



M. BARBARA CARTMILL
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD OREGON CITY, OR 97045

September 22, 2016

Board of County Commissioners
Clackamas County

Members of the Board:

**Consent to the Annexation of a Portion of
Beavercreek Road to the City of Oregon City**

| | |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose/Outcomes | Provide consent to the annexation of the portion of Beavercreek Road adjacent to the Oregon City Golf Club into the City of Oregon City. |
| Dollar Amount and Fiscal Impact | None. The County will retain jurisdiction and maintenance responsibilities after annexation and until jurisdiction is transferred from the County to Oregon City by separate action. |
| Funding Source | N/A |
| Duration | Indefinite |
| Previous Board Action | September 6, 2016 at Administrator Issues/Updates the Board Direction to staff to bring the consent action before the BCC at a business meeting. |
| Strategic Plan Alignment | Build public trust through good government. |
| Contact Person | Dan Johnson– 503-742-4325 |

BACKGROUND:

Oregon City Golf Club is prepared to submit an annexation application to the City of Oregon City for the golf club property adjacent to Beavercreek Road. The golf club is within the Beavercreek Road Concept Plan area. The City readopted the concept plan earlier this year. The Urban Growth Management Agreement between the City of Oregon City and Clackamas County requires the City to annex adjacent County right-of-way in any annexation proposal. In order to comply with the UGMA, a piece of Beavercreek Road adjacent to the golf club will need to be annexed as part of the golf club annexation request. Attached to this report is a tax map identifying the right-of-way proposed to be annexed. This is the only portion of Beavercreek Road that abuts the golf course.

ORS 222.125 permits a city to annex property without an election or a hearing where all of the owners of land in the territory to be annexed and not less than 50 percent of the electors, if any, residing in the territory to be annexed consent in writing to the annexation and file a statement of their consent with the city.

Because this annexation requires a portion of Beaver Creek Road to be included, and because recent case law has clarified that the County is the “owner” of right of way for purposes of providing the required consent under ORS 222.125, the City must receive the County’s consent before processing the annexation using the procedures set forth in ORS 222.125. Staff understands that the consent of all other affected property owners has been obtained.

The Board of County Commissioners discussed this specific annexation request during the County Administrator Issues/Updates session on September 6, 2016 and directed staff to bring the consent action before the BCC at a business meeting. A copy of the annexation petition is attached to this report.

RECOMMENDATION:

Staff respectfully requests that the Board indicate its consent to a portion of Beaver Creek Road to the City of Oregon City by signing the attached annexation petition.

Respectfully submitted,

Barb Cartmill
Director– Department of Transportation and Development

Attachments:

Map
Annexation Petition

