereof;

Thence along the southerly line of said Re property South 89°36'05" West a distance of 428.38 feet, more or less, to its intersection with said easterly right-of-way line;

Thence along said easterly right-of-way line North 17°06'17" East a distance of 124.44 feet to a point;

Thence continuing along said easterly right-of-way line 278.92 feet through the arc of a 329.50 foot radius circular curve to the left, said curve having a central angle of 17°11'34", a chord bearing of North 08°30'30" East and a chord length of 277.87 feet to a point;

Thence continuing along said easterly right-of-way line North 00°05'17" West a distance of 181.75 feet to the point of beginning.

**CONDITIONS OF APPROVAL**

1. Applicant shall apply for and obtain sewer and storm water system connection permits from the District or City.
2. Prior to obtaining sanitary sewer and storm water connection permits, applicant shall submit site and engineering drawings and calculations for District/City review to determine compliance with Clean Water Services' Design and Construction Standards 04-09.
3. Upon review of the application information, the District/City shall determine the conditions of issuance of the permits. The conditions may include, but are not limited to, the dedication of easements, the construction of public sanitary sewer, storm water, and water quality and quantity facilities to serve the use, the extension of public system facilities and/or dedication of easements to the most distant parcel boundary to facilitate possible future extension of service to upstream properties.
4. Applicant shall sign a waiver of the right to remonstrate against the annexation of the property into the City of Tualatin.
5. Applicant shall satisfy all conditions prior to issuance of sanitary sewer and storm water connection permits.