

City of Cornelius Agenda Report

To: Honorable Mayor and Members of the City Council
From: Barbara Fryer, Community Development Director
Through: Rob Drake, City Manager
Date: August 1, 2022
Subject: **Expedited annexation (AN-01-22) of 400 feet of S. 345th Avenue Right-of-Way**



Summary: An Expedited Annexation of approximately 400 feet of Right-of-way of SW 345th Avenue (AN-01-22) application to add 0.37 acres to the City of Cornelius.

The property is currently outside the City of Cornelius, but wholly within the existing Urban Growth Boundary (UGB). The property's western boundary abuts the Cornelius city limits. The property owners, Brigetta Martell and Hillsboro School District 1J, have submitted requests (Exhibits A and B, respectively) for the property to be annexed into the Cornelius city limits and to allow the City to construct the re-aligned new roadway consistent with Ordinance No. 2015-07.

Previous Council Action: Comprehensive Plan Amendment, Ordinance No. 2015-07.

Background: The subject property, 400 feet of right-of-way along SW 345th Avenue abutting properties two tax lots described as Township 1 S, Range 3 W, Map 02 B, Tax Lots 0000802 and Township 1 S, Range 3 W, Map 02 A, Tax Lot 000100. The proposed annexation land area totals approximately 0.37 acres in size. The property is wholly within the SE UGB area which was approved through HB 4078 (Exhibit C), commonly known as the 'Grand Bargain'. This application is for the annexation of this property located within the Urban Growth Boundary (UGB) into the Cornelius city limits. There are City services available nearby that can be extended to serve future residential development of the area.

In November of 2016, The Holt Group, INC. proposed the Laurel Woods Conditional Planned Unit Development and Tentative Subdivision application concerning approximately 133 acres in south Cornelius. The proposal included 871 lots mixed with larger single-family detached homes, smaller and attached single-family homes, duplexes and townhouses. In order to provide adequate transportation facilities, S 29th Boulevard was proposed (Exhibit D.) At the time, the design planned a realignment of SW 345th Avenue west to S 29th Boulevard, resulting in the elimination of the existing railroad crossing at SW 345th Avenue. On April 1, 2016, the Laurel Woods applicant and the City executed a development agreement to ensure the timely provision of public improvements necessary to serve the development and maintain an acceptable level of service throughout the affected local and regional street network. One provision, obligated the City to initiate the public bidding process for the construction of a new southerly extension of S 29th Boulevard from Baseline Street to an extension within the Laurel Woods subdivision at such time as the City received Transportation Development Tax fees equivalent to 300 homes within the

Laurel Woods Development. On March 31, 2017, Hillsboro School District 1J dedicated right-of-way for a new street S. 29th Boulevard (Exhibit E.)

In 2019, preliminary design of S 29th Boulevard as a north-south connection with the N 29th Avenue revealed several issues and unanticipated expenses:

1. Railroad requirement to close 2 or 3 rail crossing to allow for the new crossing at S. 29th Boulevard.
2. Substantial grade differential between the rail line and TV HWY (Exhibit F.)
3. Requirement to lower the tracks at S. 29th Boulevard – rough cost estimate \$1.25M
4. Requirement to construct a new rail crossing at S. 29th Boulevard – rough cost estimate \$1M
5. Requirement to remove SW 345th Avenue rail crossing – rough cost estimate \$200K

As a result, Engineering staff worked with consultants to find an alternative solution. The current alignment provides a solution that allows for location of the intersection of S. Alpine and SW 345th sufficiently south of the rail line to allow for adequate sight distance from the rail crossing at S.W 345th Avenue (Exhibit G.) This alignment requires annexation into the City of Cornelius approximately 400 feet of SW 345th Avenue south of the rail line.

Financial Implications: Due to the fact that the area to be annexed is right-of-way and is not assessed, no changes are proposed for taxing districts or services. If the annexation does not occur, the financial implications are that the city would need to find approximately \$2.5 million to cover the placement of the S. 29th Boulevard at the original location, removal of 2 rail crossings, and project delays. Inflation increase have raised construction prices approximately 150%. If the annexation occurs, the additional funding would not be necessary.

Staff Recommendation: Staff recommends the City Council adopt, on consent agenda, the annexation of approximately 400 feet of the right-of-way of SW 345th Avenue south of the rail tracks.

Exhibits: A: Hillsboro School District 1J Signed Annexation Application
 B: Brigitta Martel Signed Annexation Application
 C: HB 4078
 D: Laurel Woods proposed transportation network
 E: 2017 Hillsboro School District ROW Dedication
 F: Graphic depicting grades for S 29th Boulevard extension directly north to
 Baseline Street
 G: 2022 Alignment of S. 29th Boulevard extension, S. Alpine Extension and the
 intersection at SW 345th Avenue
 H: City Council Staff Report

AGENDA REPORT
AN-01-22

Exhibit "A"

Hillsboro School District 1J Signed Annexation
Application

Community Development
Located at 1300 S. Kodiak Circle, Cornelius, Oregon 97113
www.ci.cornelius.or.us

OFFICIAL USE ONLY

Date Received: _____ Date Complete: _____ ↓ File Number ↓
Application Fee: _____ Receipt Number: _____

APPLICATION TYPE

Type I – administrative review without public notice

- Design Review I Lot Line Adjustment Administrative Relief
 Land Partition—Final Plat Subdivision—Final Plat
 Other *please describe:* _____

Type II – administrative review with public notice

- Design Review II Land Partition—Preliminary Plat Subdivision—Preliminary Plat
 Other *please describe:* _____

Type III – public hearing(s) required with public notice

- Design Review III Conditional Use Permit Planned Unit Development
 Comprehensive Plan Amendment Zone Map Amendment Zone Text Amendment
 Annexation ROW/Easement Vacation Subdivision—Preliminary Plat
 Other *please describe:* _____

APPLICANT INFORMATION

Name: City of Cornelius, Kevin Oppenlander, Project Manager Signature: _____
Mail Address: 1355 N. Barlow Street
Phone: 503-357-3011 Fax: 503-357-3424 E-mail: kevin.oppenlander@corneliusor.gov

PROPERTY OWNER INFORMATION property owners are 1. Brigetta Martell (1S302B000802) and 2. HILLSBORO SCHOOL DIST 1J (1S303A000100)

Name: Brigetta Martell Signature: _____
Mail Address: _____
Phone: _____ Fax: _____ E-mail: _____

SUBJECT SITE INFORMATION

Property Address: _____ (a public county road -See attached Exhibit A)
Map & Tax Lot Number(s): 1S302B000802
Current Zoning: _____ Total Size of Site: _____
Existing Use: _____
Proposed Use: _____

Revised April 2017



EXHIBIT A

City of Cornelius Annexation

A tract of land located in the Northeast One-Quarter of Section 3, Township 1 South, Range 3 West, Willamette Meridian, City of Cornelius, Washington County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of said Section 3, thence South 21°54'48" West 359.06 feet to the intersection of the southerly right-of-way line of the S Alpine Street (30.00 feet from centerline) and the westerly right-of-way line of SW 345th Avenue (20.00 feet from centerline), also being the Point of Beginning; thence along said southerly right-of-way line South 78°35'20" East 40.45 feet to the easterly right-of-way line of SW 345th Avenue; thence along said easterly right-of-way line, South 02°49'41" West 395.87 feet; thence leaving said easterly right-of-way line, North 87°10'19" West 40.00 feet to the westerly right-of-way line of SW 345th Avenue; thence along said westerly right-of-way line, North 02°49'41" East 401.90 feet to the Point of Beginning.

The above described tract of land contains 15,955 square feet, more or less.

01/05/2022

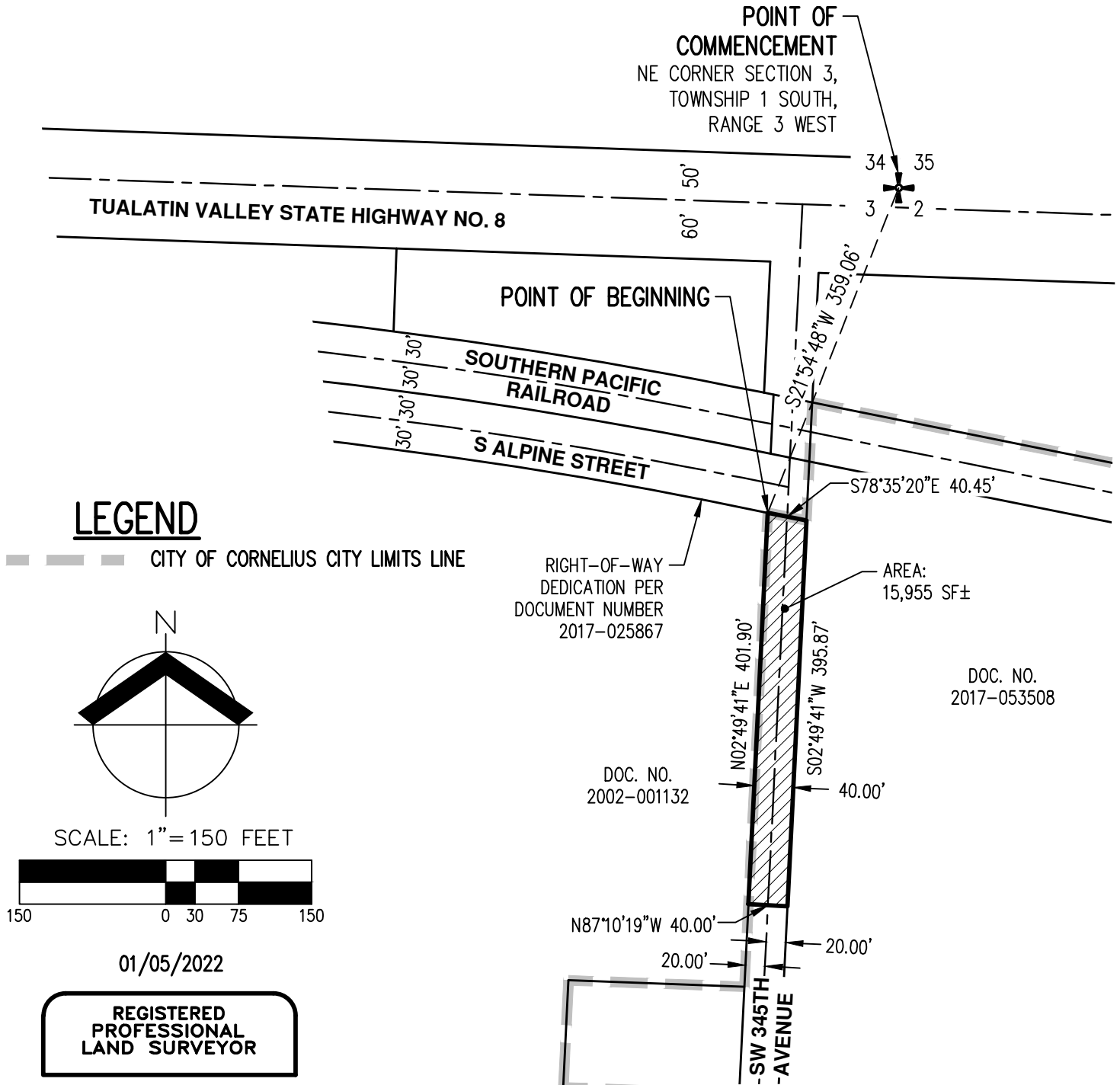
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/23

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF CORNELIUS, WASHINGTON COUNTY, OREGON



CITY OF CORNELIUS ANNEXATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: KLH CHKD: MSK AKS JOB: 6319-05



AGENDA REPORT
AN-01-22

Exhibit “B”

Brigitta Martel Signed Annexation Application

Community Development
Located at 1300 S. Kodiak Circle, Cornelius, Oregon 97113
www.ci.cornelius.or.us

OFFICIAL USE ONLY		
Date Received: _____	Date Complete: _____	↓ File Number ↓
Application Fee: _____	Receipt Number: _____	_____

APPLICATION TYPE

Type I – administrative review without public notice

- | | | |
|--|---|--|
| <input type="checkbox"/> Design Review I | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Administrative Relief |
| <input type="checkbox"/> Land Partition—Final Plat | <input type="checkbox"/> Subdivision—Final Plat | |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

Type II – administrative review with public notice

- | | | |
|--|--|---|
| <input type="checkbox"/> Design Review II | <input type="checkbox"/> Land Partition—Preliminary Plat | <input type="checkbox"/> Subdivision—Preliminary Plat |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

Type III – public hearing(s) required with public notice

- | | | |
|--|---|---|
| <input type="checkbox"/> Design Review III | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Zone Text Amendment |
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> ROW/Easement Vacation | <input type="checkbox"/> Subdivision—Preliminary Plat |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

APPLICANT INFORMATION

Name: City of Cornelius, Kevin Oppenlander, Project Manager Signature: _____
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Name: Hillsboro School District 1J Signature: _____
 Mail Address: _____
 Phone: _____ Fax: _____ E-mail: _____

SUBJECT SITE INFORMATION

Property Address: _____ (a public county road -See attached Exhibit A)
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 Existing Use: _____
 Proposed Use: _____

Revised April 2017



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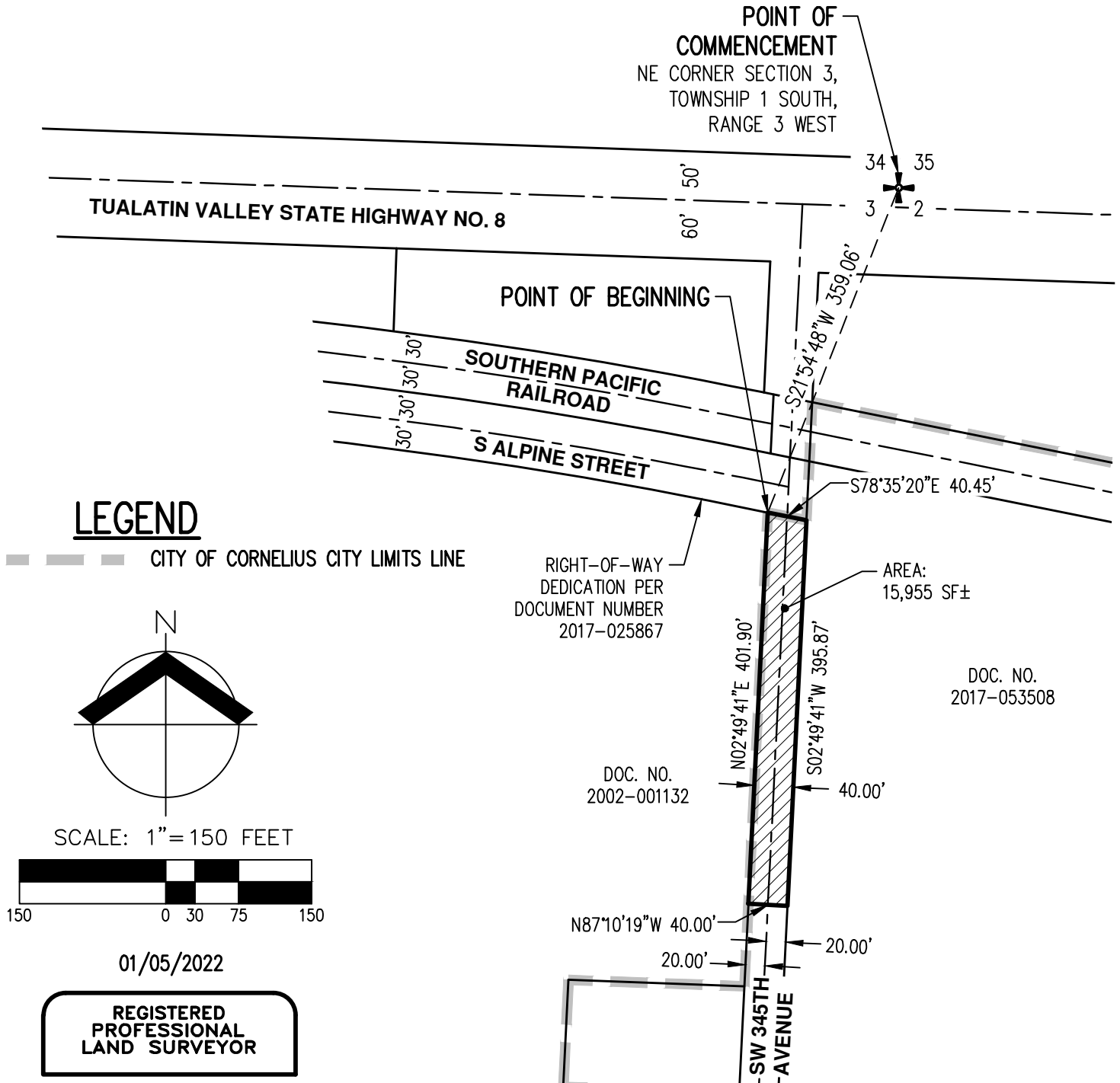
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AGENDA REPORT

AN-01-22

Exhibit "C"

HB 4078

Enrolled
House Bill 4078

Sponsored by Representatives DAVIS, CLEM; Representatives BARKER, BENTZ, CAMERON, THATCHER, Senators HASS, JOHNSON, STARR (Presession filed.)

CHAPTER

AN ACT

Relating to post-acknowledgement changes to regional framework plan in Metro; creating new provisions; amending ORS 195.085, 197.299 and 197.626; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. The Legislative Assembly finds and declares that:

(1) Oregon law requires a metropolitan service district to establish an urban growth boundary and to maintain development capacity sufficient for a 20-year period within the boundary based on periodic assessments of the development capacity within the boundary.

(2) Metro, the metropolitan service district for the Portland metropolitan area, has not implemented an approved legislative amendment to the urban growth boundary since 2005.

(3) In 2010, Metro assessed the development capacity within the urban growth boundary and determined that the boundary did not contain sufficient capacity for a 20-year period.

(4) The Metro Council, the governing body of Metro, established policies, including an investment strategy, for using land within the urban growth boundary more efficiently by adopting Ordinance No. 10-1244B on December 16, 2010.

(5) Ordinance No. 10-1244B significantly increased the development capacity of the land within the urban growth boundary, but left unmet needs for housing and employment.

(6) On July 28, 2011, the Metro Council held a public hearing in Hillsboro to allow public review of and to take comments on proposed expansion of the urban growth boundary to fill the unmet needs for housing and employment in the region.

(7) On September 14 and 28, 2011, the Metro Council sought advice on expansion of the urban growth boundary from the Metro Policy Advisory Committee, which is composed primarily of elected and other local government officials in the region. On September 28, 2011, the Metro Council received a recommendation from the committee.

(8) The Metro Council, with the advice and support of the committee, established six desired outcomes as the basis for comparing policy and strategy options to increase the development capacity of the region.

(9) On September 30, 2011, the Metro Council reported likely effects of the proposed expansion of the urban growth boundary to:

(a) The cities and counties in the region; and

(b) Nearly 34,000 households within one mile of land proposed to be included within the urban growth boundary.

(10) The Metro Council developed, in cooperation with the cities and counties responsible for land use planning in areas potentially to be included within the urban growth boundary,

policies and strategies addressing the affordability of housing, the compatibility of residential use with nearby agricultural practices and the protection of industrial lands from conflicting uses.

(11) On October 6 and 20, 2011, the Metro Council held public hearings on the proposed expansion of the urban growth boundary.

(12) On October 20, 2011, the Metro Council unanimously adopted Ordinance No. 11-1264B, expanding the urban growth boundary to fill the unmet needs for increased development capacity for housing and for industries that require large areas of developable land.

(13) The adopted policies and strategies reflect the intention of the Metro Council to develop vibrant, prosperous and sustainable communities with reliable transportation choices that minimize carbon emissions and to distribute the benefits and burdens of development equitably in the Portland metropolitan area.

(14) The Director of the Department of Land Conservation and Development referred the expansion of the urban growth boundary by Ordinance No. 11-1264B to the Land Conservation and Development Commission for review.

(15) On May 10, 2012, the commission held a public hearing, according to rule-based procedures adopted by the commission, to consider the proposed amendment to the urban growth boundary made by Ordinance No. 11-1264B.

(16) The commission continued the public hearing to June 14, 2012, and requested that the Metro Council submit additional information describing how the record demonstrates compliance with the appropriate statewide land use planning goals, administrative rules and instructions.

(17) On June 14, 2012, the commission unanimously approved the expansion of the urban growth boundary by Ordinance No. 11-1264B in Approval Order 12-UGB-001826.

(18) Metro and other local governments have made significant investments in infrastructure to ensure that housing, education and employment needs in the region are met.

(19) Ordinance No. 11-1264B and its findings satisfy Metro's obligations under ORS 197.295 to 197.314 and under statewide land use planning goals relating to citizen involvement, establishment of a coordinated planning process and policy framework and transition from rural to urban land uses.

SECTION 2. (1) Section 3 of this 2014 Act is added to and made a part of ORS 195.137 to 195.145.

(2) Section 4 of this 2014 Act is added to and made a part of ORS 197.295 to 197.314.

SECTION 3. (1) For purposes of land use planning in Oregon, the Legislative Assembly designates the land in Washington County that was designated as rural reserve in Metro Resolution No. 11-4245, adopted on March 15, 2011, as the acknowledged rural reserve in Washington County, except that:

(a) The real property in Area 5C on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," that is more particularly described as tax lots 1500 and 1501, section 1 of township 2 south, range 2 west, Willamette Meridian, is not designated as a reserve area.

(b) The Legislative Assembly designates as acknowledged urban reserve the real property that is part of the original plat of Bendemeer, Washington County, Oregon, more particularly described as:

(A) All of lots 1 through 18, inclusive;

(B) The parts of lots 64, 65 and 66 that are situated between the east boundary of the right of way of West Union Road and the west boundary of the right of way of Cornelius Pass Road; and

(C) The real property that is more particularly described as: Beginning at a point of origin that is the south bank of Holcomb Creek and the east boundary of the right of way of Cornelius Pass Road; thence easterly along the south bank of Holcomb Creek, continuing

along the south bank of Holcomb Lake to its intersection with the west boundary of Area 8C; thence southerly along the west boundary of Area 8C to its intersection with the north boundary of the right of way of West Union Road; thence westerly along the right of way to its intersection with the east boundary of the right of way of Cornelius Pass Road; thence northerly along the right of way to the point of origin.

(2) For purposes of land use planning in Oregon, the Legislative Assembly designates the land in Washington County that was designated as urban reserve in Metro Resolution No. 11-4245, adopted on March 15, 2011, as the acknowledged urban reserve in Washington County, except that:

(a) The real property in Area 8A on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," east of the east boundary of the right of way of Jackson School Road and east of the east bank of Storey Creek and the east bank of Waibel Creek is included within the acknowledged urban growth boundary.

(b) The real property in Area 8A on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," that is south of the south boundary of the right of way of Highway 26 and west of the real property described in paragraph (a) of this subsection is designated as acknowledged rural reserve.

(c) The real property in Area 8B on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," that is more particularly described as tax lots 100, 900, 901, 1100, 1200, 1300 and 1400 in section 15 of township 1 north, range 2 west, Willamette Meridian, is not designated as a reserve area.

(d) The real property in Area 8B on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," that is not described in paragraph (c) of this subsection is designated as acknowledged rural reserve.

(e) The real property in Area 7B on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," that is north of the south bank of Council Creek is designated as acknowledged rural reserve.

(f) The real property in Area 7B on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," that is south of the south bank of Council Creek is included within the acknowledged urban growth boundary.

(3) For purposes of land use planning in Oregon, in relation to the following real property in Washington County that is not reserved by designation in Metro Resolution No. 11-4245, adopted on March 15, 2011, the Legislative Assembly designates:

(a) As acknowledged rural reserve the real property that is situated south of the City of North Plains on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," more particularly described as tax lots 100, 101, 200 and 201 in section 11 of township 1 north, range 3 west, Willamette Meridian, and tax lots 1800 and 2000 and that portion of tax lot 3900 that is north of the south line of the Dobbins Donation Land Claim No. 47 in section 12 of township 1 north, range 3 west, Willamette Meridian.

(b) As acknowledged rural reserve the real property that is situated north of the City of Cornelius on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," and that is north of the south bank of Council Creek, east of the east right of way of Cornelius-Schefflin Road and west of the west bank of Dairy Creek.

(c) As acknowledged rural reserve the real property that is north of the City of Forest Grove on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," more particularly described as east of Area 7B, west of the east right of way of Highway 47 and south of the south right of way of Northwest Purdin Road.

(d) As acknowledged rural reserve the real property that is situated west of Area 8B on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)."

(4) Land in a county in Metro that is planned and zoned for farm, forest or mixed farm and forest use and that is not designated as urban reserve may not be included within the urban growth boundary of Metro before at least 75 percent of the land in the county that was designated urban reserve in this section has been included within the urban growth boundary and planned and zoned for urban uses.

(5)(a) The real property described in subsection (2)(a) of this section:

(A) Is employment land of state significance; and

(B) Must be planned and zoned for employment use.

(b) In its first legislative review of the urban growth boundary on or after the effective date of this 2014 Act, Metro shall not count the employment capacity of the real property described in subsection (2)(a) of this section in determining the employment capacity of the land within Metro.

(6) If the real property described in subsection (2)(f) of this section or section 4 (1) to (3) of this 2014 Act is planned and zoned for employment use, in its first legislative review of the urban growth boundary on or after the effective date of this 2014 Act, Metro shall not count the employment capacity of the real property described in subsection (2)(f) of this section or in section 4 (1) to (3) of this 2014 Act in determining the employment capacity of the land within Metro.

SECTION 4. For the purpose of land use planning in Oregon, the Legislative Assembly designates the urban growth boundary designated in Metro Ordinance No. 11-1264B, adopted October 20, 2011, as the acknowledged urban growth boundary of Metro, subject to the conditions of approval in the ordinance, except that:

(1) The real property in Area 7C on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," is included within the acknowledged urban growth boundary.

(2) The real property in Area 7D on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," is included within the acknowledged urban growth boundary.

(3) The real property in Area 7E on Metro's map denominated as the "Urban and Rural Reserves in Washington County, Attachment A to Staff Report for Resolution No. 11-4245 (03/17/11 DRAFT)," is included within the acknowledged urban growth boundary.

SECTION 5. ORS 197.299 is amended to read:

197.299. (1) A metropolitan service district organized under ORS chapter 268 shall complete the inventory, determination and analysis required under ORS 197.296 (3) not later than *[five]* **six** years after completion of the previous inventory, determination and analysis.

(2)(a) The metropolitan service district shall take such action as necessary under ORS 197.296 (6)(a) to accommodate one-half of a 20-year buildable land supply determined under ORS 197.296 (3) within one year of completing the analysis.

(b) The metropolitan service district shall take all final action under ORS 197.296 (6)(a) necessary to accommodate a 20-year buildable land supply determined under ORS 197.296 (3) within two years of completing the analysis.

(c) The metropolitan service district shall take action under ORS 197.296 (6)(b), within one year after the analysis required under ORS 197.296 (3)(b) is completed, to provide sufficient buildable land within the urban growth boundary to accommodate the estimated housing needs for 20 years from

the time the actions are completed. The metropolitan service district shall consider and adopt new measures that the governing body deems appropriate under ORS 197.296 (6)(b).

(3) The Land Conservation and Development Commission may grant an extension to the time limits of subsection (2) of this section if the Director of the Department of Land Conservation and Development determines that the metropolitan service district has provided good cause for failing to meet the time limits.

(4)(a) The metropolitan service district shall establish a process to expand the urban growth boundary to accommodate a need for land for a public school that cannot reasonably be accommodated within the existing urban growth boundary. The metropolitan service district shall design the process to:

(A) Accommodate a need that must be accommodated between periodic analyses of urban growth boundary capacity required by subsection (1) of this section; and

(B) Provide for a final decision on a proposal to expand the urban growth boundary within four months after submission of a complete application by a large school district as defined in ORS 195.110.

(b) At the request of a large school district, the metropolitan service district shall assist the large school district to identify school sites required by the school facility planning process described in ORS 195.110. A need for a public school is a specific type of identified land need under ORS 197.298 (3).

SECTION 6. ORS 197.626 is amended to read:

197.626. (1) A local government shall submit for review and the Land Conservation and Development Commission shall review the following final land use decisions in the manner provided for review of a work task under ORS 197.633:

(a) An amendment of an urban growth boundary by a metropolitan service district that adds more than 100 acres to the area within its urban growth boundary;

(b) An amendment of an urban growth boundary by a city with a population of 2,500 or more within its urban growth boundary that adds more than 50 acres to the area within the urban growth boundary;

(c) A designation of an area as an urban reserve under ORS 195.137 to 195.145 by a metropolitan service district or by a city with a population of 2,500 or more within its urban growth boundary;

(d) An amendment of the boundary of an urban reserve by a metropolitan service district;

(e) An amendment of the boundary of an urban reserve to add more than 50 acres to the urban reserve by a city with a population of 2,500 or more within its urban growth boundary; and

(f) A designation or an amendment to the designation of a rural reserve under ORS 195.137 to 195.145 by a county, in coordination with a metropolitan service district, and the amendment of the designation.

(2) When the commission reviews a final land use decision of a metropolitan service district under subsection (1)(a), (c), (d) or (f) of this section, the commission shall issue a final order in writing within 180 days after the commission votes whether to approve the decision.

[(2)] (3) A final order of the commission under this section may be appealed to the Court of Appeals in the manner described in ORS 197.650 and 197.651.

SECTION 7. ORS 195.085 is amended to read:

195.085. (1) [No later than the first periodic review that begins after November 4, 1993,] Local governments and special districts shall demonstrate compliance with ORS 195.020 and 195.065.

(2) The Land Conservation and Development Commission may adjust the deadline for compliance under this section when cities and counties that are parties to an agreement under ORS 195.020 and 195.065 are scheduled for periodic review at different times.

(3) Local governments and special districts that are parties to an agreement in effect on November 4, 1993, which provides for the future provision of an urban service shall demonstrate compliance with ORS 195.065 no later than the date such agreement expires or the second periodic review that begins after November 4, 1993, whichever comes first.

(4) An urban service agreement in effect on the effective date of this 2014 Act does not apply to real property described as Area 2 on Metro's map denominated "2011 UGB Expansion Areas, Ordinance 11-1264B, Exhibit A, October, 2011."

SECTION 8. (1) For the purpose of ORS 195.065, the City of Hillsboro and Tualatin Valley Fire and Rescue shall enter into an urban service agreement for the unincorporated communities of Reedville, Aloha, Rock Creek and North Bethany in Washington County.

(2) The agreement must generally follow a boundary between the City of Hillsboro and Tualatin Valley Fire and Rescue along the north-south axis of Southwest 209th Avenue in Washington County, between Southwest Farmington Road and the intersection of Northwest Cornelius Pass Road and Northwest Old Cornelius Pass Road, excluding areas that are within the City of Hillsboro on the effective date of this 2014 Act.

(3) The City of Hillsboro and Tualatin Valley Fire and Rescue shall report to the Legislative Assembly in the manner described in ORS 192.245 on or before January 1, 2015, on the agreement required by this section.

SECTION 9. When the Land Conservation and Development Commission acts on remand of the decision of the Oregon Court of Appeals in Case No. A152351, the commission may approve all or part of the local land use decision if the commission identifies evidence in the record that clearly supports all or part of the decision even though the findings of the local government either:

(1) Do not recite adequate facts or conclusions of law; or

(2) Do not adequately identify the legal standards that apply, or the relationship of the legal standards to the facts.

SECTION 10. The amendments to ORS 197.626 by section 6 of this 2014 Act apply to a final land use decision of a metropolitan service district that is submitted to the Land Conservation and Development Commission for review on or after the effective date of this 2014 Act.

SECTION 11. Section 8 of this 2014 Act is repealed December 31, 2015.

SECTION 12. The amendments to ORS 197.299 by section 5 of this 2014 Act become operative January 1, 2015.

SECTION 13. This 2014 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect on its passage.

Passed by House February 28, 2014

.....
Ramona J. Line, Chief Clerk of House

.....
Tina Kotek, Speaker of House

Passed by Senate March 4, 2014

.....
Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2014

Approved:

.....M,....., 2014

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

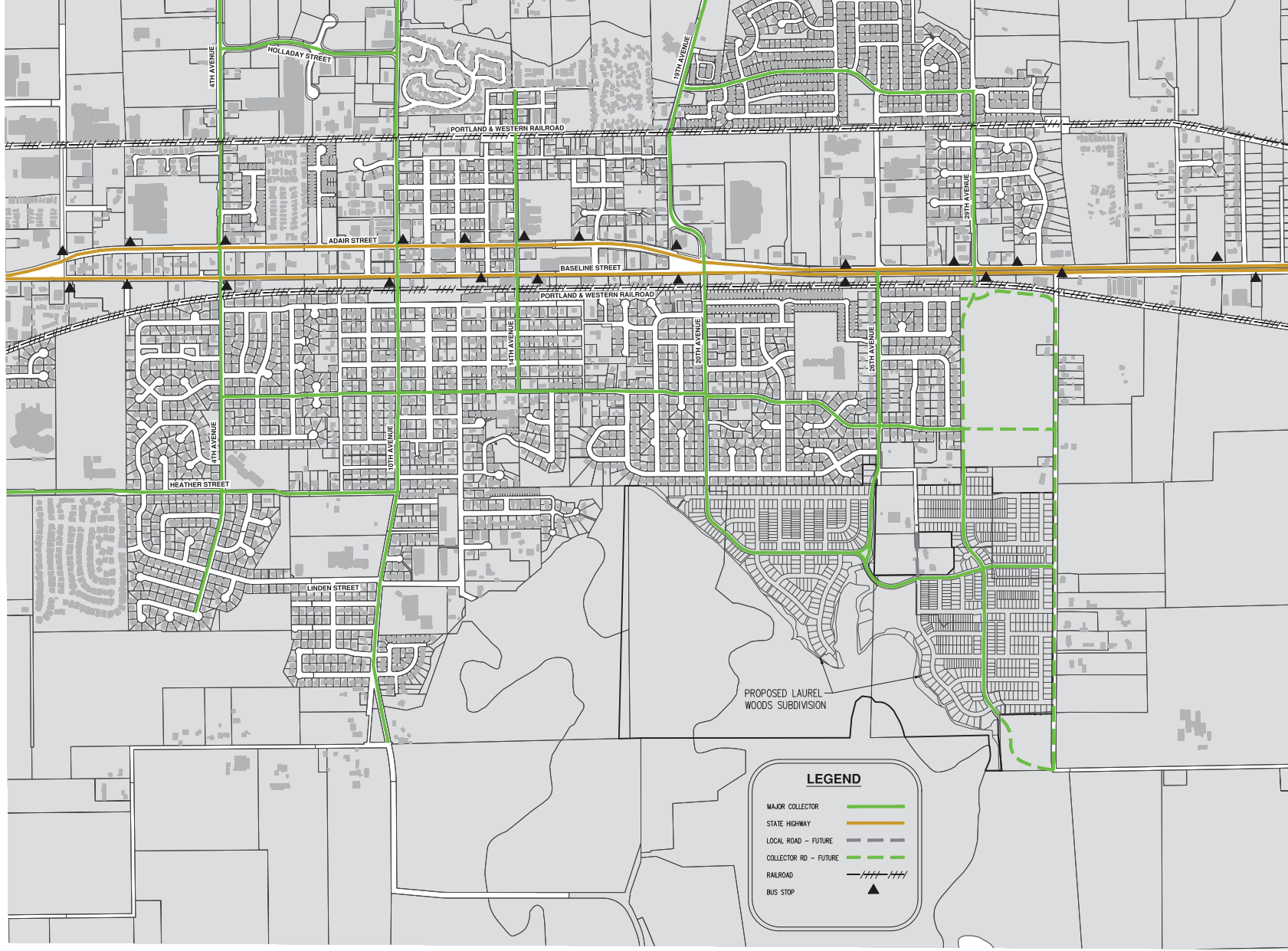
.....M,....., 2014

.....
Kate Brown, Secretary of State

AGENDA REPORT
AN-01-22

Exhibit “D”

Laurel Woods proposed transportation network



LEGEND

- MAJOR COLLECTOR ———
- STATE HIGHWAY ———
- LOCAL ROAD - FUTURE - - - -
- COLLECTOR RD - FUTURE - - - -
- RAILROAD - / / / - / / /
- BUS STOP ▲

SCALE 1" = 500 FEET

AKS

AKS ENGINEERING & FORESTRY, LLC
 12040 SW HEWAM RD STE 100
 PORTLAND, OREGON 97224
 P: 503.243.8151
 F: 503.243.8152
 akp@aks.com

ENGINEERING • SURVEYING • NATURAL RESOURCES
 FORESTRY • PLANNING • LANDSCAPE ARCHITECTURE

**LAUREL WOODS
 PLANNED UNIT DEVELOPMENT
 CORNELIUS
 OREGON**

WASHINGTON COUNTY, TAX MAP 15300A, LOTS 11000 AND 10900, TAX MAP 15300A LOT 2800
 TAX MAP 15300C, LOT 102, TAX MAP 15300D, LOT 201

**CONCEPTUAL FUTURE
 CIRCULATION PLAN**

DESIGNED BY:	MTA/AMD
DRAWN BY:	MTA/AMD
CHECKED BY:	AHH
SCALE:	AS NOTED
DATE:	11-10-2016

RENEWAL DATE: 6/30/17

JOB NUMBER	4636
SHEET	CS-009

AGENDA REPORT
AN-01-22

Exhibit "E"

2017 Hillsboro School District ROW Dedication

Recording Requested By:

Washington County, Oregon
03/31/2017 10:58:48 AM
D-DD Cnt=1 Stn=30 RECORDS1
\$25.00 \$5.00 \$11.00 \$20.00 - Total = \$61.00

2017-025867

After Recording Return To:

City Recorder
City Of Cornelius
1355 N. Barlow St.
Cornelius, Oregon 97113



02268047201700258670050057

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

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



Until A Change Is Requested All
Tax Statements Shall Be Sent To The
Above Address

**RIGHT-OF-WAY DEDICATION
City of Cornelius, Oregon**

Know all men by these Presents:

That Hillsboro School District 1J, being the owner(s) in fee (hereinafter GRANTOR) of real property located at:

Tax Lot 1S303A000100

within Washington County, Oregon for the sum of One Dollar (\$1.00) as well as other good and valuable consideration (the receipt of which is hereby acknowledged) hereby gives, grants, conveys and dedicates to the City of CORNELIUS (hereinafter CITY), on behalf of itself, its heirs, successors and assigns for the use of CITY and the general public, a perpetual right-of-way across, on and below the real property more particularly described on Exhibit "A" and shown on the Map(s) attached at Exhibit "B".

The CITY (and other entities or persons CITY deems in its sole discretion as appropriate) shall have the perpetual right to construct, improve, operate and maintain a public right-of-way across, on and below the property described on Exhibit "A" for the use of the general public, pedestrians, motorized and non-motorized vehicles and other devices or things used for conveying goods and/or people (as well as such other public or private uses deemed by CITY to be not incompatible with the use of the right-of-way by the CITY and the public).

CITY shall improve and maintain the dedicated property for public uses and as such, it may construct, install, operate, maintain and upgrade across, within and under the land described in Exhibit "A" any improvements for the uses noted above. CITY shall have the right to excavate and refill ditches, trenches and areas for the location of all said improvements with the further right to remove trees, brushes, grasses, undergrowth, soils or other obstructions interfering with the location, operation, maintenance and upgrade of said improvements which may be located in the described dedicated area. Grantor shall have no responsibility for maintenance and repair of the area of the dedication other than imposed by City ordinance, resolution, Code or City Charter.

CITY agrees that all reasonable care shall be taken to ensure that property owned by Grantor (be it personally, fixtures or real property) not located in the area described in Exhibit "A" that by virtue of the CITY's use, construction or maintenance of the public right-of-way and storm water facility may be damaged, injured or similarly impacted will be either replaced or restored at the City's expense to a condition as closely approximate to its original condition as may reasonably be possible.



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #5336

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

EXHIBIT A

Legal Description

A tract of land located in the Northeast One-Quarter of Section 3, Township 1 South, Range 3 West, Willamette Meridian, Washington County, Oregon and being more particularly described as follows:

Beginning at the southeast corner of Lot 4 of the plat of "Dimeo's Quail Run", which bears North $80^{\circ}36'19''$ East 911.05 feet from the northwest corner of the J. Lingenfelter Donation Land Claim No. 49, thence along the east line of said plat and the east line of the plat of "Dimeos' Quail Run No. 2", North $02^{\circ}16'06''$ East 1034.51 feet to the southeast corner of the plat of "Braukman Park"; thence along the east line of said plat and the east line of the plat of "Old Oak No. 2", North $02^{\circ}17'57''$ East 418.98 feet; thence leaving said east lines, along a curve to the right with a Radius of 230.00 feet, Delta of $45^{\circ}54'38''$, Length of 184.30 feet, and a Chord of North $25^{\circ}15'16''$ East 179.41 feet; thence along a curve to the left with a Radius of 170.00 feet, Delta of $45^{\circ}52'36''$, Length of 136.12 feet, and a Chord of North $25^{\circ}16'17''$ East 132.51 feet to the easterly extension of the southerly right-of-way line of South Alpine Street (60.00 foot right-of-way width); thence along said easterly extension North $88^{\circ}00'08''$ West 121.69 feet to the east line of the plat of "Old Oak No. 2"; thence along said east line North $02^{\circ}17'57''$ East 60.00 feet to the northerly right-of-way line of South Alpine Street (60.00 foot right-of-way width); thence along the easterly extension of said northerly right-of-way line South $88^{\circ}00'08''$ East 111.67 feet to a line parallel with and 40.00 feet westerly of the southerly extension of the centerline of South 29th Avenue; thence along said parallel line North $02^{\circ}16'57''$ East 92.63 feet to the southerly right-of-way line of the Southern Pacific Railroad (60.00 foot right-of-way width); thence along said southerly right-of-way line along a non-tangential curve to the right with a Radius of 12281.01 feet, Delta of $0^{\circ}09'45''$, Length of 34.86 feet, and a Chord of South $87^{\circ}23'59''$ East 34.86 feet; thence along a curve to the right with a Radius of 5319.75 feet, Delta of $8^{\circ}13'45''$, Length of 764.06 feet, and a Chord of South $83^{\circ}12'14''$ East 763.40 feet; thence along a curve to the right with a Radius of 18301.75 feet, Delta of $0^{\circ}15'28''$, Length of 82.34 feet, and a Chord of South $78^{\circ}57'37''$ East 82.34 feet to the westerly right-of-way line of SW 345th Avenue (40.00 foot right-of-way width), which bears South $25^{\circ}42'19''$ West 301.98 feet from the northeast corner of said Section 3; thence along said westerly right-of-way line South $02^{\circ}49'41''$ West 60.64 feet to a line parallel with and 60.00 feet southerly of the southerly right-of-way line of the Southern Pacific Railroad; thence along said parallel line along a non-tangential curve to the left with a Radius of 18241.75 feet, Delta of $0^{\circ}17'08''$, Length of 90.87 feet, and a Chord of North $78^{\circ}56'47''$ West 90.87 feet; thence continuing along said parallel line along a curve to the left with a Radius of 5259.75 feet, Delta of $4^{\circ}58'56''$, Length of 457.36 feet, and a Chord of North $81^{\circ}34'49''$ West 457.22 feet; thence leaving said parallel line along a curve to the left with a Radius of 170.00 feet, Delta of $40^{\circ}57'38''$, Length of 121.53 feet, and a Chord of South $75^{\circ}26'54''$ West 118.96 feet; thence along a curve to the right with a Radius of 230.00 feet, Delta of $37^{\circ}01'47''$, Length of 148.65 feet, and a Chord of South $73^{\circ}28'59''$ West 146.07 feet to the easterly extension of the southerly right-of-way line of South Alpine Street (60.00 foot right-of-way width); thence along said easterly extension North $88^{\circ}00'08''$ West 10.15 feet to a

line parallel with and 30.00 feet easterly of the southerly extension of the centerline of South 29th Avenue; thence along said parallel line South 02°16'57" West 0.15 feet; thence along a curve to the right with a Radius of 230.00 feet, Delta of 45°55'37", Length of 184.36 feet, and a Chord of South 25°14'46" West 179.47 feet; thence along a curve to the left with a Radius of 170.00 feet, Delta 45°54'38", Length of 136.22 feet, and a Chord of South 25°15'16" West 132.60 feet to a line parallel with and 60.00 feet easterly of the east line of the plat of "Old Oak No. 2" and the east line of the plat of "Braukman Park"; thence along said parallel line South 02°17'57" West 418.97 feet; thence along a line parallel with and 60.00 feet easterly of the east line of the plat of "Dimeo's Quail Run No. 2" and the plat of "Dimeo's Quail Run" South 02°16'06" West 1034.28 feet to the north line of Partition Plat Number 1997-039; thence along said north line North 87°55'58" West 60.00 feet to the Point of Beginning.

The above described tract of land contains 4.25 acres, more or less.

The basis of bearings is per Oregon State Plane coordinate system North Zone (3601), NAD83(91). Distances are ground distances with a scale factor of 1.0000918189.

05/17/2016



Michael Kalina



RENEWS: 6/30/17

OWNER covenants that it is seized of the property described above and in Exhibit "A" and that it has the good and lawful authority to give, grant, convey and dedicate the right(s) described above for the purposes set out and that the person signing below on behalf of OWNER has the lawful authority to bind OWNER to this dedication.

Dated this 22nd day of March, 2017.

[Signature]
Owner Adam D Stewart
Chief Financial Officer
Title

[Signature]
Owner
[Signature]
Title

STATE OF OREGON)
County of WASHINGTON) ss.

SUBSCRIBED AND SWORN to before me this 22 day of March, 17 by-
Adam Stewart, who appeared before me and said person(s) acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

[Signature]
Notary Public for Oregon
My Commission Expires: 11/06/2020

Accepted for the City of Cornelius, Oregon

[Signature]
Rob Drake, City Manager

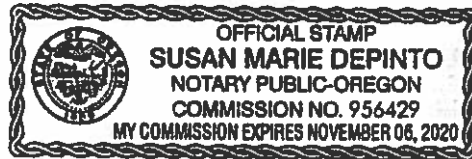


EXHIBIT B

MAP OF LEGAL DESCRIPTION

A TRACT OF LAND
LOCATED IN THE NE
1/4 OF SEC. 3,
T1S, R3W, W.M.,
WASHINGTON COUNTY,
OREGON

05/17/2016

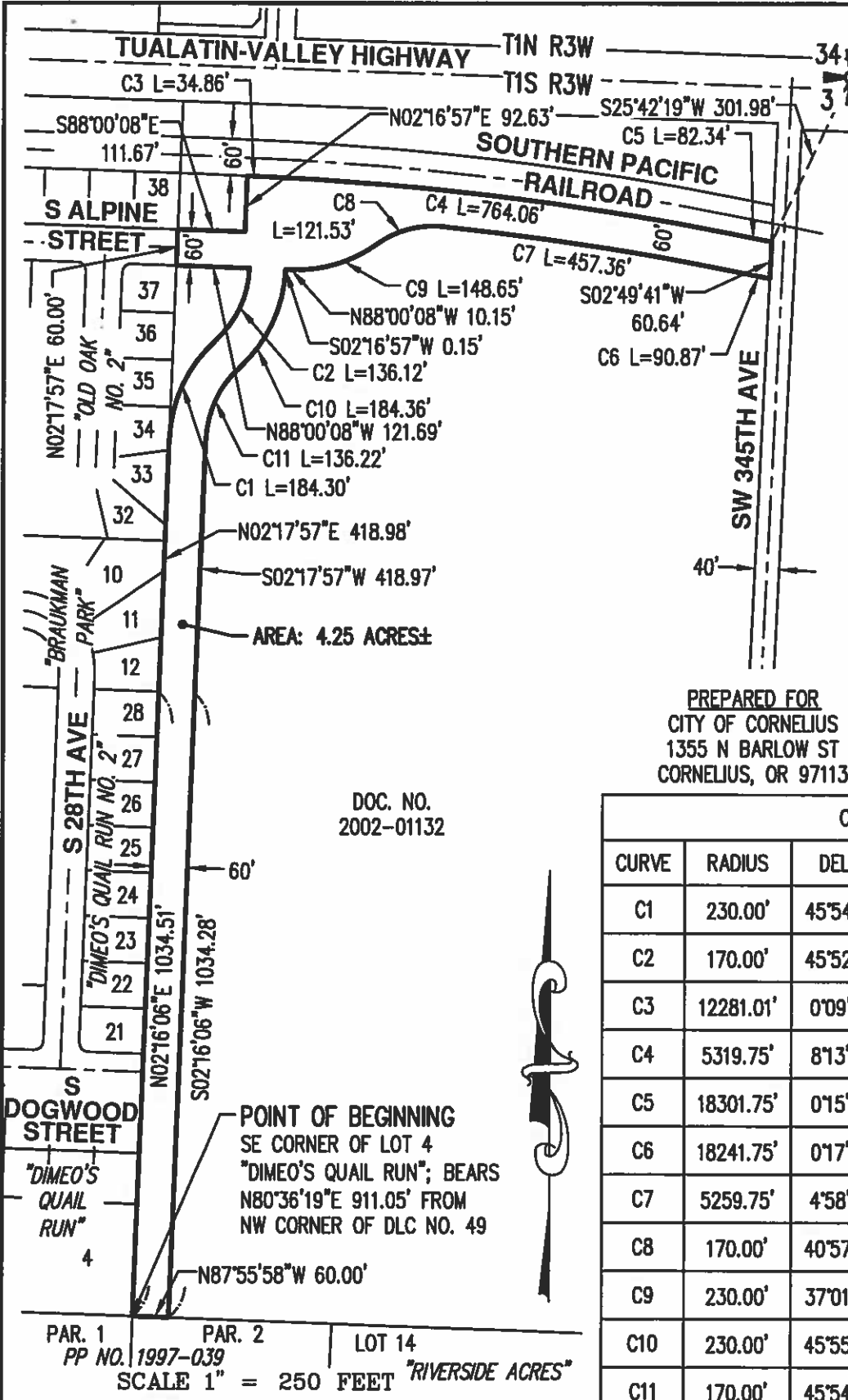
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/17

PREPARED FOR
CITY OF CORNELIUS
1355 N BARLOW ST
CORNELIUS, OR 97113



DOC. NO.
2002-01132

AREA: 4.25 ACRES±

POINT OF BEGINNING
SE CORNER OF LOT 4
"DIMEO'S QUAIL RUN"; BEARS
N80°36'19"E 911.05' FROM
NW CORNER OF DLC NO. 49



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	230.00'	45°54'38"	184.30'	N25°15'16"E 179.41'
C2	170.00'	45°52'36"	136.12'	N25°16'17"E 132.51'
C3	12281.01'	0°09'45"	34.86'	S87°23'59"E 34.86'
C4	5319.75'	8°13'45"	764.06'	S83°12'14"E 763.40'
C5	18301.75'	0°15'28"	82.34'	S78°57'37"E 82.34'
C6	18241.75'	0°17'08"	90.87'	N78°56'47"W 90.87'
C7	5259.75'	4°58'56"	457.36'	N81°34'49"W 457.22'
C8	170.00'	40°57'38"	121.53'	S75°26'54"W 118.96'
C9	230.00'	37°01'47"	148.65'	S73°28'59"W 146.07'
C10	230.00'	45°55'37"	184.36'	S25°14'46"W 179.47'
C11	170.00'	45°54'38"	136.22'	S25°15'16"W 132.60'



THE BASIS OF BEARINGS IS PER OREGON STATE
PLANE COORDINATE SYSTEM NORTH ZONE (3601),
NAD83(91). DISTANCES ARE GROUND DISTANCES
WITH A SCALE FACTOR OF 1.0000918189.

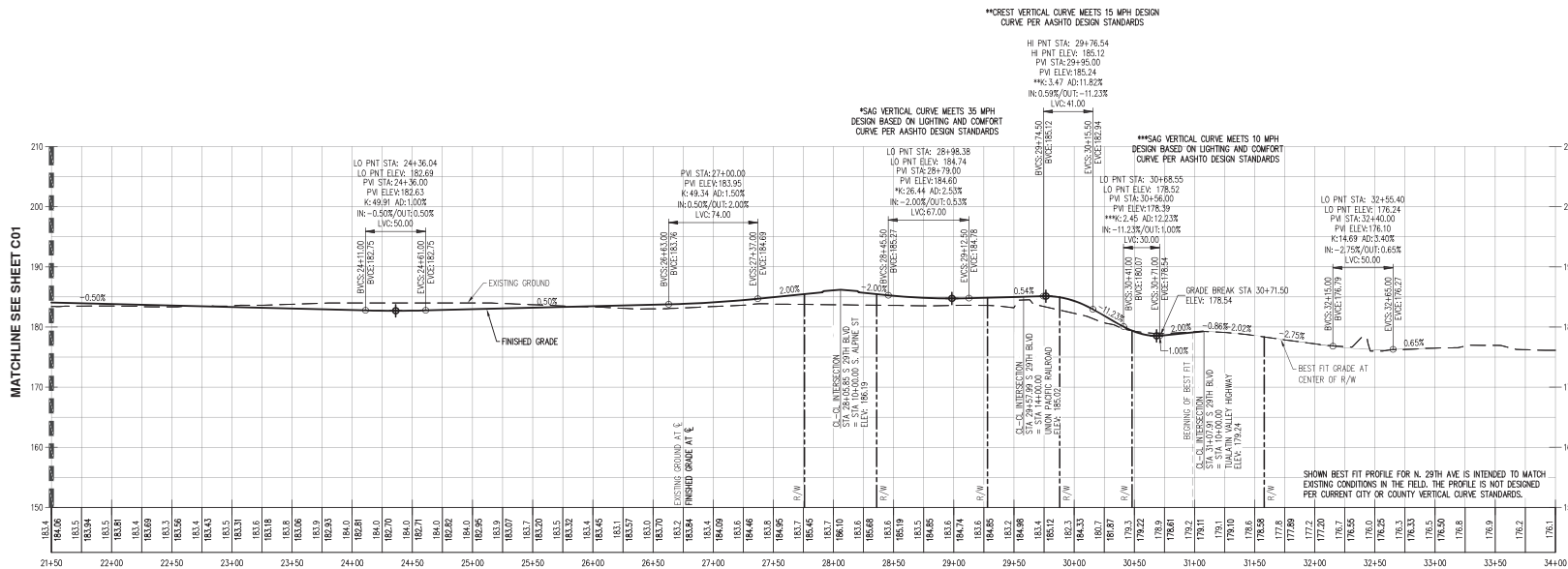
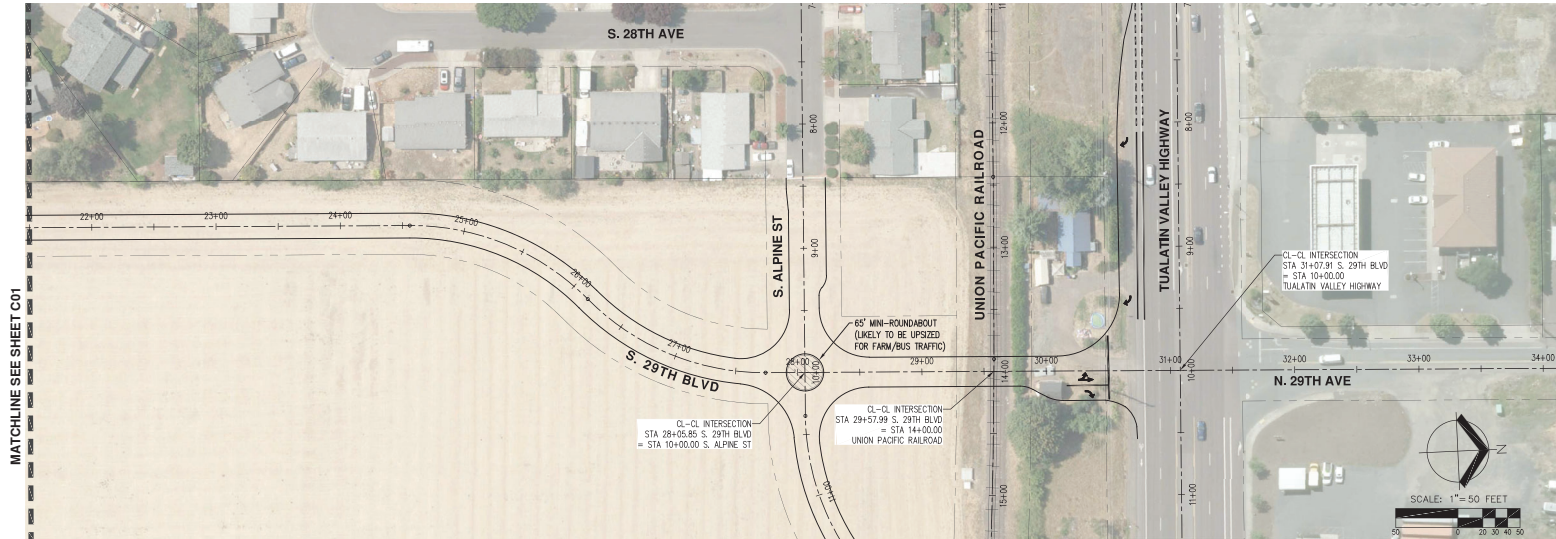
SOUTH 29TH STREET LEGAL DESCRIPTION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: MSK CHKD: NSW AKS JOB: 5336

AGENDA REPORT

AN-01-22

Exhibit “F”

Graphic depicting grades for S 29th Boulevard
extension directly north to Baseline
Street



S. 29TH BLVD
 Hor. Scale: 1" = 50'
 Vert. Scale: 1" = 10'

AKS
 AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD STE 100
 TUALATIN, OR 97062
 P: 503.256.8151
 F: 503.256.8152
 aks-eng.com

**S. 29TH BLVD
 RAILROAD CROSSING
 CORNELIUS
 OREGON**

ENGINEERING - SURVEYING - NATURAL RESOURCES
 FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

**S. 29TH BLVD (21+50 TO
 33+50) PLAN AND PROFILE**

DESIGNED BY: MJ
 DRAIN BY: MJ
 MANAGED BY: PAS
 CHECKED BY: AHJ
 DATE: 02/28/19

RESERVED PROFESSIONAL
 SEAL
 CORNELIUS, OREGON
 EXPIRES: 06/30/20

REVISIONS:

JOB NUMBER
6319-05

SHEET
C02

AGENDA REPORT

AN-01-22

Exhibit “G”

2022 Alignment of S. 29th Boulevard extension
and the intersection at SW 345th Avenue

AKS DRAWING FILE: 6319-05_29TH_BLDV_EXHIBIT_PH2.DWG | LAYOUT: C00

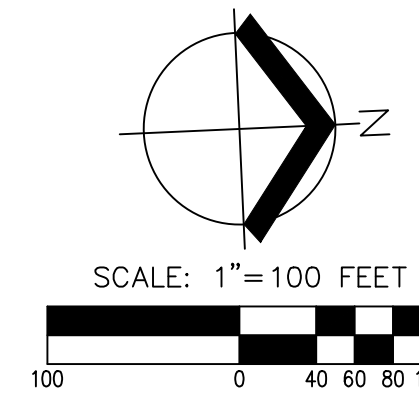


LEGEND:

- AC PAVEMENT
- CONCRETE SIDEWALK
- RIGHT OF WAY
- LIMITS OF DISTURBANCE

NOTES:

1. ALL PROPERTY LINES, RIGHT-OF-WAY LINES, AND CONTOUR LINES ARE BASED ON GIS INFORMATION PROVIDED BY OTHERS AND ARE CONSIDERED APPROXIMATE.
2. LAUREL WOODS SUBDIVISION LOT LINES AND ROADWAYS ARE BASED ON A PROPOSED LAYOUT AND ARE SUBJECT TO CHANGE.
3. THIS MAP IS FOR PLANNING PURPOSES ONLY AND IS CONSIDERED CONCEPTUAL IN NATURE.



AKS
 AKS ENGINEERING & FORESTRY, LLC
 12065 SW HERMAN RD. STE 100
 TUALATIN, OR 97062
 P: 503.563.6151
 F: 503.563.6152
 aks-eng.com

**S. 29TH BLVD
 EXTENSION**
 OREGON
 CORNELIUS
 WASHINGTON COUNTY

**CONCEPTUAL PLAN
 PHASE 2**

DESIGNED BY: MJ
 DRAWN BY: MJ
 MANAGED BY: PAS
 CHECKED BY: AHH
 DATE: 01/21/2020

REGISTERED PROFESSIONAL
LAND SURVEYOR
NOT FOR
CONSTRUCTION
 CORNELL A. SELKE
 RENEWAL DATE: 8/30/20

REVISIONS

JOB NUMBER
6319-05

SHEET
C01

AGENDA REPORT
AN-01-22

Exhibit “H”
City Council Staff Report



CITY COUNCIL REPORT

CITY OF CORNELIUS COMMUNITY DEVELOPMENT DEPARTMENT

400 Feet of SW 345th AVENUE

EXPEDITED ANNEXATION

AN-01-22

Staff Report Date: July 20, 2022

City Council Date: August 1, 2022

Request: An Expedited Annexation (AN-01-22) to add 0.37 acres to the City of Cornelius

Applicant: City of Cornelius

Property Owner: Brigetta Martell and Hillsboro School District 1J

Location: Approximately 400 feet of right-of-way of SW 345th Avenue south of the rail tracks that is 0.37 acres.

Map: Township 1 S, Range 3 W, Map 02 B, Tax Lots 0000802
Township 1 S, Range 3 W, Map 02 A, Tax Lot 000100.

Process: The annexation (AN-01-22) was initiated by the City of Cornelius, the applicant. The requestor has filed an application with the Community Development Department on forms prescribed by the Community Development Director or designee. The proposed annexation is an Expedited Annexation and follows the requirements of Metro Code 3.09. A necessary party can request a public hearing. If a public hearing is not requested, the Council shall make its decision as a consent agenda item. The decision shall become effective by passage of an ordinance, resolution, or order.

APPLICABLE CRITERIA

Annexation:

However, the State Legislature has directed Metro Regional Services (Metro) to establish criteria, which must be used by all cities within the Metro boundary; these criteria are found in Metro Code Chapter 3.09. The City Comprehensive Plan identifies annexation requirements in *Chapter II, Urbanization, Policies*.

BASIC FACTS and BACKGROUND INFORMATION

1. The subject property is located adjacent to the southeastern boundary of the City of Cornelius.
2. The subject property consists of 400 feet of two tax lots located wholly within the right-of-way of SW 345th Avenue, approximately 0.37 acres, according to Washington County Tax Accessors records.
3. The property is within the Urban Growth Boundary (UGB), which was created in 2014 through HB 4078, commonly known as the ‘Grand Bargain’.
4. The subject property is entirely within the right-of-way.
5. The Site is developed right-of-way for SW 345th Avenue.
6. The applicant and property owners are requesting an Expedited Annexation (AN-01-22) for the annexation of approximately 0.37 acres of unincorporated land into the Cornelius City Limits.
7. The property owners provided a signature authorizing the Annexation. Signed copies of the of these signatures are found in Exhibit “A”.
8. The proposed annexation abuts the City Limits along its eastern boundary, which comprises the western edge of the proposed right-of-way annexation of SW 345th Avenue. SW 345th Avenue is a Washington County facility.
9. On July 11, 2022 Public Notice of the proposal was mailed to Necessary Parties, as required by Metro Code 3.09

ANNEXATION REVIEW CRITERIA

The City Comprehensive Plan identifies the following annexation policies in *Chapter II, Urbanization, Policies*, section 4:

- a. Annexation will be permitted if:*

- (1) *The City is able to provide adequate services to the area, including sewer, water, administration, and fire protection. The new area can meet city standards for roads, sewers, water, and other services and appropriate amendments to the City's Public Facilities Master Plans have been considered.*

Findings: The applicant has submitted an annexation application, included as Exhibit "A", to annex into the City of Cornelius approximately 0.37 acres. The proposed annexation is required to construct the intersection of S. 29th Boulevard and SW 345th Avenue. The annexation does not include developable property, only the existing right-of-way of SW 345th Avenue. As such, the annexation provides additional egress and ingress for the property developed as Laurel Woods subdivision.

Typically, annexation requires annexation into Clean Water Services (CWS), withdrawal from the Cornelius Rural Fire Protection District (CRFPD), and the Washington County Sheriff's Office (SO). Since this annexation only includes annexation of existing right-of-way, these steps are not necessary.

Based upon the findings above: Staff concludes that adequate infrastructure and services including, water, sewer, police, administration, fire and future transportation facilities are available and can be coordinated to provide service to the proposed right-of-way annexation area. **This criterion is met.**

- (2) *The proposed use of the area to be annexed conforms with the Comprehensive Plan, or has been Master Planned, including all adjacent and intervening properties. The City does not intend to support piecemeal annexations.*

Findings: The subject property is located within the UGB as recognized by Metro, Washington County, and the State. This annexation is to facilitate construction of a road project, providing additional access to the Laurel Woods Subdivision. The smallest annexation to allow for the road construction project is proposed. No developable land is proposed for annexation so land use and zoning are not proposed. Since the annexation is only the right-of-way to facilitate the road project, the adjacent property to the east is not proposed for annexation. This does not support piecemeal annexation of developable lands, but minimizes disruption of lands outside the UGB.

Based upon the findings above: Staff finds that the proposed annexation is consistent with the Comprehensive Plan for urban uses. The proposed annexation is not a piecemeal annexation. **This criterion is met.**

- (3) *A substantial portion of the area to be annexed is contiguous to the City and represents a logical direction for city expansion.*

Findings: The subject property abuts the eastern corporate limits of the City of Cornelius. Since the subject property is currently located within the Metro UGB, and because this property was added to the UGB for the explicit purpose of accommodating regional urbanization in the near

term, annexation of this site represents the Region’s first choice for local corporate annexation and is therefore a logical selection for expansion of the City of Cornelius.

All boundary changes in the Portland Metropolitan area must address Chapter 3.09 of the Metro Code. Per Metro Code Chapter 3.09, as part of the regional growth management and mapping network Metro requires that upon annexation of new lands, the City is required to have Metro maps updated to reflect and identify these boundary changes. The City must pay a mapping fee to Metro for this service. The City finds that, since the annexation request was initiated and requested by the City of Cornelius, that this Metro fee for mapping shall be paid by the City of Cornelius.

Based upon the findings above: Staff finds the proposed annexation is consistent with the annexation policies and represents a logical direction for City expansion. The proposed annexation is consistent and complies with Chapter 3.09 of Metro’s Local Government Boundary Changes requirements. **These criteria are met.**

DECISION

Based on the facts, findings, and conclusions within the Council Report, the Cornelius City Council approves City File # AN-01-22, SW 345th Avenue Annexation.

DATE OF DECISION: August 1, 2022

Jeffrey C. Dalin, Mayor

Barbara Fryer, AICP, Community Development Director

Exhibits: “A” Application submittal
 “B” Affidavit of Notice
 “C” Draft Ordinance

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CITY COUNCIL REPORT
AN-01-22

Exhibit “A”

Community Development
Located at 1300 S. Kodiak Circle, Cornelius, Oregon 97113
www.ci.cornelius.or.us

OFFICIAL USE ONLY		
Date Received: _____	Date Complete: _____	↓ File Number ↓
Application Fee: _____	Receipt Number: _____	_____

APPLICATION TYPE

Type I – administrative review without public notice

- | | | |
|--|---|--|
| <input type="checkbox"/> Design Review I | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Administrative Relief |
| <input type="checkbox"/> Land Partition—Final Plat | <input type="checkbox"/> Subdivision—Final Plat | |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

Type II – administrative review with public notice

- | | | |
|--|--|---|
| <input type="checkbox"/> Design Review II | <input type="checkbox"/> Land Partition—Preliminary Plat | <input type="checkbox"/> Subdivision—Preliminary Plat |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

Type III – public hearing(s) required with public notice

- | | | |
|--|---|---|
| <input type="checkbox"/> Design Review III | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Zone Text Amendment |
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> ROW/Easement Vacation | <input type="checkbox"/> Subdivision—Preliminary Plat |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

APPLICANT INFORMATION

Name: City of Cornelius, Kevin Oppenlander, Project Manager Signature: _____
 Mail Address: 1355 N. Barlow Street
 Phone: 503-357-3011 Fax: 503-357-3424 E-mail: kevin.oppenlander@corneliusor.gov

PROPERTY OWNER INFORMATION property owners are 1. Brigetta Martell (1S302B000802) and 2. HILLSBORO SCHOOL DIST 1J (1S303A000100)

Name: Brigetta Martell Signature: _____
 Mail Address: _____
 Phone: _____ Fax: _____ E-mail: _____

SUBJECT SITE INFORMATION

Property Address: _____ (a public county road -See attached Exhibit A)
 Map & Tax Lot Number(s): 1S302B000802
 Current Zoning: _____ Total Size of Site: _____
 Existing Use: _____
 Proposed Use: _____

Revised April 2017



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #6319-05

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

City of Cornelius Annexation

A tract of land located in the Northeast One-Quarter of Section 3, Township 1 South, Range 3 West, Willamette Meridian, City of Cornelius, Washington County, Oregon, and being more particularly described as follows:

Commencing at the northeast corner of said Section 3, thence South $21^{\circ}54'48''$ West 359.06 feet to the intersection of the southerly right-of-way line of the S Alpine Street (30.00 feet from centerline) and the westerly right-of-way line of SW 345th Avenue (20.00 feet from centerline), also being the Point of Beginning; thence along said southerly right-of-way line South $78^{\circ}35'20''$ East 40.45 feet to the easterly right-of-way line of SW 345th Avenue; thence along said easterly right-of-way line, South $02^{\circ}49'41''$ West 395.87 feet; thence leaving said easterly right-of-way line, North $87^{\circ}10'19''$ West 40.00 feet to the westerly right-of-way line of SW 345th Avenue; thence along said westerly right-of-way line, North $02^{\circ}49'41''$ East 401.90 feet to the Point of Beginning.

The above described tract of land contains 15,955 square feet, more or less.

01/05/2022

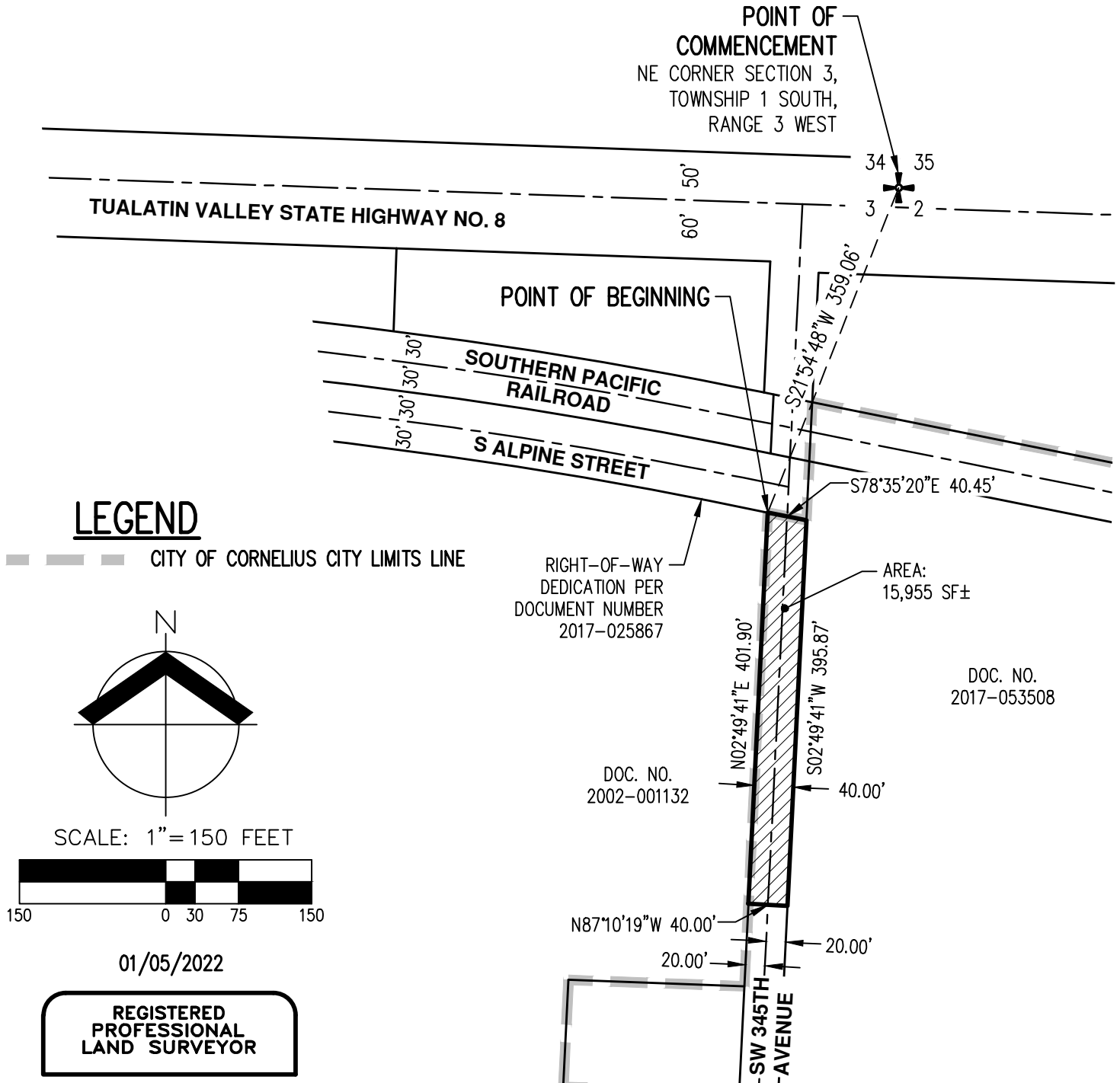
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/23

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF CORNELIUS, WASHINGTON COUNTY, OREGON



CITY OF CORNELIUS ANNEXATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: KLH CHKD: MSK AKS JOB: 6319-05



Community Development
Located at 1300 S. Kodiak Circle, Cornelius, Oregon 97113
www.ci.cornelius.or.us

OFFICIAL USE ONLY		
Date Received: _____	Date Complete: _____	↓ File Number ↓
Application Fee: _____	Receipt Number: _____	_____

APPLICATION TYPE

Type I – administrative review without public notice

- | | | |
|--|---|--|
| <input type="checkbox"/> Design Review I | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Administrative Relief |
| <input type="checkbox"/> Land Partition—Final Plat | <input type="checkbox"/> Subdivision—Final Plat | |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

Type II – administrative review with public notice

- | | | |
|--|--|---|
| <input type="checkbox"/> Design Review II | <input type="checkbox"/> Land Partition—Preliminary Plat | <input type="checkbox"/> Subdivision—Preliminary Plat |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

Type III – public hearing(s) required with public notice

- | | | |
|--|---|---|
| <input type="checkbox"/> Design Review III | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Planned Unit Development |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Zone Text Amendment |
| <input checked="" type="checkbox"/> Annexation | <input type="checkbox"/> ROW/Easement Vacation | <input type="checkbox"/> Subdivision—Preliminary Plat |
| <input type="checkbox"/> Other <i>please describe:</i> _____ | | |

APPLICANT INFORMATION

Name: City of Cornelius, Kevin Oppenlander, Project Manager Signature: _____
 Mail Address: 1355 N. Barlow Street
 Phone: 503-357-3011 Fax: 503-357-3424 E-mail: kevin.oppenlander@corneliusor.gov

PROPERTY OWNER INFORMATION property owners are 1. Brigetta Martell (1S302B000802) and 2. HILLSBORO SCHOOL DIST 1J (1S303A000100)

Name: Hillsboro School District 1J Signature: _____
 Mail Address: _____
 Phone: _____ Fax: _____ E-mail: _____

SUBJECT SITE INFORMATION

Property Address: _____ (a public county road -See attached Exhibit A)
 Map & Tax Lot Number(s): 1S302A000100
 Current Zoning: _____ Total Size of Site: _____
 Existing Use: _____
 Proposed Use: _____

Revised April 2017



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

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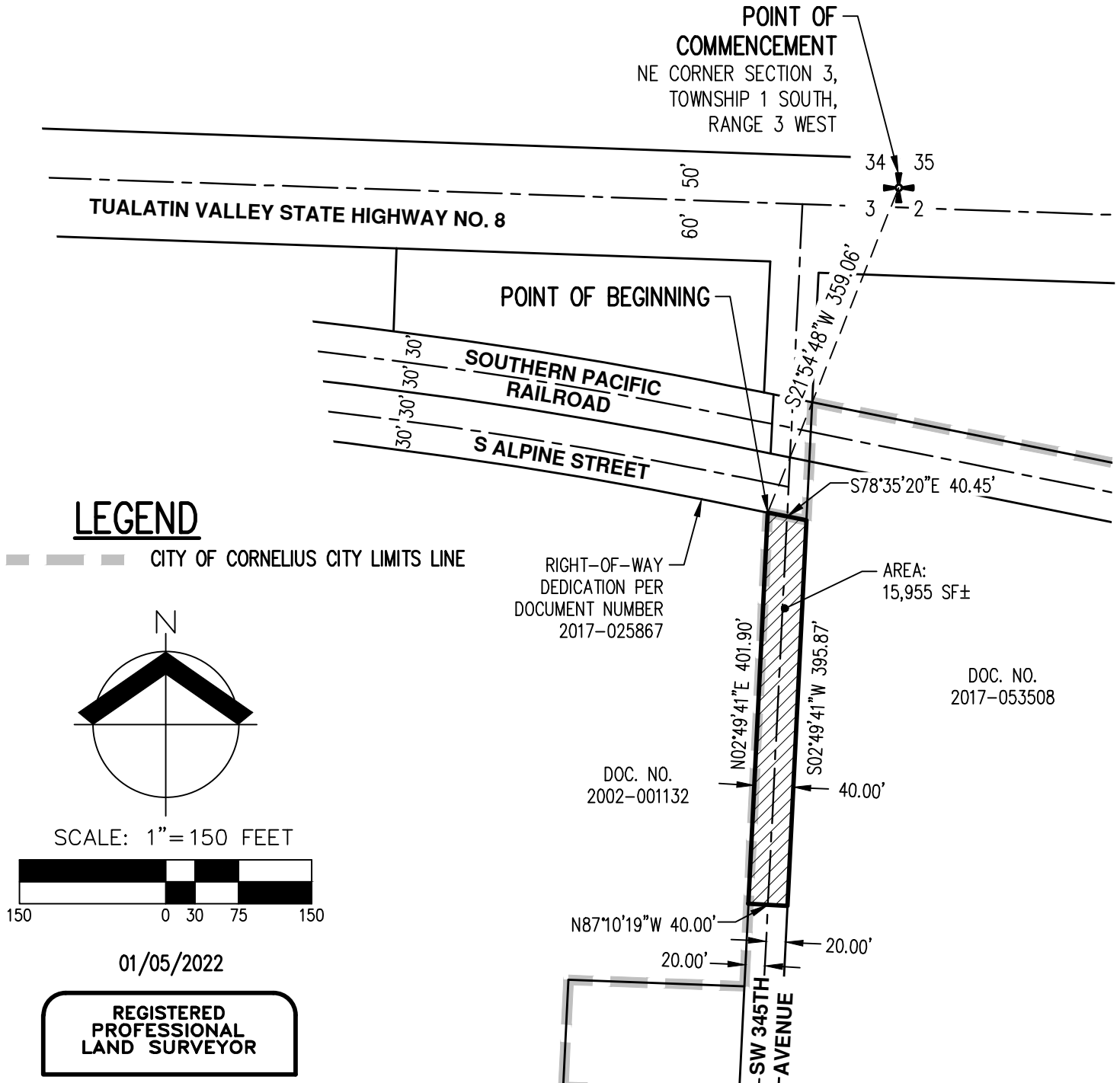
REGISTERED
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LAND SURVEYOR

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/23

EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 3,
TOWNSHIP 1 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN,
CITY OF CORNELIUS, WASHINGTON COUNTY, OREGON



CITY OF CORNELIUS ANNEXATION		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM		DRWN: KLH CHKD: MSK AKS JOB: 6319-05



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CITY COUNCIL REPORT
AN-01-22

Exhibit “B”

AFFIDAVIT OF MAILING

State of Oregon)
) ss
County of Washington)

I, LINDA W. CARTER, being first duly sworn, depose and say:

That I served upon the following named persons a Notice of application for an expedited annexation Copy of which is marked Exhibit A, attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy thereof on the 11th day of July, 2022. I further certify that said copies were then placed in a sealed envelope addressed as follows:

See Exhibit B attached hereto and by the reference incorporated herein,

Said envelope(s) were then placed in the United States Post Office at Cornelius, Oregon, with postage thereon fully prepaid.

Signed: Linda W. Carter

Cornelius

Oregon's Family Town

Mailed July 11, 2022

NOTICE IS HEREBY GIVEN that the City of Cornelius City Council is scheduled to adopt a decision on an application for an expedited annexation on Monday, **August 1, 2022 at 7:00 pm** in the Cornelius Council Chambers, 1355 N. Barlow Street, Cornelius, Oregon. You may also participate electronically or by phone as follows: ZOOM MEETING (ONLINE)* <https://zoom.us/j/88657023542> ;United States:1 - (253) 215-8782 Meeting ID 886 5702 3542.

The expedited annexation request will be considered as part of the Council's Regular Agenda, without a public hearing, unless a written objection to the annexation is filed by a necessary party prior to the August 1, 2022 meeting.

Applicant: City of Cornelius
Property Owner: Hillsboro School District 1J (1S303A000100) and Brigitta Martell (1S302B000802)
Location: S. 345th Avenue approximately 400 feet of public right-of-way
Map: 1S303A000100 and 1S302B000802.
Size: Approximately 15,955 square feet
File No: AN-01-22

Applicable Criteria: Metro Code 3.09.045, Cornelius Comprehensive Plan Chapter 2, Urbanization.

Review: Expedited annexation, no public hearing. Applicant must meet the application criteria of Metro Code 3.09.04A, and the approval criteria of Metro Code 3.09.045D, Comprehensive Plan Chapter 2, Policy 4(a)(1 through 3).

Comments: Necessary Parties, which include Metro, Washington County, TriMet, Clean Water Services, Hillsboro School District 1J, Port of Portland, and NW Regional Education Service District may submit a written objection to the annexation **BY AUGUST 1, 2022 at 2:00 PM.** If a written objection is not filed, the City Council may approve the annexation without a hearing or consideration of comments.

If a written objection is filed, it must describe the reason the necessary party is objecting to the annexation and how the annexation is inconsistent with applicable review criteria, including urban service area agreements.

Written objections and comments may be submitted to Barbara Fryer, Community Development Director, by mail at 1355 North Barlow Street, Cornelius, OR 97113, or by email at barbara.fryer@corneliusor.gov.

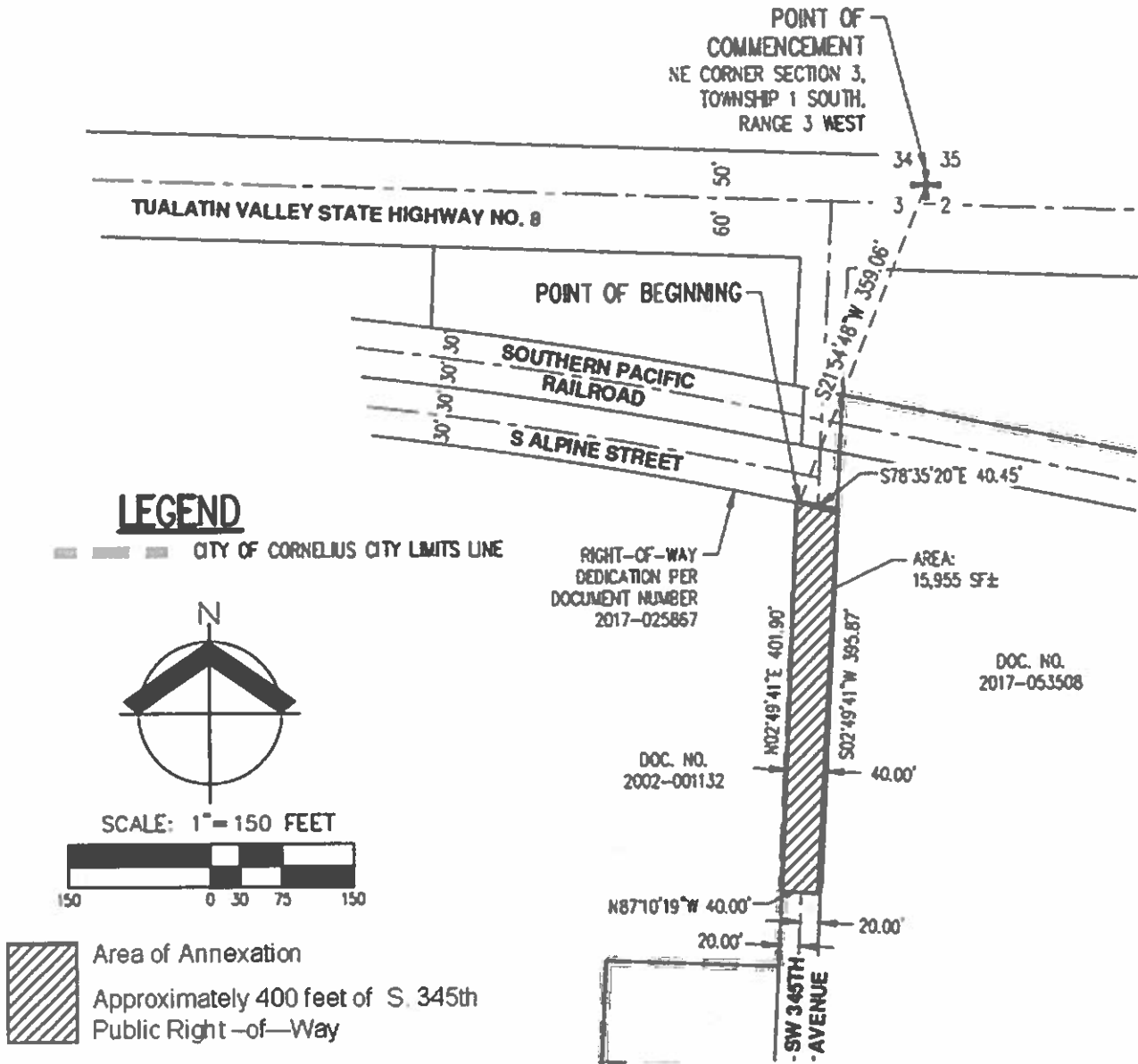
Exhibit B

Clean Water Services	Development Services Department	Attn: Jackie Humphreys	2550 SW Hillsboro Hwy	Hillsboro	OR	97124
Hillsboro School District		Attn: Casey Walelich	3083 NE 49th Place	Hillsboro	OR	97124
METRO Parks	Compliance Coordinator		600 NE Grand Ave	Portland	OR	97232
Metro Regional Services	Senior Transportation Planner	Attn: Caleb Winter	600 NE Grand Ave	Portland	OR	97232
Port of Portland			P.O. Box 3529	Portland	OR	97208
Ti-Met			4012 SE 17th Ave	Portland	OR	97202
Washington County Assessment and Taxation Dept			155 N 1st Ave	Hillsboro	OR	97124
Washington County Enhanced Sheriff's Patrol Dist.			215 SW Adams Ave.	Hillsboro	OR	97123
Washington County Health & Human Services			155 N 1st Ave, Ste. 170	Hillsboro	OR	97124
Washington County Housing Authority	Planning Division	Attn: Paul Schaeffer, Senior Planner	111 NE Lincoln Street Suite 200-L	Hillsboro	OR	97124
Washington County Land Use & Transportation	Planning & Development Services	Attn: Principal Planner	155 N 1st Ave. Ste#350	Hillsboro	OR	97124
Washington County Land Use & Transportation	Data Services	Attn: Ian Crawford	155 N 1st Ave. Ste. 350, MS 14	Hillsboro	OR	97124
WCCCA 9-1-1			17911 NW Evergreen Pl	Beverton	OR	97006
NW Regional Educations Service District			5825 NE Ray Circle	Hillsboro	OR	97124

A tidinx3

Application Materials: The staff report and all application materials will be available on July 25, 2022, at the Cornelius Community Development Department 1300 S. Kodiak Circle and on the City of Cornelius Web page at <https://www.ci.cornelius.or.us>. Copies are available for purchase.

Vicinity Map File Number: AN-01-22



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**CITY COUNCIL REPORT
AN-01-22**

Exhibit “C”

ORDINANCE NO. 2022-XX
CITY OF CORNELIUS

AN ORDINANCE OF THE CITY OF CORNELIUS FOR THE ANNEXATION OF CERTAIN LAND AREA INTO THE CITY LIMITS OF CORNELIUS

WHEREAS, the City received a complete application from the property owner of land depicted on the attached map in Exhibit #1 of this ordinance, requesting that 400 feet of the portion of their property within the SW 345th Avenue Right-of-Way be annexed into the city limits of Cornelius; and

WHEREAS, the City received written consent from 100% of the property owners in the territory proposed be annexed, as required by ORS 222.170(2); and

WHEREAS, the City received written consent from 100% of the electors in the territory proposed be annexed, as required by ORS 222.170(2); and

WHEREAS, the City of Cornelius provided public notice consistent with Metro Code 3.09 for an Expedited Annexation; and

WHEREAS, the subject property can be served by City services; and

WHEREAS, the subject property is contiguous to the City; and

WHEREAS, the subject property currently lies within the Metro Urban Growth Boundary; and

WHEREAS, the annexation meets the requirements of Metro Code 3.09 for expedited annexation; and

WHEREAS, City of Cornelius City Council, after providing the required notices, having received no requests for a public hearing, consented to annexation of 400 feet of right-of-way of SW 345th Avenue; and

WHEREAS, the City Council finds the proposed annexation to be in compliance with the City's Comprehensive Plan, the City's Municipal Code, Oregon Administrative Rules, and the Metro Code, as set forth in the Staff Report, attached hereto as Exhibit #1; and

WHEREAS, a report was prepared as required by law and the City Council, having considered the report and the testimony at the public hearing, does hereby favor the annexation of the subject tract of land and withdrawal from the County districts based on findings and conclusions attached hereto as Exhibit #1; and

WHEREAS, the annexation is not contested by any necessary party.

NOW THEREFORE THE CITY OF CORNELIUS ORDAINS AS FOLLOWS:

SECTION 1. The Cornelius City Council hereby approves the proposed Annexation (AN-01-22) for the tract of land depicted on the map in the Staff Report; see Exhibit #1.

SECTION 2. The findings and conclusions attached as Exhibit #1 are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005.

SUBMITTED to the Cornelius City Council and read into the record at a regularly scheduled meeting thereof on the 1st day of August 2022, and read for a second time by title only this same day.

ENACTED this the 1st day of August 2022, by the City Council by the following votes:

YEAS _____

NAYS _____

By: _____
Jef Dalin, Mayor

ATTEST:

By: _____
Debby Roth, City Recorder