

Hearing Date: August 23, 2011 Time: 7:30 PM

**STAFF REPORT TO THE
CITY COUNCIL
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = N/A

SECTION I. APPLICATION SUMMARY

FILE NAME: RIVER TERRACE ANNEXATION
CASE NO: Zone Change Annexation (ZCA) ZCA2011-00001

APPLICANT: Multiple applicants
Attachment 1 lists applicants
OWNER: Multiple property owners
Attachment 2 lists owners

PROPOSAL: A request to annex to the City of Tigard approximately 230 acres of property, referred to herein as River Terrace, that includes Metro Urban Growth Boundary expansion area 64, portions of SW Barrows Road and SW Scholls Ferry Road rights of way, and five Clean Water Services parcels (including adjacent right of way) south of SW Barrows Road.

LOCATION: Multiple parcels generally located south of Scholls Ferry Road on the east and west sides of SW Roy Rogers Road plus five Clean Water Services parcels south of SW Barrows Road between SW 152nd Avenue and Scholls Ferry Road.

COUNTY ZONE: FD20 Future Development, 20-acre minimum lot size. The FD20 District applies to the unincorporated urban lands added to the urban growth boundary by Metro through a Major or Legislative Amendment process after 1998. The FD20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this district are also intended to implement the requirements of Metro's Urban Growth Management Functional Plan.

R15: Residential, 12 units/acre minimum density, 15 units/acre maximum density. The intent and purpose of the R15 District is to implement the policies of the Comprehensive Plan for areas designated for residential development at no more than fifteen (15) units per acre and no less than twelve (12) units per acre, except as otherwise specified by Section 3002 or Section 3005 of the Washington County Community Development Code.

**EQUIVALENT
CITY ZONE:**

Annexation areas will retain current Washington County zoning until Tigard zoning is applied with the future adoption of a community plan for the area.

**APPLICABLE
REVIEW
CRITERIA:**

The approval standards for annexations are described in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Goal 1, Goal 11, Goal 12, and Goal 14; ORS Chapter 222; Metro Code Chapter 3.09.

SECTION II. STAFF RECOMMENDATION

Staff recommends that City Council find that the proposed annexation (ZCA2011-00001) meets all the approval criteria as identified in ORS Chapter 222, Metro Code Chapter 3.09, Community Development Code Chapters 18.320 and 18.390, and the following Comprehensive Plan Goals and Policies: Goal 1.1; Goals 11.1, 11.2 and 11.3; Goal 12.1, and Goals 14.1 and 14.2. Therefore, staff recommends APPROVAL of ZCA2011-00001 by adoption of the attached ordinance.

SECTION III. BACKGROUND INFORMATION

History

The River Terrace area was brought into the Urban Growth Boundary (UGB) by Metro in 2002 and was known as UGB Expansion Area 64. At the time another expansion area, Area 63, also became part of the UGB; however that area is not included in this annexation application. In November 2010, the County Board of Commissioners unanimously approved Resolution & Order 10-105, approving a concept plan (West Bull Mountain Concept Plan) as the basis to develop a more detailed community plan. The community plan will provide land use designations, development code regulations, and public facility plans which are all necessary for River Terrace, Area 63, and the Rural Element to the south to be urbanized. If City Council approves the annexation, then the city will take the necessary steps to develop the required community plan for River Terrace, Area 63, and the Rural Element.

Proposal Information

A majority of the property owners (77%), which represent 92% of the land area and 79% of the total assessed value, of an area south of Scholls Ferry Road and west of Bull Mountain have submitted petitions to annex into the City of Tigard. A slightly higher percentage of property owners was previously calculated, but after reviewing the ownership of each parcel, it was determined that the above percentages are correct. These percentages meet what is known as the "triple majority" method of annexation, which does not require a public election. However, a public hearing before the Tigard City Council is required. The purpose of the request is to obtain urban services from the City needed to urbanize the area and provide housing and employment opportunities as envisioned by Metro when the subject area was added to the UGB in 2002.

The area to be annexed is made up of 43 parcels totaling approximately 230 acres; five of these are the Clean Water Services (CWS) parcels totaling 5.34 acres south of SW Barrows Road. The area is contiguous to the Tigard boundary, connected by a utility corridor along the south side of old Barrows Road and Scholls Ferry right of way that is also proposed for annexation. A portion of this right of way is within the City of Beaverton boundaries. The Beaverton City Council held a hearing on June 21, 2011 and voted unanimously to de-annex the right of way proposed for annexation into Tigard. The City of Beaverton scheduled subsequent hearings for July 12 and August 9 to adopt an ordinance to finalize withdrawal of the right of way. The proposed ordinance to annex River Terrace states an effective date of September 30, 2011 to coincide with the effective date of the Beaverton withdrawal.

SECTION IV. APPLICABLE REVIEW CRITERIA, FINDINGS AND CONCLUSIONS

City: Community Development Code Chapters 18.320 and 18.390
Comprehensive Plan Goal 1; Goal 11, Goal 12 and Goal 14.
State: ORS Chapter 222
Regional: Metro Code Chapter 3.09

A. CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (TITLE 18)

Staff has determined that the proposal is consistent with the relevant portions of the Community Development Code based on the following findings:

“Chapter 18.320.020.B: Approval Process and Standards.

Approval Criteria. The decision to approve, approve with modification, or deny an application to annex property to the City shall be based on the following criteria:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area;”

FINDINGS: The City of Tigard Comprehensive Plan’s Public Facilities and Services Chapter states that for the purposes of the Comprehensive Plan, public facilities and services refer to storm water management, water supply and distribution, wastewater management, community facilities, and private utilities. In addition the comprehensive Plan Glossary includes public safety, parks, and transportation.

The proposed annexation area is designated as rural with FD20 zoning and urban services are not currently available. The annexation will result in the availability of urban services and provide urban land to meet the Portland Metropolitan Region’s employment and housing needs.

A conceptual plan was prepared for each service as part of the West Bull Mountain Concept Plan. Background documentation included technical memorandums regarding alternative water supplies, transportation, stormwater, and sewer infrastructure needs, was adopted as part of the Concept Plan findings and illustrate that these services can be provided to River Terrace.

Water – City of Tigard. In September 2010 the city adopted the Tigard Water System Master Plan, which looks at current and projected supply and demands for areas currently served and to be served by the City of Tigard. This plan included the proposed annexation area. Recommended upgrades to ensure future capacity requirements are being or have been completed by the city. A 16-inch water main in SW Barrows Road and a 16-in main in SW Leeding Lane are stubbed to the largest portion of the annexation area. City of Tigard water is currently available to the five CWS detention pond sites south of SW Barrow Road.

The West Bull Mountain Concept Plan reviewed potential suppliers of water for the River Terrace vicinity and acknowledged that “water provision is most efficient from the east,” and that the City of Tigard and the Tigard Water District are potential providers.

Sewer – City of Tigard/Clean Water Services. The city through agreements with Clean Water Services (CWS) is and will be the service provider of sewer to the proposed annexation area. The five CWS detention pond sites are not developed with uses that necessitate sanitary sewer service. The majority of River Terrace is not currently served, but can be as shown in a 2009 CWS Sanitary Sewer Service Master Plan, which included the annexation area within study areas of anticipated growth. The plan calls out pump stations and trunk lines necessary to reach the Durham treatment plant, which will serve the future growth in River Terrace and surrounding areas.

Drainage – Clean Water Services. Clean Water Services will be the ultimate provider of stormwater services in River Terrace. There are a few Washington County pipes draining road water into nearby creeks along SW Roy Rogers Road. CWS has storm lines within the unincorporated urban areas to the west of River Terrace. A comprehensive stormwater plan to ensure water quality with the Tualatin River Basin and protect Goal 5 resources within the area will be developed as part of the community plan for the River Terrace vicinity.

Streets – City of Tigard Engineering Division. The proposed annexation area is accessed by SW Barrows Road, SW Scholls Ferry Road, SW Roy Rogers Road, and SW Bull Mountain Road. Existing access will not be affected by the proposed annexation. Rights of way adjacent to parcels within River Terrace are proposed for annexation to the city. Maintenance of these roads will be provided by a combination of the City of Tigard, City of Beaverton, and Washington County through intergovernmental agreements. Necessary improvements to the transportation system within River Terrace and surrounding area will be identified as part of the community plan.

Police – City of Tigard Police Department. The City of Tigard Police Department was notified of the proposed annexation and has no objections to the proposal. Tigard Police have capacity to provide adequate services to the most intense allowed use and providing services will not significantly reduce the level of services available to other land within the City of Tigard. The area is currently served by the Washington County Sherriff. Upon annexation, the area will be served by City of Tigard Police.

Fire – Tualatin Valley Fire and Rescue (TVF&R). The subject property is in Tualatin Valley Fire and Rescue’s (TVF&R’s) service area. The TVF&R District currently provides services to the entire area, both inside and outside of the City of Tigard. TVF&R has personnel and equipment in the area that can respond to an emergency incident and implement such actions as may be necessary for fire and/or rescue operations to developed and undeveloped land within the City of Tigard.

Parks–City of Tigard. The West Bull Mountain Concept Plan notes that the River Terrace vicinity is not located within the boundaries of a parks and recreation provider; therefore the subsequent community plan will need to identify a provider and adopt standards for development and maintenance of a parks system. The City of Tigard, named as one of the possible providers within the concept plan, will utilize its adopted standards to provide parks in conjunction with development following annexation of River Terrace.

CONCLUSION: Based upon the findings above it is concluded that all public services and facilities (as defined by the Comprehensive Plan) are available to the proposed annexation territory and will have sufficient capacity to serve annexation territory if developed generally to the most intense uses allowed as proposed by the concept plan. The comprehensive community plan and its associate implementation methods will ensure that annexation and development of the area will not significantly reduce the level of services available to developed and undeveloped land in the City of Tigard.

“2. The applicable Comprehensive Plan policies and implementing ordinance provisions have been satisfied.”

FINDINGS: The following Comprehensive Plan goals and policies apply to the proposed annexation: Goal 1, Goal 11, Goal 12, and Goal 14. Staff has determined that the proposal has satisfied the applicable Comprehensive Plan policies based on the following findings:

“GOAL 1 – CITIZEN INVOLVEMENT

Goal 1.1: The City shall provide citizens, affected agencies and other jurisdictions the opportunity to participate in all phases of the planning process.”

The City maintains an ongoing citizen involvement program. To assure citizens will be provided an opportunity to be involved in all phases of the planning process, the City provides notice for Type IV land-use applications. The City posted, mailed, and published notice of the public hearing as follows. The City posted the hearing notice at four public places on August 2, 2011: Tigard Library, Tigard City Hall, Tigard Permit Center, and at the intersection of SW Scholls Ferry and SW Roy Rogers Roads. The City published notice of the hearing in *The Tigard Times* for two successive weeks (August 4, 2011 & August 11, 2011) prior to the August 23, 2011, public hearing. In addition, the City maintains a list of interested parties organized by geography. Notice was mailed to interested parties on August 2, 2010.

“GOAL 11 – PUBLIC FACILITIES AND SERVICES

Goal 11.1: Develop and maintain a stormwater system that protects development, water resources, and wildlife habitat.

Policy 2. The City shall continue to collaborate with Clean Water Services in the planning, operation, and maintenance of a comprehensive stormwater management system.

Policy 3. The City shall require the stormwater management system to comply with all applicable federal, state, and regional regulations and programs.

Policy 4. The City shall require the property to be located within the city limits prior to receiving City stormwater services.”

Clean Water Services in partnership with the City of Tigard will be the ultimate provider of stormwater management within the River Terrace area and will be closely involved in the development of the community plan to ensure stormwater needs and applicable regulations will be met with future development. Throughout this review process, the city has been coordinating with CWS. The agency has requested its water quality facilities on the south side of Barrows Road be included in the proposed annexation area. CWS has budgeted to complete a basin-wide stormwater study that will include the River Terrace vicinity but has not begun the project at the time of this staff report.

Because CWS participated in the concept planning process, the city is aware of CWS concerns and regulatory needs pertaining to stormwater within the River Terrace vicinity. If the River Terrace annexation is approved, the city will request annexation of River Terrace into the CWS service boundary. No services will be provided prior to properties being located within the Tigard city limits.

“11.2 Secure a reliable, high quality, water supply to meet the existing and future needs of the community.”

Policy 1. The City shall prioritize securing an interest in a high quality, long-term water supply, which is financially feasible and reliable, to serve the Tigard Water Service Area.

Policy 2. The City shall develop and maintain a water system master plan to coordinate the improvement and expansion of Tigard Water Service Area infrastructure to serve current and projected demand.”

The Tigard Water System Master Plan was approved in September 2010, which included the River Terrace vicinity. This plan studied current and future supply and demand considering population growth within areas currently served and those to be served, analyzed the existing system, and recommended capital improvements. The city is completing these improvements and upgrades. For example the city has ensured a long term water supply from the Clackamas River through a partnership with the City of Lake Oswego.

“Goal 11.3: Develop and maintain a wastewater collection system that meets the existing and future needs of the community.”

Policy 2. The City shall continue to collaborate with Clean Water Services in the planning, operation, and maintenance of a comprehensive wastewater management system for current and projected Tigard residents.

Policy 6. The City shall require the property to be located within the city limits prior to receiving City wastewater services.”

None of the parcels within the annexation area currently receive city wastewater services. There is currently no wastewater service within the majority of the River Terrace area. The city in agreements with CWS will be the ultimate provider of this service. The CWS Sanitary Sewer Master Plan was updated in 2009. The plan included servicing the River Terrace vicinity and included necessary improvements to ensure adequate capacity for development of these areas. These included upgrades to the Durham Treatment Facility, new pump stations, and replacement of pipes throughout the system.

“GOAL 12 - TRANSPORTATION

Goal 12.1 Develop mutually supportive land use and transportation plans to enhance the livability of the community.

Policy 1. The City shall plan for a transportation system that meets current community needs and anticipated growth and development.”

An updated Transportation System Plan (TSP) for the City of Tigard was adopted in 2010 as part of periodic review. The plan considered both problem and growth areas within the city and the urban services area, and was consistent with state and regional rules and policies. A multi-modal and balanced

approach was a key in the plan's development.

As part of the West Bull Mountain Concept Plan, the area was extensively modeled by Washington County. The focus was on impacts to the transportation system surrounding the area upon full urban build out. The area is currently accessible by SW Scholls Ferry Road, SW Roy Rogers Road, and SW Bull Mountain Road. Through the community planning process the city will address impacts to these major streets and ensure adequate and safe access to these streets from future local streets. The city will coordinate planning efforts with other affected agencies and jurisdictions. Any necessary traffic improvements and related findings will be adopted into the Tigard TSP.

“GOAL 14 - URBANIZATION

14.1. Provide and/or coordinate the full range of urban level services to lands and citizens within the Tigard City limits.

1. The City shall only approve the extension of City services:

A. where applications for annexation for those properties have been approved; or

B. in circumstances where applicable state and county health agencies have declared a potential or imminent health hazard pursuant to ORS 431.705 to 431.760 (Health Hazard Annexation or Service District Formation); or

C. as outlined in the intergovernmental agreement regarding water provision within the Tigard Water Service Area.”

The city will not approve extension of services prior to the proposed annexation of the area. Upon annexation, only police and long range planning services will be provided by the city. Extension of utilities and other services will not occur until after the adoption and amendment of the Community Plan, and associated updates of the applicable utility/infrastructure and financing plans. The one exception is city water which is already available to the five CWS sites south of Barrows Road and will continue after annexation.

“2. The City shall maintain, and amend when necessary, agreements with Washington County that recognizes the City as the ultimate provider of governance and identified services to the Tigard Urban Services Area.”

Only the five CWS properties are within the Tigard Urban Services Area (TUSA) boundary. Because of this the remainder of the annexation area is not subject to the TUSA. The city will be the ultimate provider of urban services and governance to the entirety of the annexation territory. This fact is recognized and reflected in an Intergovernmental Agreement (IGA) with Washington County. This agreement includes a provision for Washington County to temporarily provide planning services to the annexation area until the community plan is completed and adopted.

“3. The City shall, as needed, coordinate and/or participate in planning activities or development decisions within the Tigard Urban Services Area.”

While this is not a policy directly related to annexation, the city is clearly a participant in planning activities and development decisions within the Tigard Urban Services Area. Only the CWS properties are located within the current TUSA boundary. However, the city has coordinated with all jurisdictions and agencies within the annexation territory, including Washington County. A proposed IGA with Washington County requests that the County convene government representatives to amend the TUSA to include the River Terrace annexation area.

“4. The City shall protect the existing and future delivery of City services and only support the formation of a new service district, or expansion of existing districts, that will not create a conflict within the Tigard Urban Services Area.”

This is not an applicable policy to the proposed annexation. No new district or expansion of an existing district is proposed with this application.

“5. The City shall enter into and maintain intergovernmental agreement with service districts operating within the Tigard Urban Service Area to:

A. define short and long term service provision roles;

- B. specify the terms and conditions of withdrawal of territory from service districts and the transition of capital facility ownership and administration to the City;**
- C. provide for the coordination of plans and programs to eliminate duplicity and minimize conflict; and**
- D. ensure that services are provided consistent with the City’s adopted Public Facility Plan.”**

With the exception of the five CWS properties, the proposed annexation area is not within the TUSA boundaries. The proposed annexation does not require an amendment to the TUSA. The city has coordinated with all jurisdictions and agencies within the annexation territory, and extension of services to the proposed annexation area will be accomplished pursuant to community plan for the area to be prepared by the city. This plan will be consistent with the city’s Public Facility Plan and the Regional Transportation Plan (RTP).

“Goal: 14.2. Implement the Tigard Urban Services Agreement through all reasonable and necessary steps, including the appropriate annexation of unincorporated properties.

Policy 1. The City shall assign a Tigard zoning district designation to annexed property that most closely conforms to the existing Washington County zoning designation for that property.”

The current Washington County zoning designations will be retained for the entire annexation area until adoption of the community plan. Appropriate Tigard zoning district designations are addressed below in the findings for Section 18.320.020.C. (found on pages 7 & 8 of this report).

“Policy 2. The City shall ensure that capacity exists, or can be developed, to provide needed urban level services to an area when approving annexation.”

Capacity has been addressed above, consistent with this policy. The city will prepare a comprehensive community plan for River Terrace and vicinity in accordance with statewide goals and Metro policies. All systems and capacity issues will be fully addressed prior to urban level development within the area. Technical memoranda associated with the concept plan and current facility plans show that the area can be provided the appropriate level of services.

“Policy 3. The City shall approve proposed annexations based on findings that the request:

A. can be accommodated by the City’s public facilities and services; and”

The future availability of public facilities and services has been addressed above, consistent with this policy.

“B. is consistent with applicable state statute.”

As reviewed below, staff finds that the provisions of ORS 222 have been met, consistent with this policy.

“Policy 4. The City shall evaluate and may require that parcels adjacent to proposed annexations be included to: A) avoid creating unincorporated islands within the City; B) enable public services to be efficiently and effectively extended to the entire area; or C) implement a concept plan or sub-area master plan that has been approved by the Planning Commission or City Council.”

No unincorporated islands will be created by the proposed annexation. A majority of the property owners within the proposed annexation area have submitted annexation petitions. In order to avoid creating islands within the area, the application proposal is to annex River Terrace in its entirety. To annex the entire area allows greater efficiency in planning and provision of future public services. Inviting additional parcels outside River Terrace to join the proposal was determined to be unnecessary at this time.

“Policy 6. The City shall periodically update and/or amend its Public Facility Plan to ensure the predictable and logical provision of urban services for areas anticipated to be within the Tigard city limits.”

While this is not a policy directly related to annexation, it is noted that the city is currently updating its Public Facility Plan as part of periodic review. These updates are considering future growth of the city and all will, like the Tigard Waster System Master Plan, include River Terrace within the study areas.

CONCLUSION: There has been extensive communication and invitations for public participation in the application review process. The city has coordinated with all jurisdictions and agencies within the annexation territory. It is determined that the City of Tigard has the capacity and is the most efficient provider of urban services for River Terrace. If annexation is approved, conceptual plans adopted as part of the county's West Bull Mountain Concept Plan will be refined through the city's community planning process. These plans include utilities and infrastructure, parks, and transportation. Based upon the above findings, the proposed annexation is consistent with the city's applicable Comprehensive Plan goals and policies.

“Chapter 18.320.020.C

Assignment of comprehensive plan and zoning designations.

The comprehensive plan designation and the zoning designation placed on the property shall be the City's zoning district which most closely implements the City's or County's comprehensive plan map designation. The assignment of these designations shall occur automatically and concurrently with the annexation. In the case of land which carries County designations, the City shall convert the County's comprehensive plan map and zoning designations to the City designations which are the most similar. A zone change is required if the applicant requests a comprehensive plan map and/or zoning map designation other than the existing designations. A request for a zone change can be processed concurrently with an annexation application or after the annexation has been approved.”

FINDINGS: The majority of the annexation area has the Washington County zoning designation FD20, with the exception of the five CWS parcels along the south side of Barrows Road. These are zoned R15 (Washington County). The county's FD20 zoning is applied to areas that are currently rural but are designated for future urban development. The city, as is consistent with Statewide Planning Goal 14, does not have any rural zoning districts or any that closely conform to the county's FD20 district.

The city has received written requests from the majority of the property owners in the annexation area to retain the existing Washington County zoning. These requests are consistent with the intentions of the city, which is to provide for a planned and orderly transition of River Terrace from rural to urban uses and service levels through the implementation of the community plan for the area. The requested retention of the County zoning will maintain existing rural level development while the city completes the development and adoption of the community plan; thereby ensuring that compliance with Statewide Planning Goals is not compromised by urban level development that is inconsistent with the city's future community plan for the annexation area.

Because the community plan will also include the utility corridor along SW Barrows and SW Scholls Ferry rights of way, the CWS storm detention sites south of Barrows Road, and the Tualatin Hills Parks and Recreation District pathway within the old Barrows right of way, all current county zoning will be retained within the entire annexation area until completion and adoption of the plan. Therefore, the CWS parcels will continue to be zoned R15 following annexation. The portion of the utility services corridor that is being withdrawn from the boundaries of the City of Beaverton is located in public right of way. The city does not zone right of way, and as such, the utility services corridor will remain public right of way.

CONCLUSION: The applicants have requested the Washington County FD20 zoning remain in place after annexation. Urban level zoning designations will be applied to River Terrace at the adoption of a comprehensive community plan. The code allows zone changes after the annexation has been approved. Maintaining Washington County zoning designations until after annexation is consistent with this code regulation.

“Chapter 18.390.060: Type IV Procedure”

Annexations are processed by means of a Type IV procedure, as governed by Chapter 18.390 of the Community Development Code (Title 18) using standards of approval contained in 18.390.020.B, which were addressed in the previous section. Chapter 18.390 requires City Council to hold a hearing on an annexation. It also requires the city to provide notice at least 10 days prior to the hearing by mail and to publish notice at least 10 business days prior to the hearing; the city mailed notice on August 2, 2010, and published public notice in *The Tigard Times* for two successive weeks (August 4, 2010 & August 11, 2010) prior to the August 23, 2011 public hearing.

“Chapter 18.390.060 sets forth five decision-making considerations for a Type IV decision:

1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;”

FINDINGS: The city’s Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission to be in compliance with state planning goals and as reviewed above, the annexation proposal is consistent with Tigard Comprehensive Plan goals and policies.

CONCLUSION: The proposal is consistent with the city’s acknowledged Comprehensive Plan. Therefore, the proposal complies with statewide planning goals, including citizen involvement, public facilities, transportation, and urbanization.

“2. Any federal or state statutes or regulations found applicable;”

Oregon Revised Statutes Chapter 222 – City Boundary Changes; Consolidations; Withdrawals is applicable to annexations. The applicable subsections are addressed below:

FINDINGS:

“ORS 222.111. Authority and procedure for annexation. (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.”

The utility services corridor is comprised solely of public right of way and provides a continuous extension of the city boundary to the CWS properties and River Terrace. Therefore, the proposed annexation meets the state standard for contiguity under ORS 222.111.

The Oregon courts have interpreted ORS 222 to require that an annexation be reasonable and not arbitrary, based on the totality of the circumstances. This requirement comes from *PGE v. Estacada*, 195 Or 145 (1952). The Oregon Supreme Court identified factors to demonstrate reasonableness:

1. The contiguous territory represents the actual growth of the city beyond its city limits;
2. The property is valuable by reason of its adaptability for prospective town uses;
3. The land is needed for extension of streets and to supply utilities;
4. The property and the city will mutually benefit from the annexation.

In this instance, River Terrace, is connected to the current boundaries of the city by the utility services corridor, a public right of way. The proposed annexation satisfies the reasonableness requirement because it represents growth beyond the city limits that will accommodate Tigard’s 20-year need for residential lands. This action also makes it possible to provide needed urban lands to accommodate Metro’s housing and employment needs as identified in various Growth Management Reports. As identified in the West Bull Mountain Concept Plan, the area can be comprehensively planned for prospective urban uses including a mix of residential types, commercial centers, civic and institutional uses, and parks and open spaces. Annexation will also ensure that transportation needs will be accommodated, including managing traffic impacts within the area and on the surrounding system. Benefits for River Terrace include the community planning and services (provided by the city and its partners) necessary for urban level development. The applicant provides a more detailed discussion of this reasonableness within the narrative submitted with the application materials. Those findings are included by reference into this staff report.

“(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.”

This annexation is being initiated by the owners in the annexation area. Signed petitions are found within the application materials. The proposal satisfies this procedural requirement.

“(3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal year.”

This section does not include any applicable substantive approval criteria. The Application does not include a proposal regarding the rate of taxation for the Property. The applicant recognizes that the city cannot assess taxes on the Property in an amount that exceeds the highest city tax rate for the year. The proposal is consistent with this section.

“(4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.”

The applicant states that the annexation area does not include land currently located in a district named in ORS 222.465 or ORS 222.510. However, there are five properties owned by Clean Water Services located on the south side of the SW Barrows Road. These five properties are located within the Washington County Enhanced Sheriff's Patrol District and the Urban Road Maintenance District. Three of the five parcels are also within a Washington County Service District for Lighting. The proposed ordinance includes withdrawal of these five properties from the affected service districts. The application is consistent with this procedural requirement.

“(5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.”

This section is not applicable because the application satisfies the requirements of ORS 222.170, as described below.

“(6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart.”

Because the annexation will not be submitted to a vote of the electors, this section is not applicable to the application.

“(7) Two or more proposals for annexation of territory may be voted upon simultaneously; however, in the city each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation no proposal for annexing other territory shall appear on the ballot.”

Because the annexation will not be submitted to a vote of the electors, this section is not applicable to the Application.

“222.120 Procedure without election by city electors; hearing; ordinance subject to referendum. (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.

(2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.

(3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.

(4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:

(a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;

(b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

(c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.

(5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.

(6) The ordinance referred to in subsection (4) of this section is subject to referendum.

(7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.”

The city charter does not require that the city submit the question of the proposed annexation to the electors of the city for their approval or rejection. A public hearing in accordance with this section is being held on August 23, 2011 to hear an owner initiated request to annex the River Terrace area and utility corridor into the City of Tigard. Notice was published in the *Tigard Times* for two consecutive weeks prior to the hearing and notices were posted in four public places (Tigard Library, Tigard City Hall, Tigard Permit Center, and at the intersection of SW Roy Rogers Road and Scholls Ferry Road) on August 2, 2011. This application has processed in accordance with applicable law.

“222.125 Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.”

This statute is not applicable since the proposed annexation satisfies the requirements under 222.170.

“222.170 Effect of consent to annexation by territory; proclamation with and without city election. (1) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(2) The legislative body of the city need not call or hold an election in any contiguous territory proposed to be annexed if a majority of the electors registered in the territory proposed to be annexed consent in writing to annexation and the owners of more than half of the land in that territory consent in writing to the annexation of their land and those owners and electors file a statement of their consent with the legislative body on or before the day:

(a) The public hearing is held under ORS 222.120, if the city legislative body dispenses with submitting the question to the electors of the city; or

(b) The city legislative body orders the annexation election in the city under ORS 222.111, if the city legislative body submits the question to the electors of the city.

(3) If the city legislative body has not dispensed with submitting the question to the electors of the city and a majority of the votes cast on the proposition within the city favor annexation, or if the city legislative body has previously dispensed with submitting the question to the electors of the city as provided in ORS 222.120, the legislative body, by resolution or ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

(4) Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section.”

More than half (75%) of the property owners, who also own more than half the land (92%) therein representing more than half of the assessed value of all real property (79%) have filed a petition to annex into the City of Tigard. These petitions represent a percentage of owners that exceeds the applicable thresholds for annexation without public election. Six (6) of the 43 properties within River Terrace are publicly owned (Clean Water Services and Portland General Electric). Since petitions to annex these areas were submitted, then they can be considered in this determination. The annexation request is being processed in accordance ORS 222.170(1) without an election.

“222.173 Time limit for filing statements of consent; public records. (1) For the purpose of authorizing an annexation under ORS 222.170 or under a proceeding initiated as provided by ORS 199.490 (2), only statements of consent to annexation which are filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.

(2) Statements of consent to annexation filed with the legislative body of the city by electors and owners of land under ORS 222.170 are public records under ORS 192.410 to 192.505.”

The application includes 28 petitions, all of which were filed within a year of each other. These petitions meet the thresholds required by ORS 222.170(1). These petitions are found within the land use file (ZCA2011-00001), which is public record. Therefore, the application satisfies this criterion.

“222.175 City to provide information when soliciting statements of consent. If a city solicits statements of consent under ORS 222.170 from electors and owners of land in order to facilitate annexation of unincorporated territory to the city, the city shall, upon request, provide to those electors and owners information on that city’s ad valorem tax levied for its current fiscal year expressed as the rate per thousand dollars of assessed valuation, a description of services the city generally provides its residents and owners of property within the city and such other information as the city considers relevant to the impact of annexation on land within the unincorporated territory within which statements of consent are being solicited.”

The statements of consent are being offered voluntarily and at the initiation of the owners of the annexation area. Therefore, this section is not applicable.

“222.177 Filing of annexation records with Secretary of State. When a city legislative body proclaims an annexation under ORS 222.125, 222.150, 222.160 or 222.170, the recorder of the city or any other city officer or agency designated by the city legislative body to perform the duties of the recorder under this section shall transmit to the Secretary of State:

- (1) A copy of the resolution or ordinance proclaiming the annexation.**
- (2) An abstract of the vote within the city, if votes were cast in the city, and an abstract of the vote within the annexed territory, if votes were cast in the territory. The abstract of the vote for each election shall show the whole number of electors voting on the annexation, the number of votes cast for annexation and the number of votes cast against annexation.**
- (3) If electors or landowners in the territory annexed consented to the annexation under ORS 222.125 or 222.170, a copy of the statement of consent.**
- (4) A copy of the ordinance issued under ORS 222.120 (4).**
- (5) An abstract of the vote upon the referendum if a referendum petition was filed with respect to the ordinance adopted under ORS 222.120 (4).”**

This section does not include any applicable substantive approval criteria, but it does include procedural provisions that govern the city's actions. If the annexation is approved, the city will send necessary information to Metro for final action. Metro will map the annexation and make the appropriate notifications to the Secretary of State's Archives Division, the county elections supervisor, and the county assessor.

“222.180 Effective date of annexation. (1) The annexation shall be complete from the date of filing with the Secretary of State of the annexation records as provided in ORS 222.177 and 222.900. Thereafter the annexed territory shall be and remain a part of the city to which it is annexed. The date of such filing shall be the effective date of annexation.

(2) For annexation proceedings initiated by a city, the city may specify an effective date that is later than the date specified in subsection (1) of this section. If a later date is specified under this subsection, that effective date shall not be later than 10 years after the date of a proclamation of annexation described in ORS 222.177.”

The Applicant requested in the narrative that the city specify that the annexation be effective no later than the date of filing of the applicable records with the Secretary of State. Because the proposal also involved withdrawal from the City of Beaverton, a coordinated date for both withdrawal and annexation was determined, September 30, 2011. This is a later date than the date of filing with the Secretary of State, which is allowed by and meets the requirements of subsection (2) of ORS 222.180. The city has confirmed with the applicant's representative that the September 30, 2011 date is satisfactory.

CONCLUSION: The proposed annexation has been requested by a majority of the property owners within River Terrace and a public election is not required. The annexation area is contiguous to the city. This utility corridor in Barrows Road/Scholls Ferry Road will allow extension of existing utilities and services to the proposed annexation area. Properties within Washington County service districts will be removed from those districts as part of an annexation approval. Per the above findings, the proposed annexation is consistent with ORS 222.

“3. Any applicable METRO regulations;”

Chapter 3.09 of the Metro Code (Local Government Boundary Changes) includes standards to be addressed in annexation decisions, in addition to local and state review standards. Staff has reviewed the Metro regulations for Local Government Boundary Changes and addressed the applicable regulations (Metro Code 3.09.045(d) &(e) and 3.09.050) below:

FINDINGS:

“Metro 3.09.045 (d) and (e)”

The proposed annexation is not being reviewed through an expedited process, but subsections (d) of Metro Code 3.09.050 requires that the standards of 3.09.045 (d) & (e) be addressed.

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

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

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

There are two applicable urban service agreements: Urban Planning Area Agreement and Tigard Urban Service Agreement. Only the five CWS parcels are within the agreement area boundaries.

The Urban Planning Area Agreement (UPAA – 2006) between the city and the county provides coordination of comprehensive planning and development, defines the area of interest, and includes policies with respect to the active planning area and annexation. The applicable annexation policies include the assignment of comprehensive plan and zoning designations addressed earlier in this report and acknowledgements that the city is the ultimate service provider of urban services within the Tigard Urban Service Area.

The city has followed all processing and notice requirements in the *UPAA*. The agreement states that “so that all properties within the Tigard Urban Service Area will be served by the City, the County and City will be supportive of annexations to the City.” A request for comments was sent to the Washington County Long Range Planning Division. Although there were written comments submitted, a phone conversation took place on August 5, 2011 between both planners at both the city and county to address minor questions raised by the county about the applicable review criteria.

The Tigard Urban Service Agreement (TUSA – 2004) is between the city, county, Metro, and the service districts for water, sewer, transportation, parks and public safety. The agreement outlines the role, provision, area, and planning/coordination responsibilities for service providers operating in the Tigard Urban Services Area. The city has coordinated with affected jurisdictions and service agencies throughout the review process and will continue this coordination as the community plan is developed. The provision of services is addressed above at the beginning of this report.

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

These statutes outline the process for annexations initiated by a city or district, including public hearings and voting procedures. This statute is not applicable since this annexation was initiated by the property owners. The applicants have submitted petitions to annex signed by the property owners.

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

ORS195.020(2) speaks to cooperative agreements between counties or Metro with each special district that provides an urban service within the boundaries of the county or the metropolitan district. Special districts would include fire, water, school, and sewer districts. Many of these districts will be the same following annexation, including fire and school districts. The majority of the area is not currently served with water or sewer, which will be provided by CWS. If annexation is approved, the city will work to annex the area into CWS service boundaries to include it in service agreements already set up with the city. Although the properties south of Scholls Ferry Road were brought into the UGB in 2002, they still remain outside of the Metro boundary. The city will also initiate a Metro boundary change, if the proposed annexation is approved. The city will work with Metro during the boundary change to identify and amend any applicable planning agreements adopted pursuant to ORS195.020(2).

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

The City of Tigard Public Facility Plan was adopted in 1991 in compliance with statewide planning goals and Oregon Administrative Rule 660-11. A revised plan is currently being developed as part of periodic review. The development of the community plan and its public facility elements will be coordinated consistent with the new facility plan being prepared through periodic review and with CWS and TVF& R facility plans as required by Statewide Planning Goal 14, Urbanization. New Comprehensive Plan goals and policies for public facilities were adopted in 2008 (Goal 11), and the applicable goals and policies were addressed previously in this report. The proposed annexation is consistent with the Tigard Public Facility Plan.

“(E) Any applicable comprehensive plan; and”

The Tigard Comprehensive Plan applies in this case. Applicable policies are satisfied as addressed previously in this report.

“(2) Consider whether the boundary change would: (A) Promote the timely, orderly and economic provision of public facilities and services; (B) Affect the quality and quantity of urban services; and (C) Eliminate or avoid unnecessary duplication of facilities or services.”

River Terrace was brought into the Portland Metro UGB in 2002 to ensure future regional housing and employment needs would be met. Since that time, the area has not significantly changed from its rural level development. One reason for this is the inadequate level of services currently available to the area within Washington County. The city is the most efficient provider of urban level services and has the capacity to serve the area effectively. The proposed annexation will not affect the provision of public facilities and services. Conceptual and master plans exist for the River Terrace Area, but provision of services, including financing, will be greater defined through the community planning process, which is another service the City of Tigard is able to provide the area. However, none of these city services are available without annexation into the city limits.

“(e) A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and outside the UGB. Neither a city nor a district may extend water or sewer services from inside a UGB to territory that lies outside the UGB.”

The property to be annexed is not outside the UGB. This criterion is not applicable.

“Metro 3.09.050 (b)

(b) Not later than 15 days prior to the date set for a change decision, the approving entity shall make available to the public a report that addresses the criteria in subsection (d) below, and that includes at a minimum the following:”

Note that this report is available 15 days before the hearing (August 8, 2011 for an August 23, 2010 hearing).

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

As addressed previously in this report, urban services can be available to the affected territory prior to urban level development. The city will prepare a comprehensive community plan to provide for all urban level services.

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

The proposed territory will remain within Washington County but the five CWS parcels along SW Barrows Road will be withdrawn from the Washington County Enhanced Sheriff's Patrol District & Urban Road Maintenance District. Three of these five parcels will also be withdrawn from Washington County Service Districts for Lighting.

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

The public hearing will take place August 23, 2011. If the Council adopts findings to approve ZCA2011-00001, the effective date of the annexation will be September 30, 2011.

“(c) The person or entity proposing the boundary change has the burden to demonstrate that the proposed boundary change meets the applicable criteria.”

The applicant has provided findings within a narrative that addresses the applicable criteria.

“(d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of Section 3.09.045.”

The criteria and factors outlined in subsections (d) and (e) of Section 3.09.045 have been previously addressed in this report.

CONCLUSION: As shown in the above findings the proposed annexation of River Terrace satisfies the Metro Code regulations related to Local Government Boundary Changes.

“(Tigard CDC 18.390.060)

4. Any applicable comprehensive plan policies; and”

FINDINGS: Findings addressing the applicable Comprehensive Plan policies were provided previously in this report.

CONCLUSION: As previously demonstrated, the proposed annexation is consistent with all applicable comprehensive plan policies.

“5. Any applicable provisions of the City’s implementing ordinances.”

FINDINGS: Resolution 11-08 extended previously approved incentives for property owners that voluntary annex into the city limits through February 2012. These incentives include waiver of the annexation application fee, assistance with paperwork and, phasing in of increased property taxes. These incentives have been extended to the applicant. To ensure property tax increases are properly phased, the phasing language is included in the proposed ordinance. As demonstrated in previous sections of this report, the proposed annexation is consistent with all other applicable provisions of the Tigard Development Code.

CONCLUSION: Based upon previous and above findings, all applicable provisions of the city's implementing ordinances are satisfied.

SECTION VII. OTHER STAFF COMMENTS

The City of Tigard Police Department Public Information Officer, Jim Wolf, commented that there were no issues with the project.

The city's Public Works Department, Community Development Building Division and Development Services Division were sent a request for comments. No comments were received.

SECTION VIII. AGENCY COMMENTS

Tualatin Valley Fire and Rescue has reviewed the proposal and has no objections to it.

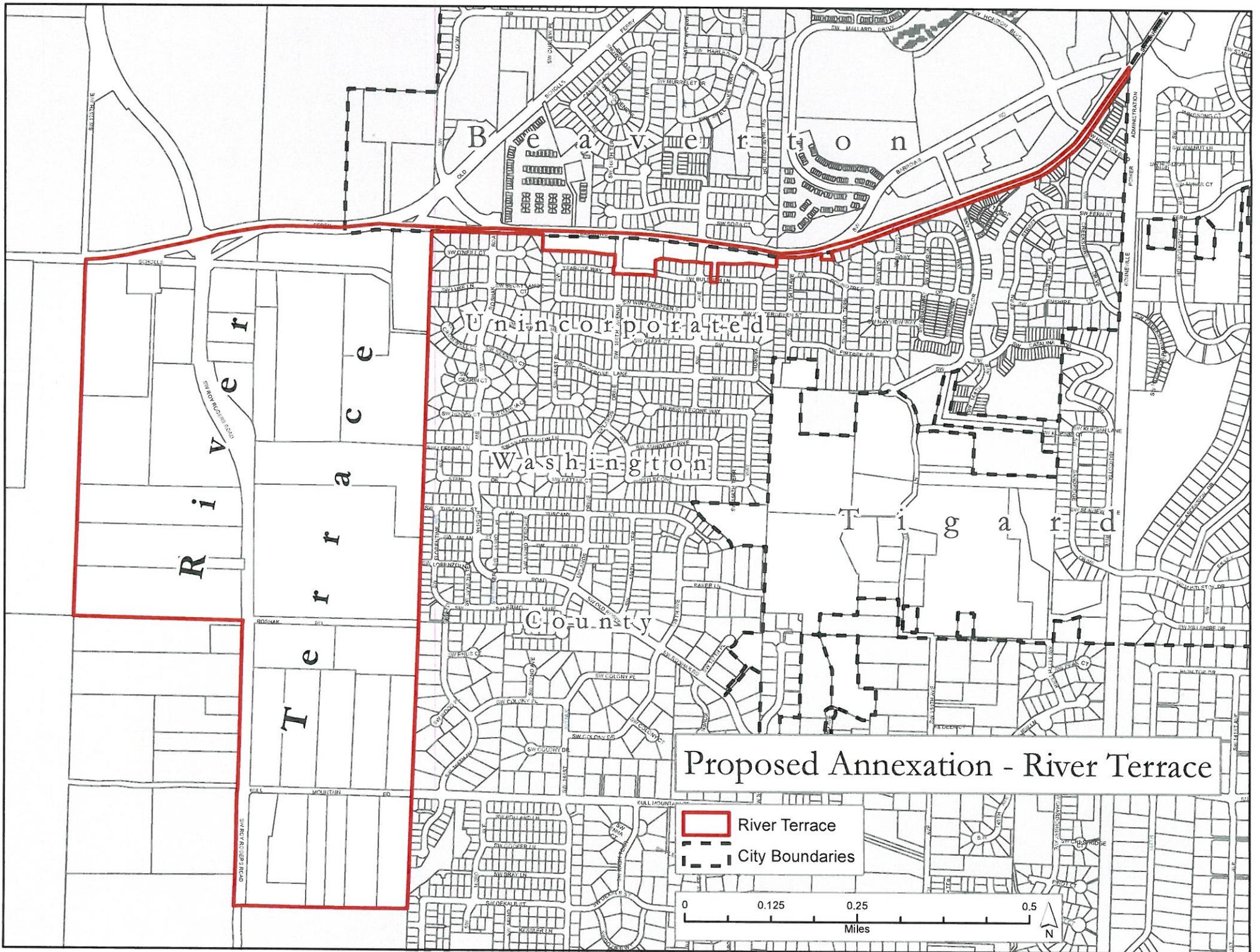
The following agencies and jurisdictions were sent a request for comments but provided no formal written comments: City of Beaverton, City of King City, Metro – Land Use & Planning, Washington County – Long Range Planning, Washington County Assessment & Taxation and Cartography, Portland General Electric, Tigard-Tualatin School District, Beaverton School District, Northwest Natural Gas, Metro Area Communications, Comcast Cable Corporation, Verizon, and Qwest Communications.


PREPARED BY: Cheryl Caines
Associate Planner

August 8, 2011
DATE

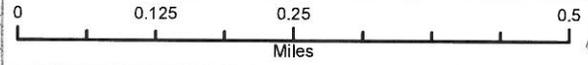

REVIEWED BY: Ron Bunch
Community Development Director

August 8, 2011
DATE



Proposed Annexation - River Terrace

-  River Terrace
-  City Boundaries



River Terrace Annexation Applicants

Attachment 1

2S1060001500
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060002900
BELLAIRS, BRIAN W & KATHLEEN G
20253 SW INGLIS DR
BEAVERTON, OR 97007

2S1060001401
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1070002000
CRISCIONE, MICHAEL J & JOANNE E
16880 SW BULL MOUNTAIN RD
TIGARD, OR 97224

2S1060001800
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE BEAVERTON,
OR 97006

2S1070001900
CRISCIONE, MICHAEL J & JOANNE E
16880 SW BULL MOUNTAIN RD
TIGARD, OR 97224

2S1060001801
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060003800
EDMONDS, SCOTT & NANCY LIVING TR
PO BOX 1612
LAKE OSWEGO, OR 97035

2S1060001000
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060001101
FERRIS, IRENE C REVOCABLE LIVING
BY LUTZ, LEANN TR
1591 NE 61ST AVE
HILLSBORO, OR 97124

2S1060001600
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060003500
L.L TRUST
BY LANDI, LAURA TR
17001 NW JOHNSON RD
HILLSBORO, OR 97124

2S1060001400
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060003200
MCMAHON, MARIANNE P REVOC LIVING BY
MCMAHON, MARIANNE P TR
13855 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1070001302
AVOLIO LIVING TRUST
BY AVOLIO, GERALD P & JANET TRS
16650 SW BULL MOUNTAIN RD
TIGARD, OR 97223

2S1070000100
NEWELL, JEFFREY & MARY
10742 SW NAEVE ST
TIGARD, OR 97224

2S1070001303
AVOLIO LIVING TRUST
BY AVOLIO, GERALD P & JANET L TRS
16650 SW BULL MOUNTAIN RD
TIGARD, OR 97223

2S1060001200
PORTLAND GENERAL ELECTRIC COMPAN
121 SW SALMON ST PORTLAND,
OR 97204

2S1060003400
BEARDSLEY, JAMES J & MICHELE L
16720 SW FRIENDLY LN
BEAVERTON, OR 97007

2S1060003100
PRICE, STEVEN W & PRICE,
LINDA M ROSHAK, DON F
13921 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1060000100
RALSTON, CHRISTOPHER J & SHERI L
21029 SW LEBEAU RD
SHERWOOD, OR 97140

2S1070000104
ROSHAK FAMILY II LLC
14205 SW HIGH TOR TIGARD,
OR 97224

2S1070000103
ROSHAK FAMILY LLC
16673 SW JORDAN WAY
TIGARD, OR 97224

2S1070000106
ROSHAK FAMILY LLC
16673 SW JORDAN WAY
TIGARD, OR 97224

2S1060003301
ROSHAK, DON E
13580 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1070000101
ROSHAK, KEVIN A
16515 SW BULL MOUNTAIN RD TIGARD,
OR 97224

2S1070000102
ROSHAK, MICHAEL A
17570 SW SKYLINE WOODS LN
BEAVERTON, OR 97007

2S1060003300
ROSHAK, RONALD, DON, JERRY & GARY
LINDA PRICE, JUDY KRILL & CAROL ENDICOTT
13794 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1070000105
ROSHAK, VICTOR
2409 SW NYE AVE
PENDLETON, OR 97801

2S1060001700
US BANK NATIONAL ASSN TR
3415 VISION DR
COLUMBUS, OH 43219

2S105BC04000
CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123

2S105AC07400
CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123

2S105BD02100/2200/4000
CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123

River Terrace Annexation Owners

Attachment 2

2S1060001500
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060002900
BELLAIRS, BRIAN W & KATHLEEN G
20253 SW INGLIS DR
BEAVERTON, OR 97007

2S1060001401
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060003000
CHAMPE, ROLLIE & KARLA A
BRAUN, MARGARET L TRUST
13819 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1060001800
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060000204
CRESCENT GROVE CEMETERY ASSOCIAT
9925 SW GREENBURG RD
TIGARD, OR 97223

2S1060001801
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060000203
CRESCENT GROVE CEMETERY ASSOCIAT
9925 SW GREENBURG RD
TIGARD, OR 97223

2S1060001000
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1060000202
CRESCENT GROVE CEMETERY ASSOCIAT
9925 SW GREENBURG RD
TIGARD, OR 97223

2S1060001600
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1070002000
CRISCIONE, MICHAEL J & JOANNE E
16880 SW BULL MOUNTAIN RD
TIGARD, OR 97224

2S1060001400
ARBOR ROAD LLC
BY WEST HILLS DEVELOPMENT CO
735 SW 158TH AVE
BEAVERTON, OR 97006

2S1070001900
CRISCIONE, MICHAEL J & JOANNE E
16880 SW BULL MOUNTAIN RD
TIGARD, OR 97224

2S1070001302
AVOLIO LIVING TRUST
BY AVOLIO, GERALD P & JANET TRS
16650 SW BULL MOUNTAIN RD
TIGARD, OR 97223

2S1060003800
EDMONDS, SCOTT & NANCY LIVING TR
PO BOX 1612
LAKE OSWEGO, OR 97035

2S1070001303
AVOLIO LIVING TRUST
BY AVOLIO, GERALD P & JANET L TRS
16650 SW BULL MOUNTAIN RD
TIGARD, OR 97223

2S1060001101
FERRIS, IRENE C REVOCABLE LIVING
BY LUTZ, LEANN TR
1591 NE 61ST AVE
HILLSBORO, OR 97124

2S1060003400
BEARDSLEY, JAMES J & MICHELE L
16720 SW FRIENDLY LN
BEAVERTON, OR 97007

2S1060001100
FERRIS, RICK HAROLD & ELIZABETH
17000 SW FRIENDLY LN
BEAVERTON, OR 97007

2S1060003500
L.L TRUST
BY LANDI, LAURA TR
17001 NW JOHNSON RD
HILLSBORO, OR 97124

2S1070000103
ROSHAK FAMILY LLC
16673 SW JORDAN WAY
TIGARD, OR 97224

2S1060003200
MCMAHON, MARIANNE P REVOC LIVING
BY MCMAHON, MARIANNE P TR
13855 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1070000106
ROSHAK FAMILY LLC
16673 SW JORDAN WAY
TIGARD, OR 97224

2S1070001300
MCNEIL, DANIEL DALE & GINI ROBER
16830 SW BULL MOUNTAIN RD
TIGARD, OR 97224

2S1060003301
ROSHAK, DON E
13580 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1070000100
NEWELL, JEFFREY & MARY
10742 SW NAEVE ST
TIGARD, OR 97224

2S1070000101
ROSHAK, KEVIN A
16515 SW BULL MOUNTAIN RD
TIGARD, OR 97224

2S1070001305
PAIK, IL SUNG
19282 SW SUNCREST LN
ALOHA, OR 97007

2S1070000102
ROSHAK, MICHAEL A
17570 SW SKYLINE WOODS LN
BEAVERTON, OR 97007

2S1060001200
PORTLAND GENERAL ELECTRIC COMPAN
121 SW SALMON ST
PORTLAND, OR 97204

2S1060003300
ROSHAK, RONALD, DON, JERRY & GARY
LINDA PRICE, JUDY KRILL & CAROL ENDICOTT
13794 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1060003100
PRICE, STEVEN W &
PRICE, LINDA M
ROSHAK, DON E
13921 SW ROY ROGERS RD
SHERWOOD, OR 97140

2S1070000105
ROSHAK, VICTOR
2409 SW NYE AVE
PENDLETON, OR 97801

2S1060000100
RALSTON, CHRISTOPHER J & SHERI L
21029 SW LEBEAU RD
SHERWOOD, OR 97140

2S1060001700
US BANK NATIONAL ASSN TR
3415 VISION DR
COLUMBUS, OH 43219

2S1070000104
ROSHAK FAMILY II LLC
14205 SW HIGH TOR
TIGARD, OR 97224

2S105AC07400
CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123

2S105BC04000
CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123

2S105BD02100/2200/4000
CLEAN WATER SERVICES
2550 SW HILLSBORO HWY
HILLSBORO, OR 97123