



PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION

800 NE OREGON STREET # 16 (SUITE 540) PORTLAND, OREGON 97232

PHONE (503) 731-4093

FAX (503) 731-8376

WHOM IT MAY CONCERN TO:

This proposal may have MEASURE 47 implications. Subsequent development and/or rezoning may allow for exception to the 3% limitation imposed by the Measure. It will be the responsibility of the annexing unit and/or unit of government overseeing the development or granting the rezoning to notify the County Assessor of those actions.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION. 800 NE OREGON ST #16 (STE 540), PORTLAND OR 97232-TEL: 731-4093

FINAL ORDER

RE: BOUNDARY CHANGE PROPOSAL NO: 3653 - Annexation of territory to the City of Portland.

Proceedings on Proposal No. 3653 commenced upon receipt by the Boundary Commission of a petition from the property owner on October 17, 1996, requesting that certain property be annexed to the City. The petition meets the requirements for initiating a proposal set forth in ORS 199.490, particularly paragraph (c) of Section (1).

Upon receipt of the petition the Boundary Commission published and posted notice of the public hearing in accordance with ORS 199.463 and conducted a public hearing on the proposal on November 14, 1996. The Commission also caused a study to be made on this proposal which considered economic, demographic and sociological trends and projections and physical development of the land.

The Commission reviewed this proposal in light of the following statutory guidance:

"199.410 Policy. (1) The Legislative Assembly finds that:

- "(a) A fragmented approach has developed to public services provided by local government. Fragmentation results in duplications in services, unequal tax bases and resistance to cooperation and is a barrier to planning implementation. Such an approach has limited the orderly development and growth of Oregon's urban areas to the detriment of the citizens of this state.
- "(b) The programs and growth of each unit of local government affect not only that particular unit but also activities and programs of a variety of other units within each urban area.
- "(c) As local programs become increasingly intergovernmental, the state has a responsibility to insure orderly determination and adjustment of local government boundaries to best meet the needs of the people.
- "(d) Local comprehensive plans define local land uses but may not specify which units of local government are to provide public services when those services are required.
- "(e) Urban population densities and intensive development require a broad spectrum and high level of community services and controls. When areas become urbanized and require the full range of community services, priorities are required regarding the type and levels of services that the residents need and desire. Community service priorities need to be established by weighing the total service needs against the total financial resources available for securing services. Those service priorities are required to reflect local circumstances, conditions and limited financial resources. A single governmental agency, rather than several governmental agencies is

in most cases better able to assess the financial resources and therefore is the best mechanism for establishing community service priorities.

- "(2) It is the intent of the Legislative Assembly that each boundary commission establish policies and exercise its powers under this chapter in order to create a governmental structure that promotes efficiency and economy in providing the widest range of necessary services in a manner that encourages and provides planned, well-ordered and efficient development patterns.
 - "(3) The purposes of ORS 199.410 to 199.534 are to:
- "(a) Provide a method for guiding the creation and growth of cities and special service districts in Oregon in order to prevent illogical extensions of local government boundaries and to encourage the reorganization of overlapping governmental agencies;
- "(b) Assure adequate quality and quantity of public services and the financial integrity of each unit of local government;
- "(c) Provide an impartial forum for the resolution of local government jurisdictional questions;
- " (d) Provide that boundary determinations are consistent with acknowledged local comprehensive plans and are in conformance with state-wide planning goals. In making boundary determinations the commission shall first consider the acknowledged comprehensive plan for consistency of its action. Only when the acknowledged local comprehensive plan provides inadequate policy direction shall the commission consider the statewide planning goals. The commission shall consider the timing, phasing and availability of services in making a boundary determination; and
- "(e) Reduce the fragmented approach to service delivery by encouraging single agency service delivery over service delivery by several agencies.
- "199.462 Standards for review of changes; territory which may not be included in certain changes. (1) In order to carry out the purposes described by ORS 199.410 when reviewing a petition for a boundary change or application under ORS 199.464, a boundary commission shall consider local comprehensive planning for the area, economic, demographic and sociological trends and projections pertinent to the proposal, past and prospective physical development of land that would directly or indirectly be affected by the proposed boundary change or application under ORS 199.464 and the goals adopted under ORS 197.225."
- "(2) Subject to any provision to the contrary in the principal Act of the affected district or city and subject to the process of transfer of territory:
- "(a) Territory within a city may not be included within or annexed to a district without the consent of the city council;
- "(b) Territory within a city may not be included within or annexed to another city; and

"(c) Territory within a district may not be included within or annexed to another district subject to the same principal Act."

The Commission also considered its policies adopted under Administrative Procedures Act (specifically 193-05-000 to 193-05-015), historical trends of boundary commission operations and decisions and past direct and indirect instructions of the State Legislature in arriving at its decision.

FINDINGS

(See Findings in Exhibit "A" attached hereto).

REASONS FOR DECISION

(See Reasons for Decision in Exhibit "A" attached hereto.)

ORDER

On the basis of the Findings and Reasons for Decision listed in Exhibit "A", the Boundary Commission approved Boundary Change Proposal No. 3653 on November 14, 1996.

NOW THEREFORE IT IS ORDERED THAT the territory described in Exhibit"B" and depicted on the attached map, be annexed to the City of Portland as of 45 days from this date which is December 29, 1996 subject to the requirements of ORS 199.505.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT
BOUNDARY COMMISSION

DATE: NOV. 14, 1996

RY.

ATTEST:

FINDINGS

Based on the study and the public hearing the Commission found:

- 1. The territory to be annexed contains 9.75 acres, 2 single family residences, an estimated population of 8 and is evaluated at \$666,690.
- 2. The property owner wants to annex to facilitate development of a private school (preschool through 8th grade) for approximately 400 students (the French American School). Specifically, the purpose is to streamline the conditional use permit process because the jurisdiction now is in two counties. Annexation will allow all land use decisions to be made by Portland. A core school building of approximately 12,000 square feet is planned, containing a gym, library, administrative offices and approximately 22 classrooms
- 3. The Boundary Commission has three adopted policies. The first of these policies says that the Commission generally sees cities as the primary providers of urban services. Recognizing that growth of cities may cause financial problems for the districts, the Commission says in the second policy that the Commission will help find solutions to the problems. The third policy says that the Commission may approve illogical boundaries in the short term if these lead to logical service arrangements in the long term.
- 4. Approximately 3/4 of the site; closest to Cornell Road, has grass fields, sloping 10-15 percent. The remainder is steep wooded slopes. Surrounding land uses are residential. Tualatin Valley Fire and Rescue District's new station is located on the west side of the territory.
- The territory is within the regional Urban Growth Boundary and the jurisdictional boundary of Metro.
- 6. The territory is designated Urban on the Multnomah and Washington County Comprehensive Plans. Multnomah County does not have a community plan for this area. The part of the territory within Multnomah County is zoned R-10. Schools are permissible in the R-10 zone with approval of a Community Service use permit. In 1983, the Multnomah County Board of Commissioners passed Resolution A. Resolution A stated the County's policy that its revenues should be spent for County-wide services available to all residents of the County and announced that it's resources were insufficient to continue current municipal service levels.
- 7. The part of the territory within Washington County is within the West Sylvan area of the Cedar Hills Cedar Mills Community Plan element of the Washington County Comprehensive Plan. The territory in Washington County is designated R-5. Schools are permissible in the R-5 zone.
- 8. The City of Portland has an acknowledged plan for its current city limits. In February, 1983, Portland adopted an Urban Services Policy and boundary showing the area the City might serve in the future. This territory is within that boundary. The Multnomah County portion of

the boundary is acknowledged. The Washington County portion of the boundary has been subject to mediation by Metro. The memorandum of agreement on the Washington County portion of the boundary that is the most recent document in resolving the Washington County urban service area does not include this territory within the Portland area. However, the urban service area agreement between Portland, Beaverton and Washington County has not been adopted and there is nothing that legally prohibits Portland from annexing in Washington County. Washington County and Beaverton have been notified of this annexation and have not objected.

 State law (ORS 215.130) provides that "land use and zoning designations on areas annexed to cities will continue in effect unless or until the city has by ordinance or provision provided otherwise."

Multnomah County's urban planning area agreement with the City of Portland contains the following pertinent provisions:

- VII. With the exception of the conflicts mentioned . . . the City accepts the County's land use designations within the Urban Planning Area, subject to the following conditions:
 - 1. At the time of annexation, the City will retain the right to assign any one of its land use designations within the <u>category</u> of land use assigned by the County. . .
 - The City reserves the right to amend the Plan and/or rezone land to a
 different category after annexation through established due process
 procedures, involving full public notification and supported by legally
 sufficient reasons.

Table 855-1 Assigned City Zoning for Multnomah County Zones

Multnomah County Zone

Assigned City Zoning

R-10

R-10

IX. The City and County have agreed on the location of an Urban Services
Boundary suitable and appropriate for provision of future City services and
eventual annexation to the City. For purposes of this agreement, the Urban
Services Boundary shall constitute the City's Urban Planning Area Boundary.
The City shall also be responsible for the preparation of the Public Facilities
Plan within this Boundary. . . .

Washington County has an urban planning area agreement with the City of Portland. The agreement provides:

The City accepts the County's Comprehensive Framework Plan, current land use designations and policies, and Implementing Ordinances within the Urban Planning Area, subject to the following conditions:

. . .

- b. Should land be annexed in the planning area . . . to the City, the City will assign a comparable City Plan and zoning description to that of the County's within the category of land use originally assigned by the County, if the City's findings support such redesignation and zoning. In recognition of the extensive land use development studies completed by the County prior to annexation, as evidenced by its Comprehensive Plan, and assuming such action complies with the Statewide Goals and Guidelines or the City's Comprehensive Plan after acknowledgement, the City agrees to maintain the comparable County Plan and zoning designation on the newly annexed territory for a period of at least one year from the date of annexation.
- c. The City reserves the right to amend the Plan and/or rezone land after the one year period identified in 'b' above through established procedures. The City will notify the County, appropriate Community Planning Organizations, and nearby property owners, consistent with established procedures and with 4, above, of any proposed Plan or zone changes occurring after annexation for any land shown . . .

The territory will be zoned R-10 upon annexation to Portland. Schools are permissible in the Portland R-10 zone with approval of a Conditional Use permit.

- 10. The Unified Sewerage Agency has an 8-inch sewer located at NW 87th Avenue and NW Johnson Street on the west edge of the territory. The part of the territory within Washington County is within the Unified Sewerage Agency from which it will be automatically withdrawn upon annexation. Portland and USA have a contract providing that USA provides sewage transmission and treatment services for the City for lands lying in the Tualatin drainage basin but the City is the provider of local sewage services and bills the customers at City rates, which are lower than District rates.
- 11. The portion of the territory in Multnomah County was previously within the Sylvan Water District which dissolved. Upon dissolution of the District, the City received all the District's facilities and the Boundary Commission granted the City authority to provide service to the area that was in the District.

The portion of the area in Washington County is within the Tualatin Valley Water District. Withdrawal from that District is not automatic upon annexation to the City but can be accomplished by the City at a later date.

The Tualatin Valley Water District has a 12-inch water line in NW Cornell Road. The City of Portland has an agreement with the District to purchase water from this line for sale to in-city customers.

12. The part of the territory in Multnomah County is served by the Multnomah County Sheriff's Department. The population for the Sheriff's west side patrol district is estimated to be 8,208, served by 6.5 deputies and sergeants for a police services ratio of .792 sworn officers per thousand population. There is one patrol car covering the unincorporated area of Multnomah County west of the Willamette River. This Patrol District reaches from Dunthorpe Riverdale to Sauvie's Island.

The part of the territory within Washington County is within the Washington County Enhanced Sheriff's Patrol District from which it will be automatically withdrawn upon annexation. The District's \$.7481/1000 tax will no longer be levied on the property. The District plus the basic County-wide level of protection provides .95 officers per 1000 population.

Upon annexation the territory would receive police protection from the City of Portland. Portland has budgeted the Police Bureau to maintain a ratio of 1.98 sworn officers per thousand population. According to the City staff report the City's Patrol District 861 will be adjusted to serve the area.

- 13. Upon annexation the territory will be automatically withdrawn from the Tualatin Valley Fire and Rescue District. ORS 199.510(2)(c). The City of Portland will assume responsibility for fire protection. The city and the district do have a mutual response agreement under which the closest engine responds so this area would get first response from the station next door.
- 14. The part of the territory within Washington County is within the jurisdiction of the Unified Sewerage Agency which has authority for storm water services. Upon annexation and automatic withdrawal from the District, Portland will become responsible for storm water services. Storm water in this area is generally provided by the use of culverts, storm sewer lines, and natural drainage ways. Because the area is mostly developed or platted for development already, most known drainage problems have been addressed in the development approval conditions.
- 15. The territory is close to the Metro Zoo, Washington Park, Macleay Park, and Forest Park.
- 16. In 1983, the City and the County executed a municipal services transfer agreement. Under that agreement Portland agreed to maintain all County roads (public roads for which the County had accepted maintenance responsibility) within the City's urban services boundary west of the Willamette River Thus, Portland already has responsibility for road maintenance for Cornell Roads west to the County line. Washington County will retain jurisdiction for Cornell Rd. east of the County line.

- 17. The part of the territory within Multnomah County is within the boundary of the Mid-County Service District #14 for Street lights. The part of the territory within Washington County is within Washington County Service District No. 1. Upon annexation the territory would be automatically withdrawn from the Districts. The Districts' function is primarily administrative, to collect the revenues to pay PGE for lighting services. The withdrawal of this area should have no significant effect on the Districts. The City provides street lights which are funded by a continuing levy.
- 18. Planning, building inspection, permits, parks and recreation and other municipal services will be available from the City upon annexation.

REASONS FOR DECISION

Based on the Findings, the Commission determined:

- 1. The proposal is consistent with City, County, and Regional planning for the area.
- 2. An adequate quantity and quality of public services is available to serve the area.
- 3. The proposal is consistent with the Boundary Commission Policy On Incorporated Status (OAR 193-05-005) and the Policy On Long Term/Long Range Governmental Structure (OAR 193-05-015).

ANNEXATION TO City of Portland

A tract of land in Sections 35 & 36 Township 1 North, Range 1 West, W.M., Multnomah and Washington Counties, State of Oregon, more particularly described as follows:

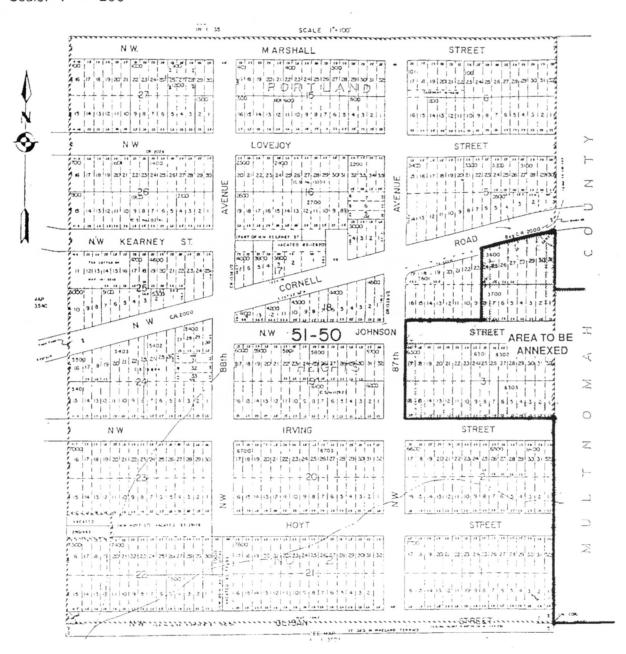
Beginning at the southwest corner of Lot 16, Block 4, plat of PORTLAND HEIGHTS II; thence South along the east line of NW 87th Avenue, 260 feet to its intersection with the north line of NW Irving Street; thence East along the north line of NW Irving Street, 400 feet to the west line of Section 36 Township 1 North, Range 1 West, W.M., Multnomah County, Oregon; thence South along the west line of Section 36, 542.12 feet to the southwest corner of the northwest quarter of said Section 36; thence East 330 feet; thence North, 1139.96 feet to the center line of NW Cornell Road; thence Westerly along the center line of NW Cornell Road, 108.48 feet; thence South 218.08 feet; thence West 220 feet to the west line of said Section 36; thence North along said Section 36, 142.15 feet to the south line of NW Cornell Road; thence Southwesterly along the south line of NW Cornell Road, 200 feet, more or less, to the northwest corner of Lot 24, said Block 4; thence South 200 feet, more or less, to the southwest corner of Lot 8, said Block 4; thence West along the north line of NW Johnson Street, 200 feet to the Point of Beginning.

PROPOSAL NO. 3653

SE1/4 NE1/4 SECTION 35 T1N R1W W.M. Washington County

1N 1 35AD

Scale: 1" = 250'



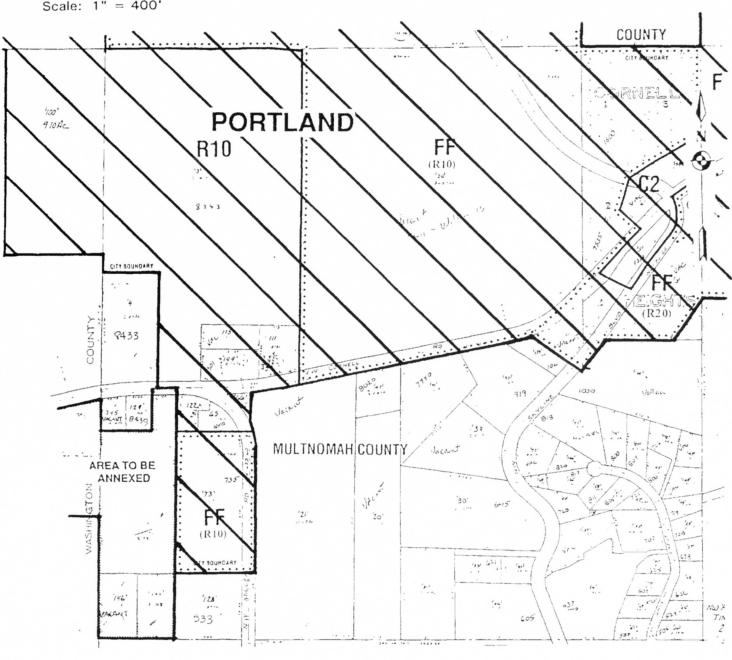
PROPOSAL NO. 3653 CITY OF PORTLAND ANNEXATION FIGURE 2a

PROPOSAL NO. 3653

NW1/4 SECTION 36 T1N R1W W.M. Multnomah County

1N 1W 36B 2921

Scale: 1" = 400'



PROPOSAL NO. 3653 CITY OF PORTLAND ANNEXATION FIGURE 2b

To:

Mayor Katz

Commissioner Kafoury
Commissioner Lindberg

MEMORANDUM

From:

Charlie Hales

Subject:

Westside urban services boundary

Date:

October 28, 1996

Just a "heads up:" Mike Burton has proposed and I and Beaverton Mayor Rob Drake have agreed to each recommend to our councils a resolution of the urban services boundary wrangle. The final proposal is a minimalist one, with Portland's USB crossing the Washington County line only to better connect and organize some areas affected by previous annexations. The result is a line which makes sense from a planning and services standpoint, but is still less than ideal.

There are, however, still some folks who are very upset about being included in "evil Portland" and who will show up at Wednesday's hearing. They live primarily in two areas:

- (1) an area just south of the Forest Heights neighborhood, and whose streets and services run in from Forest Heights; and
- (2) an area between SW Vermont Street and Garden Home, east of Oleson Road. These folks live on extensions of Portland Streets (Vermont, Peyton, Miles) in the Maplewood neighborhood.

Jillian Detweiler will be at the Commissioners Assistants meeting today. John Bonn and Laurel Butman in Urban Services can provide a more detailed view of this matter.

TESTIMONY SIGN-UP FOR

35562

1754 - Urban Services Boundary Settlement

IF YOU WISH TO SPEAK TO THE CITY COUNCIL, PLEASE PRINT YOUR NAME AND ADDRESS BELOW

NAME

Date: 10 36 96

ADDRESS & ZIP CODE

Page ___of ___

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1	ERICKA HOFFMAN) 9480 MW. Wells of AH. E	1972
2	Patrice Westphal	1811 N.W. 93RJ Pt PHJ C 9249 MW Fullner Ct Portlan	972
3_	Denyse Mulflur	9349 YW Fullner Ct Portlan	nd 970
4	Ed Bednarz	NW Marshall	
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EDWARD D BEDNARZ ANNABEL L BEDNARZ 9025 NW Marshall Street Portland, Oregon 97229 Washington County

October 29, 1996

RE: PROPERTY DESCRIPTION (MAP NUMBER) 1N135AB-00200

TO: ANNEXATION HEARING OFFICERS

FROM ED AND ANNABEL BEDNARZ

Thank you for permitting me to personally present my feeling about the annexation - I attended two of the public relations sessions on annexation where both Portland and Beaverton presented their reasons and was more than ever convinced that Beaverton is the place I want to be

I have written letters to Kathy Christy, Bob Drake, Mike Burton and Charlie Hales stating my wife and my desire to be annexed to Beaverton. I have attached a copy of my letter to this communication. Responses were received from each person and all were very conciliatory with the exception of Mr. Charlie Hale. Mr. Hale conveyed the feeling that he didn't really care what I wanted. The decision would be made without that consideration.

We will be very unhappy if we are annexed to Portland

Thank you again for your time

EDWARD D BEDNARZ ANNABEL L BEDNARZ 9025 NW Marshall Street Portland Oregon 97229

Kathy Christy
Washington County Commissioner
155 N. First Ave.
Hillsboro, Or 97124

7/18/96

Dear Ms Christy,

The main intent of this letter is to make it very clear to you that our wish is to be incorporated into the BEAVERTON URBAN SERVICE BOUNDARY and ultimately be annexed into the City of Beaverton. The annexation to be determined at some given time in the future at the discretion of the City of Beaverton. We realize that we can no longer remain unincorporated in Washington County, but must choose who will provide our urban services. It is our belief that Beaverton NOT Portland, could accomplish this, and at the same time keep our best interests in mind; and will support our annexation request to the City of Beaverton.

Our connectivity and community in the Cedar Mill area has been over 60 years. We have supported this community, the Library, the local businesses, the schools and the Parks for all of these years. The Beaverton City Hall and City Government is within minutes of our Cedar Mill area. It makes sense to be part of the community where our children have gone to school and now our grand children (Beaverton School District) they play in the city leagues and share the same interests

The Tualatin Hills Park and Recreation District has given our community so much through the hundreds of classes and sports leagues it offers, and all within our own backyard. We are served by seven (7) area swimming pools, three (3) recreation centers, and countless adult and youth sports leagues. In turn, we are have responded favorably with the passing of bond measures to keep THPRD at their high rate of services, at a low cost to the consumer, now provided to our community. I repeat, these are all in our own backyard. There are no Portland Park facilities within many miles of our area. In fact the Portland did not want us to play on their Golf Courses with out paying a surcharge. NOW THEY WANT US TO RUN INTO THEIR ARMS, NO WAY.

Tualatin Valley Fire and Rescue, Station 250, is less than one minute travel time to our home and neighborhood. We even granted them a temporary easement to use our lane for emergency access to Meadow Ridge and Fullner Ridge Developments. Portland could not possibly provide us with as good a service. Because of our location, the Portland Police, and the Portland Fire Department could not possibly have proper access to our area, especially in an emergency and during the winter months. The Portland Police is over extended now within the city limits, so because of this our protection would greatly decrease.

The Washington and Multnomah County lines divides two very different political world. The way Washington County conducts business fits more readily with the philosophy of our neighborhood and consequently was a deciding factor for being here. Beaverton City Council members are still easily approachable, making it more conducive to our participation. Politically, Portland does nothing for me.

This issue goes deeper than who will ultimately provide our urban services. Probably of greater importance is the issue of which city do we ultimately want to identify with. We believe that Beaverton is our best choice of community.

Sincerely,

Good Morning

My name is Ericka Hoffman I live at 9480 NW Wells Court, Portland, Oregon, 97229 I live in the Meadow Ridge development in Washington county. Our community falls in the disputed area you are addressing here today. We are here representing the families who live in Meadow Ridge. We understand that you will be voting on the Urban Service Boundary Line today and we are here to ask that you leave Meadow Ridge out of Portland's proposed line.

We first became aware of the changes that were taking place to the USB this past May. On June 24th we signed a letter stating our wishes to join Beaverton and our intent to pursue a double majority annexation into the city of Beaverton. This letter was sent to Commissioner Hales by registered mail, however, we unfortunately did not receive a response. On August 2nd we presented a double majority annexation request to Beaverton signed by 100% of the families living in Meadow Ridge. This past summer when the survey was conducted by METRO, every respondent from Meadow Ridge stated they wished to join the city of Beaverton. On September 5th, I wrote a letter to Mayor Katz regarding these issues in order to try to understand why Portland wants to include us within their Service Boundary. Unfortunately, there still has been no reply. I have given you copies of these letters and petitions.

There are many reasons why our community wishes to join with Beaverton.

- Our community feels closer ties with the city of Beaverton
- We are in the Beaverton school district and as a result most of our families activities revolve around Beaverton
- We do most of our every day shopping and commuting in Beaverton
- There is a Tualatin Valley Fire Station literally less than a mile away
- Our children are involved in programs at Tualatin Valley Parks and Recreation
- Our taxes will be lower in Beaverton

The reason our development has been recommended to become part of Portland is because of a pre-existing annexation agreement between the developers of Meadow Ridge and Portland. This agreement was drawn so that the development could tie into Portland sewer lines, which now carry the affluent through Washington County to the treatment plant in Durham. When we purchased our homes, this annexation agreement was not properly explained to the homeowners. We know the City of Portland can forgive such agreements and we ask that you do so.

With regard to the question of connectivity to the city of Beaverton, the office of Land Use and Transportation of Washington County has shown us a map of the future development where Meadow Ridge will be connected directly to Cornell road thereby bypassing Miller road and the connection through Forest Heights. In fact, once this road goes through, we expect that the traffic through our neighborhood will increase dramatically, as area residents travel into Beaverton and Washington County.

In closing, I would like to say that at every step in this process our neighborhood has been unanimous in it's desire to be included in Beaverton's Urban Service Boundary. I have heard Mayor Katz, that you have said that you would not support annexing any community into Portland if the residents did not want to be citizens of Portland. I hope that you will support our attempt to join Beaverton. This is a matter about which my neighbors and myself feel very strongly and an issue where our neighborhood is unanimous in it's choice.

Thank you We would be happy to answer any questions at this time

Meadow Ridge Residents, Portland, Oregon 97229

June 24,1996

Charlie Hales Commissioner, City of Portland 1220 SW 5th Ave , Room 404 Portland, Oregon 97204 mail reprotende

Dear Mr Hales.

It is the intent of this letter to make clear to you our wish to be incorporated into the Beaverton urban service boundary and ultimately be annexed into the City of Beaverton. The annexation will be determined at some given time in the future at the discretion of the City of Beaverton. We realize that we can no longer remain unincorported in Washington County, but must choose who will provide our urban services. We believe that Beaverton, not Portland, could accomplish this, and at the same time keep our best interests in mind, and to this end have started a double majority annexation request to the City of Beaverton. Please see the attached map for the specific boundaries we are asking you to consider.

We already share a sense of connectivity and community with the larger Cedar Mill community and support its library and local businesses. From there the downtown Beaverton City Hall, and therefore access to the City government is within minutes of the Cedar Mill community. It makes sense to be part of the community where our children go to school (Beaverton School District), play in city leagues, and share the same common interests.

The Tualatin Hills Parks & Recreation District has given our community so much through the hundreds of classes and sports leagues it offers, and all within our own backyard. We are served by seven area pools, three recreation centers, and countless adult and youth sports leagues. In turn, we have responded favorably with the passing of bond measures to keep THPRD at their high rate of services, at a low cost to the consumer, now provided to our community.

The Tualatin Valley Fire and Rescue, Station 250, is less then one minute travel time from our neighborhood via an emergency access on N W 88th Street off Cornell Road. We believe that the City of Portland could not possibly provide us with a better service than what we already have, and as you probably already know Beaverton's Fire Department is in the process of merging with TVF&R. We also feel that because of our location, the police from downtown Portland would be less accessible to our area, especially in an emergency. Moreover, the Portland Police are over extended within the current city limits, and we fear that because of this, our protection would greatly decrease.

The Washington and Multnomah County lines divide two very different political worlds. The way Beaverton and Washington County conducts business fits more readily with the philosophy of our neighborhood and consequently, was one of the deciding factors in buying a home here. The Beaverton City Council Members are still easily approachable, making it more likely for us to participate in the decisions that will ultimately affect our community.

As you can see, this issue goes much deeper than who will ultimately provide our urban services. Of equal, and probably of greater importance is the issue of which city do we ultimately want to be identified with. We believe that the City of Beaverton is the best choice for our community

Sincerely, The Residents of Meadow Ridge

PLEASE SEE ATTACHED SIGNATURES

- miguez Carol Men Larry Culdwell 1459 New Berfield Or Jamene F. Goldwelf Marshall Bedde Portland 97229 Did 35562 2 Rush Helen Bedder SUNANDA AGARWAL Swanda Agarwal 9345 NWFWIM Ct. 9: RAVI AGARWAL 9297 NW Fullier Cr. 9 Mag _ Sheare Weitzel Sherio Weitzel Cauland 9201 NW (Fullnew G Charles Wettzel Sarah Grewe SCOTT & GREWE. 9201 NW Fallner CT Surgh Grefie 9100 NW Fullner Cr PHd 97229 the Popus Denyce Mustler Denige Thulflur 9249 nw Fullner CA PHd, OR 97229 Michael J. Multur Medul flors. 9249 NW FULLWER CT PHd OR 97229 LNOA L. BEARY LILLBY 1828 NW 9312 GNEGOTY L. BEARY Bugg & Big PTLD. , OR 97229 Ilona M. Teufel Ilona M. Teught 1790 NW 935d P/ Mark Schray Portland, OR. 97229 U de Ann Schray 1775 NW 93rd PI ann Schray Portland OR 97229 Heigh Legge JEFF LEGGE 1775 NW 93rd P1 de in de Portland OR 97229 1849 NW 93rd PL William A. Meadows anis MM lalours Postlora 97229 PAULINZ L. KAIHZ Posedone J. Kahle 9270 NW FULL NER CT PORT. OR 97229 1439 NW BENFIELD DN Porsens on 97229

35562 Same to hear 9224 NW Fullner Court Jeffrey E. Leon Janet H. Leon Portland, OR 97229 CARL W. FOSTER Cally 9153 NW FLLLER CF PORTEAND, DE 97229 (movins in 7/28/96) BELKY JACKSON 9440 NW Marviatione Dedy Jedom fortland OR 97229 But. Rolly 9440 N.W. Manory Les Gove P. Gidley Portland, or 97229 B.R.C. AFARATTI - KLUSER B. Cofande Hillet 1360 NW Senfield Dr. 9722 MATTHEW A. KATZER truth C. Cop 1416 NW Benfield DR 97229 16181 NW MISSION CAKS Dr. Eucha Haffman Hay Holfman Ericka Hoffman BEAVERTOW, OR 97006 9480 N.W. WElls Ct. PHA. OR. 97229 Merle & Recor MElesson 1357 NW Benfield DR Karla Miller Kale Wile 1357 NW Benfield Dr Portland, OR 97229 ELAINE LEMMER Elaine Lemmer 1373 NW BENFIELD DR BETTONO, OR 97229 (Current until 8/21/96 14710 NW Mitchell Rd G Wm Ed Westphal POLTZAND, OR 97229) PATRICE WESTPHAl Dati m. Westful 1811 N.W 93 Rd Pl. Portland Over on 9727.

ROBB CASON ROLL CE 1417 FULLWER PL. (SEPT)
6990 SW ADDONNAN (CURRENT)
PDX 97833
LAMBER CASON GAGO SW OWENMORE WAY
PDX 97832

MEADOW RIDGE & MARSHALL STREET RESIDENTS PORTLAND, OREGON, 97229

Larry Conrad Senior Policy Planner City of Beaverton 4755 SW Griffith Drive Beaverton, Oregon 97076 August 2, 1996

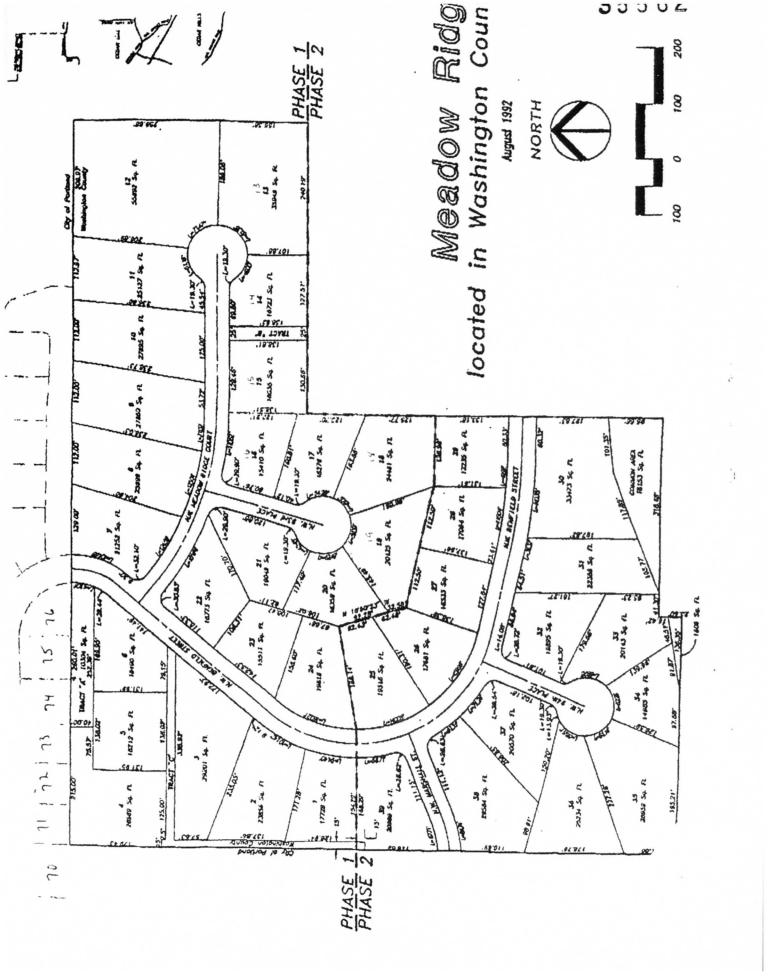
Dear Mr Conrad,

We the residents of Meadow Ridge and the adjacent three homes on Marshall Street wish to submit our double majority annexation to the City of Beaverton. The annexation will be determined at some later time at the discretion of the City of Beaverton. We believe the City of Beaverton will be able to provide our neighborhood with the kind of services we have come to rely on, and know that we will be receiving the best services for our money. To this end we wish to ask for annexation to the City of Beaverton. Thank you for your time and your consideration into this matter.

Sincerely,

Ericka Hoffman

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NOTE

This petition may be signed by qualified persons even though they may not know their property description or precinct number

City of Beaucrton

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The undersigned agree to be PETITION SIGNERS annexed into the city of Beaverton

NOTE This petition may be signed by qualified persons even though they may not know their property description or precinct number

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PO = Property Owner
RV = Registered Voter
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ERICKA HOFFMAN 9480 NW WELLS COURT, PORTLAND, OREGON 97229

TEL (503)-203-8539 FAX (503)-203-8545

Vera Katz Mayor City of Portland 1220 SW 5th. Avenue Rm. 303 Portland, Oregon 97204 September 5, 1996

Dear Mayor Katz:

I am writing you regarding the Urban Service Boundary Annexation between the Cities of Beaverton and Portland, and more specifically, the comments concerning this issue made by Commissioner Hales in the September 5th issue of "The Beaverton Valley Times". I live in one of the disputed areas, (Meadow Ridge), and have been actively involved in organizing our community. As such, I have on my own, collected the necessary signatures for a double majority annexation to the city of Beaverton. To better understand our reasons why, I have attached a copy of a letter I wrote in late June to Mayor Drake, Commissioner Hales, Mike Burton, and Kathy Christy.

I take great offense to Commissioner Hales' comment that "he was not sure that public opinion alone should determine where the line should be drawn" and that voting our opinion was nothing more than a "beauty contest"? Why did METRO ask our opinion? What happened to the democratic process? I find this to be quite ironic especially coming from an elected official who is suppose to represent the citizens. Well the citizens were asked and they responded overwhelmingly in favor of becoming part of the City of Beaverton. The Metro mail survey voted 3-1 in favor of Beaverton and the phone survey was 2-1 in favor of Beaverton.

I also find it very condescending when Commissioner Hales does not recognize METRO's authority in this matter. The Land Use Board Of Appeals (LUBA) and the Oregon Court of Appeals recognized METRO's authority to resolve any disputes. Nevertheless, Commissioner Hales has stated that, "Portland would not willingly accept any service boundary line which used the Washington /Multnomah county line" even though this was METRO's proposed starting point. I wonder who is really running the show here. Commissioner Hales did not answer my previous letter and he has not explained his "common sense line" that he proposes for the Urban Service Boundary. Please tell me Mayor Katz, were you able to live in the city of your choice? Don't you think our community has that same right? Who do you think ultimately pays the taxes in these areas?

Lastly, I reject the notion that Portland lost due to what Commissioner Hales called "misinformation". This isn't a personal attack between the two cities. On the contrary, I love Portland and grew up here But at the same time, I feel, along with the majority of others in my community, that our tax dollars would be better spent supporting the services we already have and use. The West Slope initiative was not concocted and contorted by the City of Beaverton. I was there. I know the person who started the annexation petition, and I also know that the issues were presented to the community in a forthcoming and accurate manner. In response to this initiative the Beaverton City Council Members were doing their job which was to listen to the will of the people.

I appreciate you taking the time to read my letter and allowing me to present my viewpoint on an issue which I take very seriously

Sincerely,

Ericka Hoffman

cc. Mike Burton, Mayor Drake

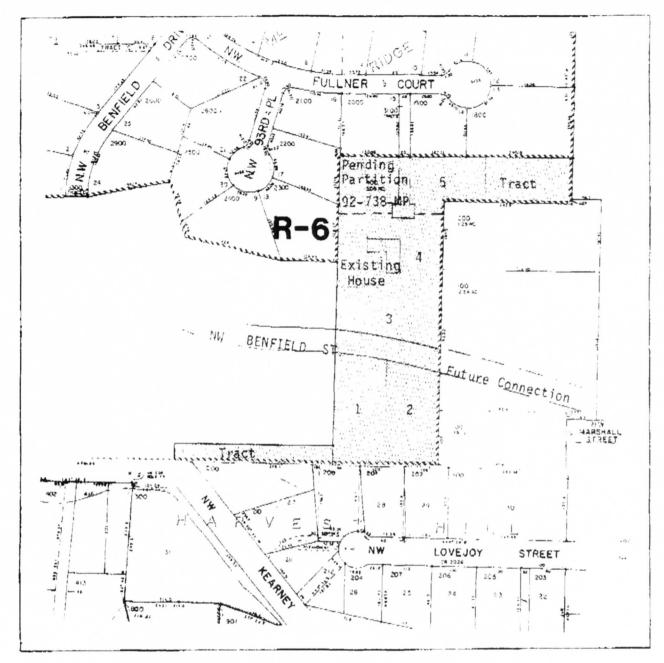
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WASHINGTON COUNTY
LAND USE AND TRANSPORTATION
155 NORTH FIRST AVENUE, SUITE 350
HILLSBORO, OREGON 97124

FAX NUMBER 1-503-693-4412

Page 2 TAX MAP/LOT NO. 1N1 35AB 400 CASE FILE NO. 94-078-S



∧ NORTH

AREA OF CONSIDERATION

SCALE: 1" TO 200'

SITE & SURROUNDING LAND USE DISTRICTS:

DISTRICT (RESIDENTIAL 6 UNITS/ACRE) R-6

REVIEW STANDARDS FROM CURRENT OR APPLICABLE ORDINANCE OR PLAN

- WASHINGTON COUNTY COMPREHENSIVE PLAN
- APPLICABLE COMMUNITY PLAN (See front of Notice)
- TRANSPORTATION PLAN
- WASHINGTON COUNTY COMMUNITY DEVELOPMENT CODE. ARTICLE I. INTRODUCTION & GENERAL PROVISIONS ARTICLE II. PROCEDURES ARTICLE III, LAND USE DISTRICTS

ARTICLE IV. DEVELOPMENT STANDARDS

ARTICLE V, PUBLIC FACILITIES AND SERVICES ARTICLE VI, LAND DIV & LOT LINE ADJUSTMENTS

- ARTICLE VII, PUBLIC TRANSPORTATION FACILITIES R & O 88-95 TRAFFIC SAFETY IMPROVEMENTS
- ORD, NO. 318 UNIFORM ROAD IMPROVEMENT STANDARDS ORD NO 379 TRAFFIC IMPACT FEE
- R & O 91-75 SURFACE WATER QUALITY/QUANTITY

35002

6836 S.W. Peyton Road Portland, Oregon 97223 October 28, 1996

Vera Katz, Mayor City of Portland 1220 S.W. 5th Avenue Portland, Oregon 97201 BCT 28 11 14 AH '96 BARE RAY LONG OR LUR

Thursday, October 24, a Petition requesting annexation was submitted to the City of Beaverton by residents of an area north of Garden Home, and south of Vermont Street. The area is between Oleson Road and the Multnomah County line, in what is proposed to be the urban service area of the city of Portland. It represents the opinions of the residents of four subdivisions and nearby lands all in Washington County.

Owners of a majority of the land in the proposed annexation area have become part of this effort, along with in excess of two-thirds of the registered voters. We believe this is a valid dual-majority petition, and truly represents the wishes of the residents. An abridged copy of the petition accompanies this letter.

Location of the proposed Urban Service Boundary along Oleson road near this area was done without regard to the desires of the residents. I can identify no significant reason why it should not be along the county line, as is the rule both to the north and south. The will of the residents of the effected area should be the dominant consideration.

Our subdivision was developed fifty years ago, purposefully outside of Portland. We trade in Beaverton, and have been active in the local Community Planning Organization and other Washington County endeavors. Our children attended Beaverton schools. In spite of the language of the Tentative Agreement, we do not consider ourselves part of the Maplewood community. In fact there is no direct route from Maplewood Road to our subdivision.

Negotiating the USB Tentative Agreement has been no small task, and our goal is not to cause disruption. We believe however, that a serious error in location of the line in our vicinity needs correction, and have gone to considerable effort to help set it right.

All of my correspondence indicates that, if Portland were to agree to the county line location here, the other jurisdictions party to the Tentative Agreement would be agreeable to such change. Our two-thirds majority of voters reinforces the mail-in-ballot poll conducted by Metro. That poll indicated 82 percent favoring Beaverton from this area. We believe this truly represents the desires of the residents, and ask your support in respecting their preferences.

Sincerely

Thomas H. Curtis

Thomas The Courtin

PETITION & PROPOSAL

TO ANNEX TO THE CITY OF BEAVERTON

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MERIDIAN PARK

WEST HIDEAWAY HILLS

TIMBERIDGE

AND PARTS OF CLOVER HEIGHTS

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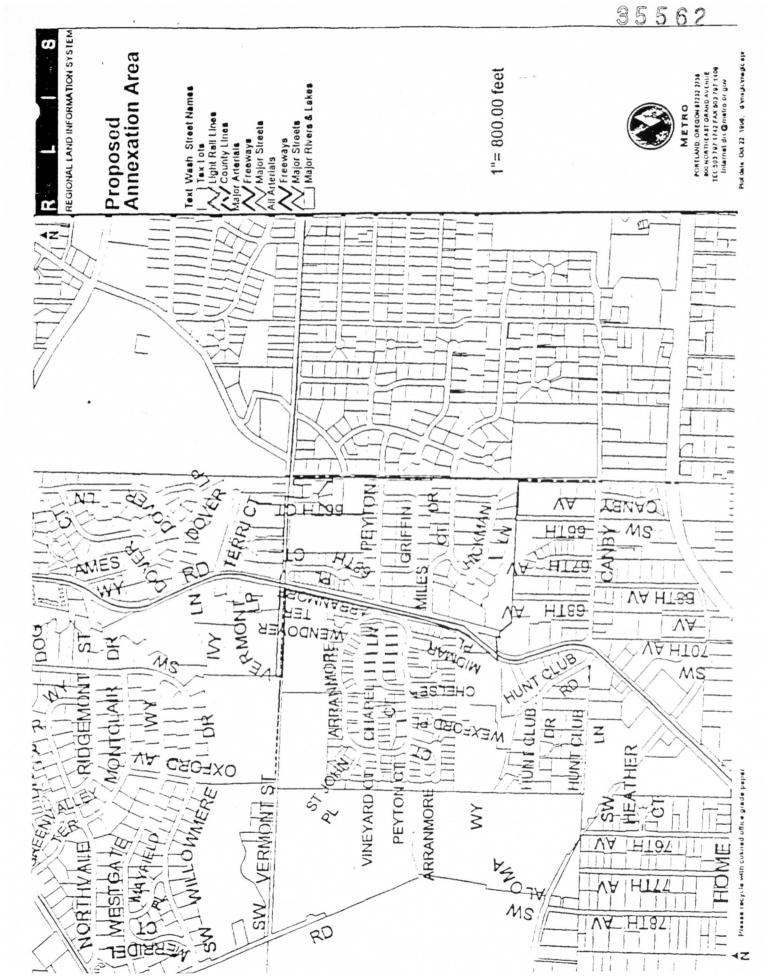
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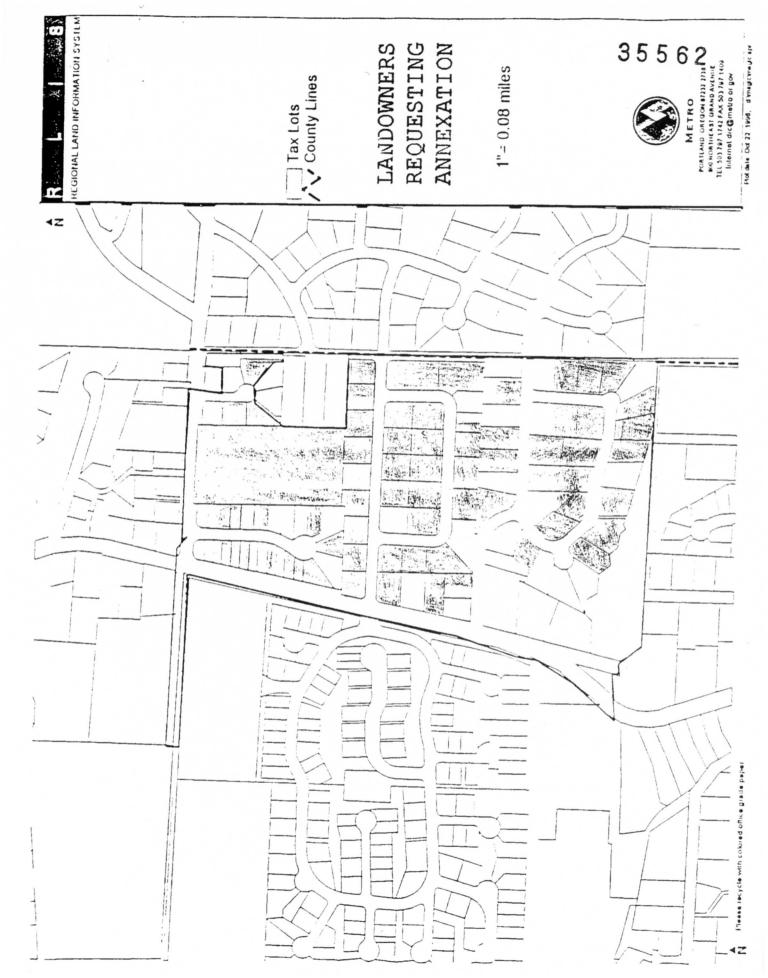
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SIGNING THIS PETITION INDICATES YOUR REQUEST TO BE ANNEXED INTO THE CITY OF BEAVERTON

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SIGNING THIS PETITION INDICATES YOUR REQUEST TO BE ANNEXED INTO THE CITY OF BEAVERTON

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SIGNING THIS PETITION INDICATES YOUR REQUEST TO BE ANNEXED INTO THE CITY OF BEAVERTON

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PO * Property Owner RV # Brightfold Voler OV = Owner Voter

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SIGNING THIS PETITION INDICATES YOUR REQUEST TO BE ANNEXED INTO THE CITY OF BEAVERTON

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SIGNING THIS PETITION INDICATES YOUR REQUEST TO BE ANNEXED INTO THE CITY OF BEAVERTON

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SIGNING THIS PETITION INDICATES YOUR REQUEST TO BE ANNEXED INTO THE CITY OF BEAVERTON

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RV # Registered Voter OV = Owner Voter PO = Property Owner

The following six pages list all property owners and registered voters within the annexation area according to Washington County records.

Status (property owner - po; owner voter - ov; registered voter - rv) is shown on the right edge. Those legal voters which have signed the petitions are indicated by a check mark.

Listing is by subdivision block and lot number where available, as indicated on Washington County Assessors maps labeled 1S 1 24AA, and 1S 1 24AD.

A summary of the total number of registered voters and those petitioning follows.

			MEZI	DIAN FA	2x -1, Duar / b-2/ '3	
5 2	-0-	Tox Lo	+ House	10 Strap-	Du or / 10-2/	5562
1	1.	700	6875	SU. Pay Lan Z=	Zunyou soin Azrano	ier. ov
1	2	200	6815		Clarke, Javia M.	201
	3	900	4751	15	Parica Ball	00 -
		700	0/51		Peyson, Belly J. Dismuke, Marie M	12./
		1000	6727		Palazzolo, Michael	04 >
\	5	11120	, , , , , ,		Baccala Orlichelle	
		1100	6675	11	Bascole, Cameron - Laura C.	
,	6	1200	6645		Bartholomew, Donald	× 40
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	7	1900	72718	.,	ج الحجر, Young, Gerry Georgene	
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					, Caron C.	G7 *
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į	5	3200	6595	1.	Aymstrong, Connie K.	01-
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			le .	. 01	Ulving, Zichard E.	OV
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	2	3600	6836	S.W. Peyton Rd	, Dovothy F.	0V -
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	7	3100	6730	v	Evees, Ida P. RV , Llamas S. RV Shovey, Ned H Dead
	829	3000	6660	11	Tofte, Susan J. or
	10	2900	6636	Α,	Dietvich, Rindolf I ov - Haake, Carla ov -
\	11	2801	6600	11	Schoonover, Ibnus L. OV - LOWMEN, Dennis L. OV
\	11,12	2700	6570	11	Schoen, Stanley R. po Luliet P po
	14,15	2701	6530		Pearson, Phillip B ov - Labby, Arnold M. ov -
2		2000		cont.) S.W Payton Ro	Johnson, Carl R izv
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	- Fo	3700 3301 3401 3400 5x	0 LES 6440 6560	ES COURT 6822	Tyler, Julie F. ov - Sullivan, Ronald C MSGrath, Terry R. po Finds A. Ri Mathis Rhonda A. Ri Mathis Rhonda A. Ri MsGrath, Terry R. po Carlson, Lale M. Ri Sullivan, Judith M. po Sullivan, Judith M. po

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r 4	2300	6620		Ford, Merinico OUZ
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	7	4400	6060	R	Wetzel, Laura J. OV
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Sheet1

SUBDIVISION OR	SIGNATURES	TOTAL VOTERS
AREA		
Meridian Park	50	59
Oleson Road	3	8
West Hideaway Hills	44	66
Miles Court	1	6
Timberidge	23	40
Clover Heights	6	8
Vermont Street	3	3
TOTAL	130	190

URBAN SERVICE BOUNDARY SETTLEMENT

The following policies shall be added to Beaverton, Portland and Washington County Comprehensive Plans and shall be the basis for adopting new urban planning agreements consistent with these policies:

- I. Text description and a map shall establish an Urban Service Boundary line as the area of ultimate annexation between Portland and Beaverton. The Urban Service Boundary shall be the Multinomah-Washington County boundary line, with the following small exceptions due to existing annexations, deed restrictions and service connections:
 - A. The following exceptions to the county line are needed to make a logical boundary for small areas already annexed into City of Portland:
 - 1. The southernmost Portland annexation adjacent to Florence Lane remains in Portland
 - The Portland annexation south of Garden Home Road and west of Oleson Road remains in Portland, plus a small "island" north of Garden Home Road near 67th Avenue.
 - The Portland annexation north of Beaverton-Hillsdale Highway, the annexation at Hamilton and Scholls Ferry Road, and the property between them west to Scholls Ferry Road remain in Portland.
 - 4. The SW Burnside and Barnes Road Portland annexation remains in Portland.
 - B. A small area to create a logical boundary and retain the Maplewood neighborhood: Oleson Road becomes the USB between SW 70th Avenue and SW Vermont to the boundary of the third Portland annexation, including the neighborhood streets of SW 70th, SW Hunt, SW Canby on the south and SW 66th and 68th Court on the north, plus two small "islands" north of SW Vermont at SW 66th Court and SW 68th Court
 - C A small area with deed restrictions requiring annexation to Portland would remain in Portland. Meadowridge development (streets connected to Portland)
 - D A small area for the extension of SW 66th Avenue, north to SW Barnes Road.
 - E A small area east of SW Canyon Drive and south of U.S. 26 for access to SW 64th Place, Bucharest in Multnomah County
- Upon annexation of the area in the vicinity of SW Garden Home Road and SW Oleson Road by Beaverton consistent with the Urban Service Boundary, Portland shall consent to annexation by Beaverton of that area south of SW Garden Home Road and west of Oleson Road that is currently in Portland
- III For the Raleigh Hills Town Center, the affected jurisdictions of Beaverton, Portland, Washington County and Metro shall enter into an urban planning agreement to assure implementation of the Urban Growth Management Functional Plan

Metro shall adopt the following coordination policies.

- Metro shall adopt a SB 122 review policy, which shall use the Urban Service Boundary as a basis IV. for review of proposed SB 122 agreements
 - County-convened processes complete draft urban service agreements for Metro review. A.
 - B. Portland is asked to comment to Metro on those urban services agreements impacting Portland as part of Metro review of draft agreements
 - Metro determines whether mediation or coordination action is indicated for C. implementation of 2040 Growth Concept or transportation, planning impacts on Portland.
- A procedure shall be added to the Metro Code for Metro service coordination and dispute V. resolution to include:
 - Executive Officer mediation and a report to the Metro Council A.
 - B. A hearing at the Metro Council for any formal action to establish Metro region-wide policy among jurisdictions.
 - C. Any formal Metro Council actions would be appealable land use decisions consistent with the 2040 Growth Concept and adopted functional plans.
- Metro shall adopt a policy to review provision of urban services and annexations in currently VI. unincorporated Washington County adjacent to Portland with Washington County, Beaverton, Portland and affected service districts.

In order to resolve a long-standing impasse, the following representatives of the respective parties have agreed to propose the map and terms of this settlement, as proposed by the Metro Executive, to their respective city councils, Board of County Commissioners, Board of Directors and Metro Council. The following representatives agree to proffer for consideration this agreement to their respective governing bodies within 45 days. Thereafter, these terms of settlement shall be considered for final adoption by the Metro Council in the form of an ordinance for I-III, above, and a resolution for IV-VI, above.

initials

representative

Charles Cameron Washington County Rob Drake

Mayor City of Beaverton Charlie Hales

Commissioner City of Portland Mike Burton

Executive Officer

Metro

initials representative

Ronald Willoughby

Tualatin Hills Park & Recreation Dist

& Rescue

eff/Johnson.

Tualatin Valley Fire

William Ga Unified Sewerage

Agency

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Water District

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RESOLUTION No.

Accept Metro's proposed Urban Services Boundary Settlement with Beaverton, Washington County, and affected Special Service Districts.

- WHEREAS, the City Council adopted an Urban Services Policy (Resolution No. 33327) on February 23, 1983 as a way of describing the City's service delivery objectives and articulating the ideal service delivery roles of the City of Portland, the three Counties in which it exists (Clackamas, Multnomah, and Washington), and numerous single purpose special service districts serving various areas; and
- WHEREAS, adoption of this Urban Services Policy triggered a number of implementation strategies necessary in order to reduce the duplication of services between the service providers listed above; and
- WHEREAS, the key strategies for implementing this Urban Services Policy included the development of geographically defined urban service boundaries with all three Counties and those Cities in closest proximity to Portland; negotiation and adoption of intergovernmental agreements with key jurisdictions addressing long term service delivery arrangements, and the development of citizen-supported annexation proposals as the mechanism to move to more permanent service delivery arrangements; and
- WHEREAS, urban services boundary segments were adopted with Clackamas County and Multnomah County as part of each jurisdiction's Comprehensive Plan, said boundaries being formally adopted on April 24, 1985 (Ordinance Nos. 157264 & 157265), and December 24, 1986 (Ordinance Nos. 159285 & 159286), respectively; and
- WHEREAS, a similar process to develop a Washington County segment of the Portland urban services boundary commenced in 1985 with far less success than in Multnomah and Clackamas Counties; and
- WHEREAS, on April 27, 1988, the Council of the City of Portland adopted Resolution 34425 on April 27, 1988, reaffirming the original 1983 Urban Services Policy, (Resolution 33327) which serves to implement the Urban Services Policy, and identifying the double majority method as Council's preferred method of annexation; and
- WHEREAS, the City desired to come to agreement with Washington County but failed in the late 1980's; and

- WHEREAS, negotiations with Washington County resumed in about 1991, and after numerous but inconclusive discussions, the City of Beaverton and Washington County unilaterally adopted the Washington-Multnomah County line in their urban services boundary; and
- WHEREAS, the City of Portland appealed to LUBA and on May 6, 1994 LUBA found that the City of Beaverton and Washington County violated Goal Two and ORS 197.190 and ORS 268.385; and
- WHEREAS, on December 14, 1994 the Oregon Court of Appeals upheld LUBA's ruling and on May 30, 1995 the Oregon Supreme Court denied petitions for review; and
- WHEREAS, Metro subsequently convened and facilitated a process for establishing a mutually agreeable Urban Services Boundary between Portland, Beaverton and Washington County, which Boundary also affects several Special Service Districts; and
- WHEREAS on October 3, 1996 Metro distributed a proposed Urban Services Boundary; and
- WHEREAS, accepting the proposed Urban Services Boundary for service delivery analysis and probable future annexation is consistent with and implements the City's adopted Urban Services Policy.
- NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portland, a municipal corporation of the State of Oregon, that:
 - The Council hereby accepts the proposed Urban Services Boundary Section 1. Settlement between Portland, Beaverton and Washington County, attached hereto as Exhibit A.
 - Section 2. The Council hereby accepts the proposed geographically defined urban services boundary, attached hereto as Exhibit B, as an acceptable planning boundary in Washington County.
 - Section 3. The Council hereby directs the Planning Bureau to initiate the process to amend the City's Comprehensive Plan in accordance with the settlement agreement, pursuant to Metro Council approval.

ADOPATED by the Council,

OCT 3 0 1996

Commissioner Charlie Hales

JMK:ns

October 24, 1996

Barbara Clark

Auditor of the City of Portland Butta Olson Deputy

Agenda No

RESOLUTION NO. 35562

Title

Accept Metro's proposed Urban Services Boundary Settlement with Beaverton, Washington County, and affected Special Service Districts (Resolution)

INTRODUCED BY	Filed QCT 2 5 1996
Commissioner Charlie Hales	Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs Finance and Administration	By Cay Kershner Deputy
Safety Mulio to be in	For Meeting of
Works	ACTION TAKEN
BUREAU APPROVAL	±
Bureau 6	
Prepared by Date Jeanne McKeever October 24, 1996	
Budget Impact Review	
Completed X Not Required Bureau Head	

AGENDA		FOUR-FIFTHS AGENDA	18	COMMISSIONERS VOTED AS FOLLOWS		
				YEAS	NAYS	
Consent	Regular X	Blumenauer	Blumenauer			
NOTED BY		Hales	Hales	V		
City Attorney		Kafoury	Kafoury	/		
City Auditor		Lindberg	Lindberg	V		
City Engineer		Katz	Katz	V		