

Final Documents
for
Annexation to
Oregon City

CL0110
Ordinance/Resolution: 08-1016
Annexation: AN 07-06
DOR: 3-1880-2009
Secretary of State: AN 2010-0014

OFFICE OF THE SECRETARY OF STATE

KATE BROWN
SECRETARY OF STATE

BARRY PACK
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR
800 Summer Street NE
Salem, Oregon 97310
(503) 373-0701
Facsimile (503) 378-4118

February 5, 2010

Metro
Linda Martin
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Ms. Martin:

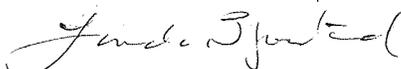
Please be advised that we have received and filed, as of February 5, 2010, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
08-1016 [Oregon City]	AN 2010-0014

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

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

Sincerely,


Linda Bjornstad
Official Public Documents

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



OREGON CITY

Community Development - Planning

221 Molalla Ave. Suite 200 | Oregon City OR 97045

Ph (503) 722-3789 | Fax (503) 722-3880

December 14, 2009

Linda Martin
Metro / DRC
600 NE Grand Avenue
Portland, Oregon 97232

RE: Oregon City AN 07-06 Final Packet

Dear Ms. Martin:

Enclosed is the final packet for the referenced City of Oregon City annexation proposal for your processing to the Secretary of State. This packet contains:

- Ordinance 08-1016
- Department of Revenue Final Approval
- Legal Description
- Findings of Fact with Conclusions and Reasons for Decision
- Annexation Map
- Certified copy of Election Results
- Claim check for to send a check for the Metro Mapping Fee of \$250.00

Your prompt processing is appreciated. If I can be of any further assistance, please call me at 503.496.1562.

Sincerely,

Tony Konkol
Senior Planner

ORDINANCE NO. 08-1016

AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF OREGON CITY.

WHEREAS, The City of Oregon City proposed that certain properties, more fully identified in Attachment 'A' to this Ordinance, be annexed to the City; and

WHEREAS, the City found that the proposal complied with all applicable legal requirements, as detailed in the findings attached hereto and made a part of this ordinance as Attachment 'B'; and

WHEREAS, Chapter I, section 3 of the Oregon City Charter of 1982 requires voter approval for annexations such as the one proposed; and

WHEREAS, the annexation of the identified properties was submitted to the voters of the City of Oregon City at an election held on May 20, 2008; and

WHEREAS, the Clackamas County Clerk has returned the official figures indicating the results of the election held on May 20, 2008; and

WHEREAS, the official figures returned by the Clackamas County Clerk indicate that a majority of the voters of the City of Oregon City voted to approve the annexation of the identified properties; and

WHEREAS, the identified properties are currently in Clackamas County Rural Fire Protection District # 1; and

WHEREAS, the identified properties are currently within the Clackamas County Service District for Enhanced Law Enforcement; and

WHEREAS, the Tri-City Service District requires the City's concurrence to annexations into the District; and

WHEREAS, the City Commission concurs that the Tri-City Service District can annex the identified properties into their sewer district.

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

Section 1. That the area further identified in the legal description attached hereto as Attachment 'A', is hereby annexed to and made a part of the City of Oregon City.

Section 2. That the findings attached hereto as Attachment 'B' are hereby adopted.

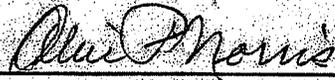
Section 3. That the territory identified in Attachment 'A' is hereby withdrawn from the Clackamas County Service District for Enhanced Law Enforcement.

Section 4. The City hereby concurs with and approves the annexing of the territory identified in Exhibit "A" into the Tri-City Service District when and if the Clackamas County

Board of Commissioners desires to annex the territory into their district, to the extent allowed by law.

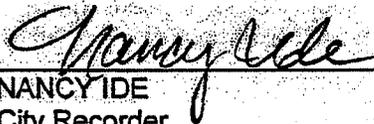
Section 5. That the effective date for this annexation is the date this ordinance is submitted to the Secretary of State, as provided in ORS 222.180.

Read for the first time at a regular meeting of the City Commission held on the 17th day of September 2008, and the foregoing ordinance was finally enacted by the City Commission this 1st day of October 2008.



ALICE NORRIS
Mayor

ATTESTED this 1st day of October 2008.



NANCY IDE
City Recorder

Notice to Taxing Districts

ORS 308.225



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

City of Oregon City
Community Development
P.O. Box 3040
Oregon City, OR 97045

**Description and Map Approved
September 28, 2009
As Per ORS 308.225**

Description Map received from: OR. CITY PLANNING
On: 9/24/2009

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

**ANNEX TO CITY OF OREGON CITY; WITHDRAW FROM CLACKAMAS CO SER. DIST.
FOR ENHANCED LAW ENFORCEMENT**

ORD #08-1016 (AN 07-06)

has been: Approved 9/28/2009
 Disapproved

Notes:

Note: The maps, legal descriptions and signed ordinance must also be filed with the County Assessor prior to March 31, 2010 per ORS 308.225.

Department of Revenue File Number: 3-1880-2009

Prepared by: Elise Bruch, 503-945-8344

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge
- Establishment of Tax Zone

Exhibit A

Part of Lots 2, 3 and 6, in Block "B" WESTOVER ACRES, vacated, situated in the East one-half of the Southwest quarter of Section 4, Township 3 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point 659.34 feet West and 822.88 feet, more or less, North and 132.38 feet East of the one-quarter section corner on the South line of Section 4, Township 3 South, Range 2 East, of the Willamette Meridian, which beginning point is 132.38 East of the Southwest corner of Lot 6, Block "B", WESTOVER ACRES, vacated; thence North 97.25 feet, more or less, to the Southwest corner of Lot 2 of said vacated plat; thence continuing North along the West line of said Lot 2, a distance of 312.37 feet, more or less, to the Northwest corner thereof; thence North 49°42' East along the North line of said Lot 2 and an extension thereof, 244.25 feet to a point on the North line of Lot 3 of Block "B" aforesaid, thence in a Southeasterly direction 115 feet, more or less, to a point on the West line of Lot 4 of Block "B" aforesaid, which point is 156.00 feet South of the Northwest corner thereof; thence South along the West line of said Lot 4, a distance of 470.99 feet, more or less, to the South line of Lot 6; thence West 255 feet, more or less, along the South line of Lot 6 to the place of beginning.

FINDINGS, REASONS FOR DECISION, AND RECOMMENDATIONS FOR AN 07-06

Based on the Findings, the Commission determined:

1. The Metro Code calls for consistency of the annexation with the Regional Framework Plan or any functional plan. The Commission concludes the annexation is not inconsistent with this criterion because there were no directly applicable criteria for boundary changes found in the Regional Framework Plan, the Urban Growth Management Function Plan, or the Regional Transportation Plan.
2. Metro Code 3.09.050(d)(1) requires the Commission's findings to address consistency with applicable provisions of urban service agreements or annexation plans adopted pursuant to ORS 195. As noted in the Findings, there are no such plans or agreements in place. Therefore the Commission finds that there are no inconsistencies between these plans/agreements and this annexation.
3. The Metro Code, at 3.09.050(d)(3), requires the City's decision to be consistent with any "directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans." The County Plan also says annexation which converts *Future Urbanizable* lands to *Immediate Urban* lands should ensure the "orderly, economic provision of public facilities and services." The property owner has demonstrated that the City can provide all necessary urban services. Nothing in the County Plan speaks directly to criteria for annexation. Therefore the Commission finds this proposal is consistent with the applicable plan as required Metro Code 3.09.050 (d)(3).
4. The Commission concludes that the annexation is consistent with the City Comprehensive Plan that calls for a full range of urban services to be available to accommodate new development as noted in the Findings above. The City operates and provides a full range of urban services. Specifically with regard to water and sewer service, the City has both of these services available to serve the site from existing improvements within close proximity to the site.

Water service is available in large water mains in Maplelane Road and the existing home will continue to be serviced by Clackamas River Water (CRW) or wells until such time as the City and CRW confer on the issue or development provides water main extensions and connections.

With regard to storm drainage to the Newell Basin, the City has the service available in the form of regulations to protect and control stormwater management. The specifics of applying these will be a part of the development review process.

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5. ~~The Commission notes that the Metro Code also calls for consistency of the annexation with urban planning area agreements. As stated in the Findings, the Oregon City-~~

Clackamas County Urban Growth Management Agreement specifically provides for annexations by the City.

6. Metro Code 3.09.050(d)(5) states that another criterion to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly, and economic provision of public facilities and services." Based on the evidence in the Findings, the Commission concludes that the annexation will not interfere with the timely, orderly, and economic provision of services.
7. The Oregon City Code contains provisions on annexation processing. Section 6 of the ordinance requires that the City Commission consider seven factors if they are relevant. These factors are covered in the Findings and on balance the Commission believes they are adequately addressed to justify approval of this annexation.
8. The City Commission concurs with Tri-City Service District's annexation of the subject property in the enacting City ordinance upon voter approval of the city annexation.
9. The Commission determines that the property should be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement as allowed by statute since the City will provide police services upon annexation.
10. The Commission determines that the property should be withdrawn from the Clackamas River Water District as allowed by statute.
11. The City Commission requires all consenting property owners to sign a waiver of Measure 37 rights and submit them to the City Manager prior to the City Commission adopting a final ordinance accepting a positive annexation election result and directs the City Manager to sign these waivers and record them. Applicant to pay recording fees.
12. The City Commission recognizes that the applicant did specifically offer a solution to the police funding shortcomings as identified on Schedule A – Police Funding Fees. AN 07-06.
13. The City Commission recognizes that the properties will be zoned R-10 upon annexation if approved by the voters.

RECOMMENDATIONS

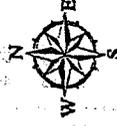
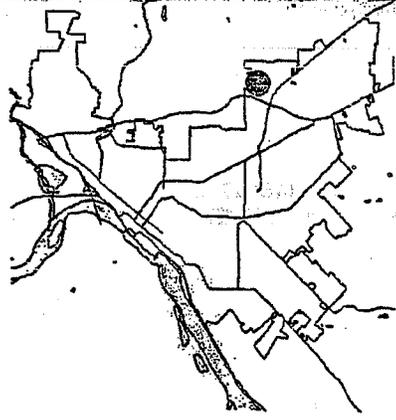
Based on the study and the Proposed Findings and Reasons for Decision for this annexation, the staff recommends that the City Commission:

- Make a recommendation on Proposal No. AN07-06 regarding how the proposal has or has not complied with the factors set forth in Section 14.04.060. Staff has prepared draft Findings and stands ready to adjust them as needed.

If the City Commission recommends approval, then the staff further recommends that the City Commission:

- Recommend withdrawing the territory from the County Service District for Enhanced Law Enforcement as allowed by statute.
- Concur with Tri-City Service District's annexation of the subject property in the enacting ordinance upon voter approval of the city annexation.
- Recommend withdrawing from the Clackamas River Water District.
- Recommend not withdrawing from the Clackamas County R.F.P.D. # 1.
- Recommend that all consenting property owners be required to sign a waiver of Measure 37 rights prior to the City Commission adopting a final ordinance accepting a positive annexation election result.
- Recommend accepting the Annexation Agreements providing for supplemental Police funding as approved by the Public Safety Director and identified as Schedule A – Police Funding Fees for AN 07-06. These Annexation Agreements, at a minimum, should be signed prior to the City Commission adopting a final ordinance accepting a positive annexation election result.

AN 07-06

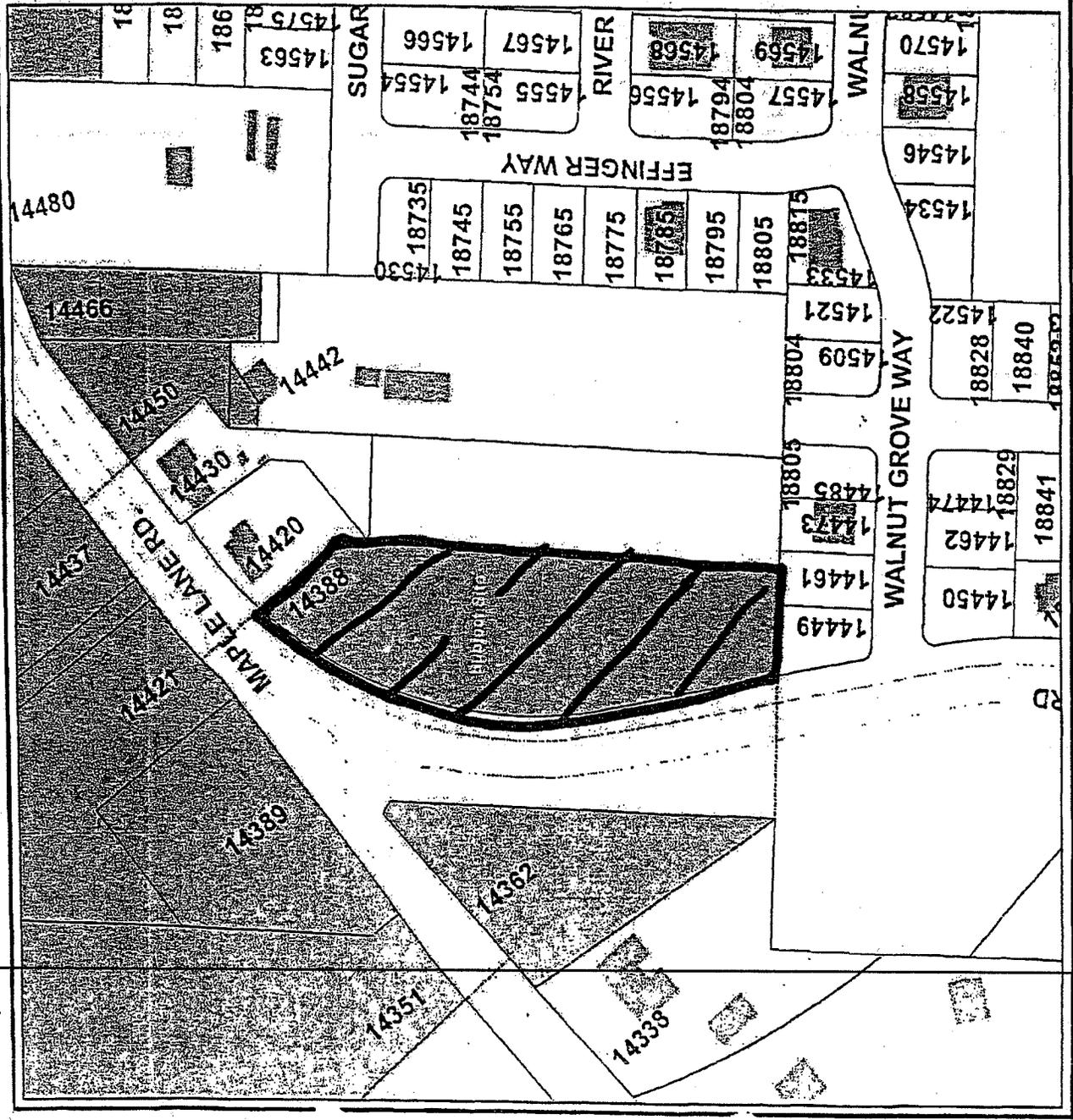


City of Oregon City
#2 P.O. Box 3040
320 Warner Millers Rd
Oregon City, OR 97045
(503) 657-0891
www.orecity.org

This map is not suitable for survey, engineering, legal navigation purposes. Errors and omissions may exist.

Map created with OCMap 2008

01/28/2008



W1/4 SEC. 4 T.3S. R.2E. W.M.
 CLACKAMAS COUNTY
 1" = 200'

D.L.C.

3 2 E 4C

WASHINGTON WILLIAMS NO. 56
 J.G. SWAFFORD (UNRECORDED)

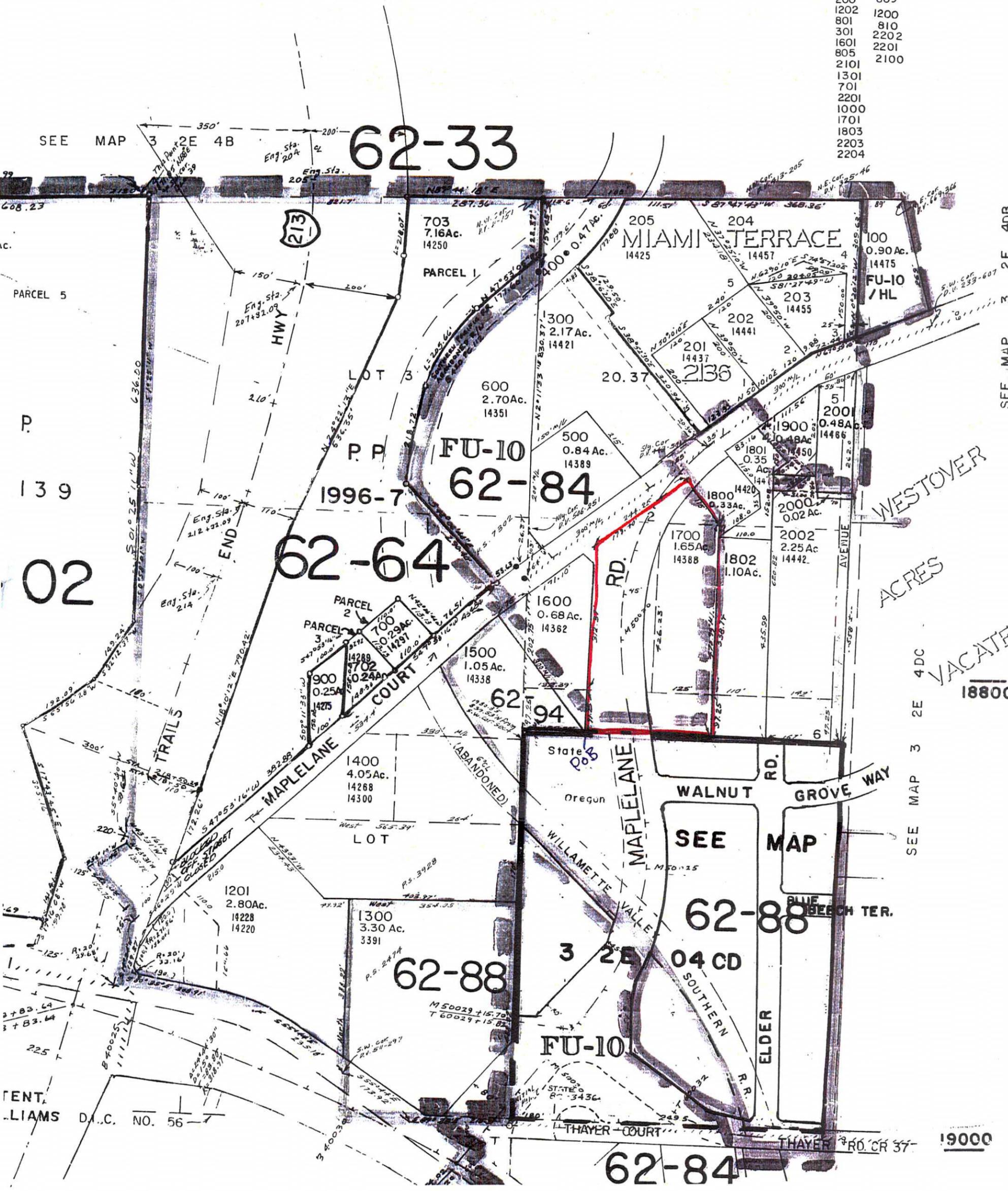
14300

14500

18500

CANCELLED TL'S

1100	1201E1
200	809
1202	1200
801	810
301	2202
1601	2201
805	2100
2101	
1301	
701	
2201	
1000	
1701	
1803	
2203	
2204	



WASHINGTON WILLIAMS D.L.C. NO. 56

SEE MAP 3 2E 4DC

VACATED 18800

19000

NUMBERED KEY CANVASS

Primary Election
Clackamas County, Oregon
May 20, 2008

REPORT-EL52 PAGE 0170

UN DATE:06/06/08 03:12 PM

VOTES PERCENT

VOTES PERCENT

3-303 CITY OF OREGON CITY: EXPANDS OREGON CITY
BOUNDARIES TO INCLUDE ADDITIONAL LAND

Vote For 1

01 = Yes

02 = No

4,195 55.84
3,318 44.16

03 = OVER VOTES
04 = UNDER VOTES

1
907

	01	02	03	04
001 1	329	242	1	87
002 2	337	285	0	85
003 3	257	219	0	65
005 5	271	180	0	75
006 6	297	259	0	74
007 7	648	500	0	133
008 8	589	493	0	78
009 9	337	319	0	71
011 11	481	372	0	87
012 12	639	449	0	152

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL COUNTY CLERK
Sherry Hall
JUN 06 2008

CITY OF OREGON CITY

CLAIM FORM AND EXPENDITURE AUTHORIZATION

Use this form only when there has not been a purchase order issued.

An invoice must be attached or the claim portion of this form must be completed and signed.

Pay to: METRO c/o Ms. Martin
600 NE Grand Ave.
Portland, OR 97232

Invoice Date 12/11/09
Invoice # _____
Vendor # 064801

Claim AN 07-06 : Metro Mapping Fee
for 1.7 acre annexation

Amount \$ 250.00

I certify that the above goods and/or services were rendered to the City of Oregon City

Signature Jay Kell

Budget Numbers	Amount	Budget Numbers	Amount
<u>351-061-434</u>	<u>\$250.00</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Approved: [Signature]
Department Director _____

Date 12-11-09

Finance Office _____

Date _____



CITY OF OREGON CITY
COMMUNITY DEVELOPMENT DEPARTMENT
2009 FEE SCHEDULE
(EFFECTIVE JANUARY 1, 2009)

All fees are subject to change by Resolution of the City Commission. The applicant is responsible for paying the application fee in effect at the time the **formal application** is submitted

APPLICATION TYPE	FILING FEE
Appeal - Administrative (includes SDC)	\$250
Appeal - PC Decision	\$3,132 Plus actual city attorney fees
Annexation Application // Election Deposit	\$3,898 \$3,000
Annexation Metro Mapping / UOM is Acre	<1 = \$150; 1-5 = \$250; 5-40 = \$300; >40 = \$400
Amendment to Comp Plan	\$3,960
Code Interpretation / Similar Use	\$941
Compatibility Review / Non-conforming Use	\$742
Conditional Use	\$3,404
Expedited Land Division	\$3,713 plus \$372 per lot
Extension (Land Use Permit)	\$606
Geologic Hazards Review	\$780
Geo-Technical Review	\$535
Historic Review	
Remodel	\$50
- New Construction	\$50 plus 2.5% of construction cost, (max. \$1,000)
Demolition	\$248 < 1000SF \$618 > 999SF
Lot Line Adjustment	\$1,040
Master Plan (Concept Plan)	\$6,188 Type I Type II Type III
Master Plan (Amendment)	\$618 \$1,857 \$3,094
Modifications	50% of current application fee for application being modified
Minor Partition	\$3,553
Pre-Application Conference	\$494 Minor \$959 Major
Residential Design Standards	\$69
Sign Permit	\$157 plus 0.05 X sign construction cost
Sign Variance	\$1,139
Site Plan & Design Review - Minor	\$742
Site Plan & Design Review / Detailed Master Plan	
- Less than \$500,000	\$1,857 plus 0.007 X project cost
- \$500,000 to \$3,000,000	\$3,094 plus 0.005 X project cost
- Over \$3,000,000	\$10,520 plus 0.003 X project cost Max is \$49,350
Subdivision	\$3,713 plus \$309 per lot
Traffic Impact Study Review	See Traffic Impact Study Sheet
Variance (Administrative)	\$1,206
Variance (Hearing)	\$2,241
Water Resource Review	
Exemption for Single/Two Family Lot	\$189
- Exemption for Non-Single/Two Family Lot	\$378
- Water Resource for Single/Two Family Lot	\$880
- Water Resource for Non-Single/Two Famil	\$1,759
Willamette Greenway	\$1,373
Zone Change / Text Amendment	\$2,512
Measure 37 Application	\$1,000 Deposit, Applicant will be charged actual staff costs