

Final Documents  
for  
Annexation to  
**Forest Grove**

WA4407

Ordinance: 2007-16

Annexation: ANX 07-01

DOR: 34-1891-2008

Secretary of State: AN 2008-0004

Office of the Secretary of State

BILL BRADBURY  
Secretary of State



Archives Division  
MARY BETH HERKERT  
Director

800 Summer St. NE  
Salem, Oregon 97310  
(503) 373-0701

Facsimile (503) 373-0953

---

January 17, 2008

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 January 17, 2008, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
2007-16 (Forest Grove)	AN 2008-0004

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

**DOR 34-1891-2008**

# 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 Forest Grove  
P.O. Box 326  
Forest Grove, OR 97116

**Description and Map Approved**  
**January 8, 2008**  
**As Per ORS 308.225**

---

Description     Map received from: CITY  
On: 1/3/2008

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

ANNEX TO CITY OF FOREST GROVE; WITHDRAW FROM SEVERAL DISTRICTS

ORD. #2007-16 (ANX 07-01)

has been:     Approved            1/8/2008  
                   Disapproved

Notes:

TYPO ON MAP. IT SHOULD BE CORRECTED TO SAY SECTION 31 NOT SECTION 32.

---

Department of Revenue File Number: 34-1891-2008

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

**DOR 34-P429-2007  
Preliminary Review**



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

City of Forest Grove  
P.O. Box 326  
Attn: Kerstin Carthcart  
Forest Grove, OR 97116

---

Date: 8/15/2007

This letter is to inform you that the map and description for your PLANNED annex to City of Forest Grove (ANX-07-01) in Washington County have been reviewed per your request. They DO NOT MEET the requirements for use with an Order, Ordinance, or Resolution in accordance ORS 308.225.

Minor correction needed. This property is situated in the northwest 1/4 of Section 31, not Section 32. With this correction, the description and map are acceptable.

---

If you have any questions please contact: Carolyn Sunderman, 503-945-8882

**ORDINANCE NO. 2007-16**

**ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY  
LIMITS OF FOREST GROVE AND WITHDRAWING THE TRACTS FROM  
WASHINGTON COUNTY ENHANCED LAW ENFORCEMENT DISTRICT,  
WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT AND  
THE FOREST GROVE RURAL FIRE PROTECTION DISTRICT**

**FOREST GROVE MAKES THE FOLLOWING FINDINGS:**

**WHEREAS**, the City received a complete petition from the property owner of a certain tract of land depicted on the attached map (Exhibit B) and described in Exhibit A of this ordinance, requesting that their property be annexed to the city limits of Forest Grove; and

**WHEREAS**, the City received written consent from a majority of the electors in the territory proposed to be annexed and the owner of more than half the land in the territory proposed to be annexed, before the date of the public hearing, as required by ORS 222.170(2); and

**WHEREAS**, the tract of land is contiguous to the City and can be served by City services; and

**WHEREAS**, the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

**WHEREAS**, the tract of land lies within the boundary of the Washington County Enhanced Law Enforcement District; and

**WHEREAS**, the tract of land lies within the boundary of the Washington County Urban Roads Maintenance District; and

**WHEREAS**, the tract of land lies within the boundary of the Forest Grove Rural Fire Protection District; and

**WHEREAS**, the City conducted a public hearing and mailed, published and posted notice of the public hearing as required by law; 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 tracts of land and withdrawal from the districts based on findings and conclusions attached hereto as Exhibit C; and

**WHEREAS**, the annexation and withdrawals are not contested by any necessary party.

**NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:**

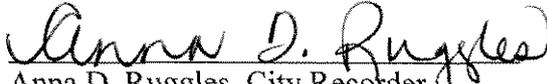
**Section 1.** The tract of land, described in Exhibit A and depicted on the attached map (Exhibit B), is declared to be annexed to the City of Forest Grove, Oregon.

**Section 2.** The tract of land annexed by this ordinance and described in Section 1 are withdrawn from Washington County Enhanced Law Enforcement District, Washington County Urban Roads Maintenance District and the Forest Grove Rural Fire Protection District.

**Section 3.** The findings and conclusions attached as Exhibit C 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. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

**PRESENTED AND PASSED** the first reading the 8<sup>th</sup> day of October, 2007.

**PASSED** the second reading the 22<sup>nd</sup> day of October, 2007.

  
Anna D. Ruggles, City Recorder

**APPROVED** by the Mayor this 22<sup>nd</sup> day of October, 2007.

  
Richard G. Kidd, Mayor

**EXHIBIT A**  
**Proposal ANX 07-01**

**Legal Description**

**For Tax Lot 700, Map 1N3 31 BD**

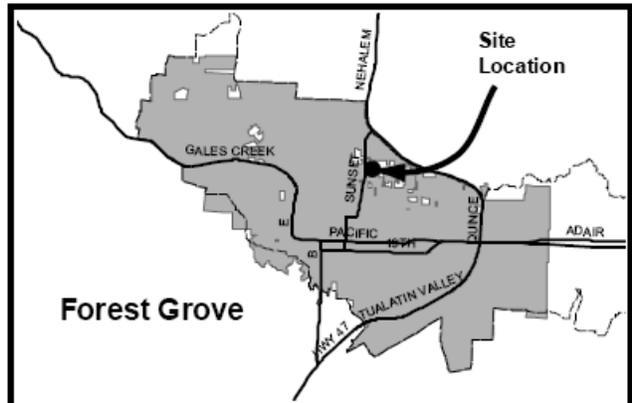
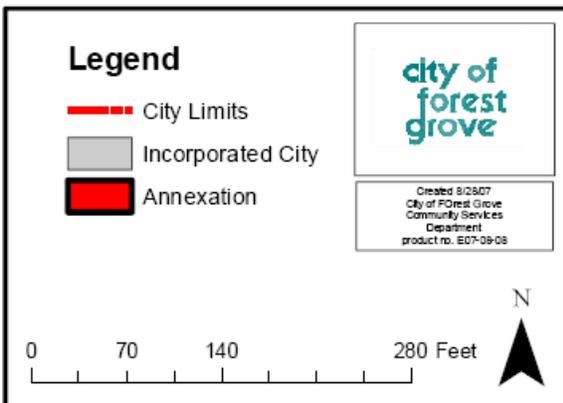
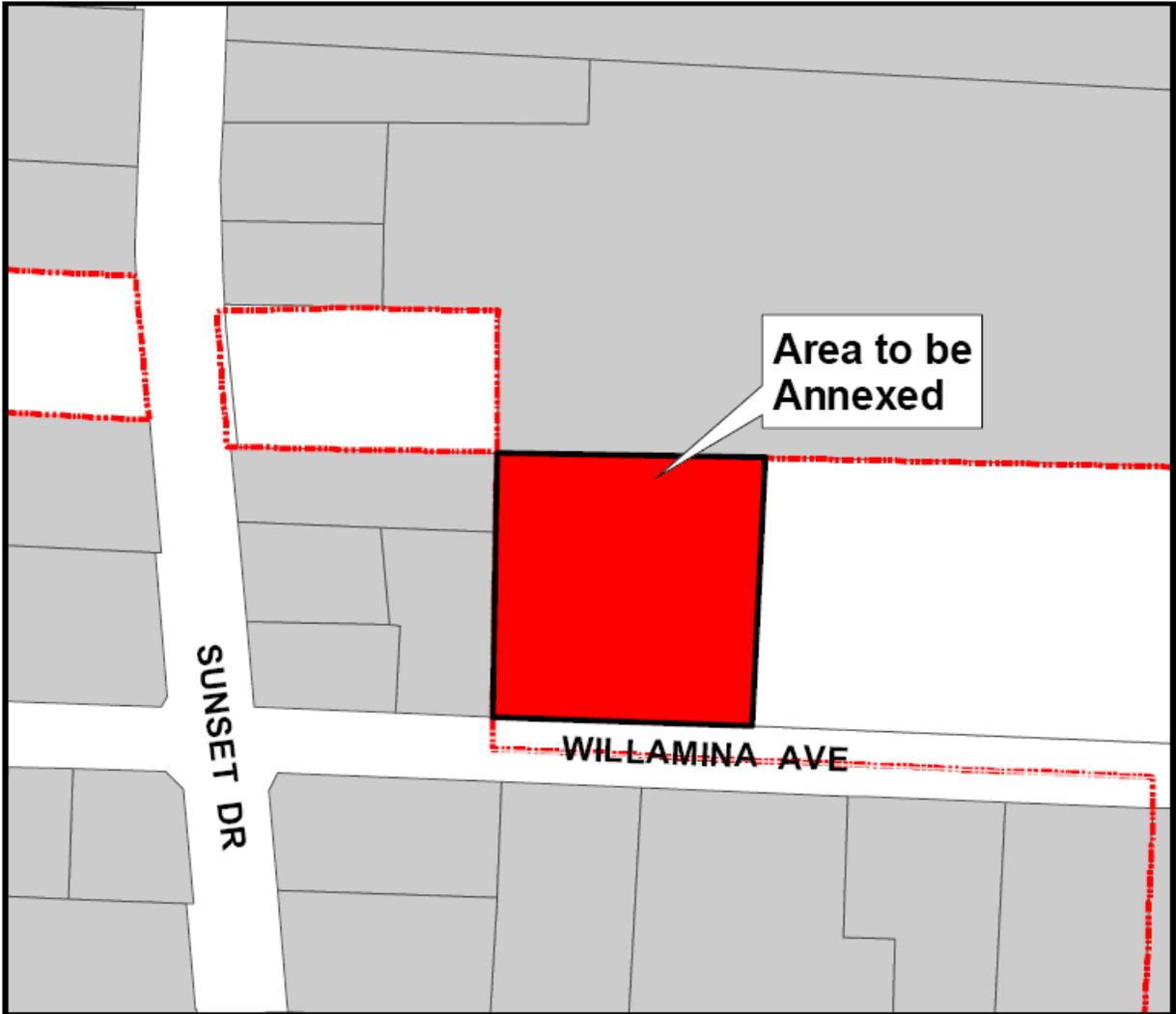
A tract of land being Lot 6 of the duly recorded plat of the “North Forest Grove Acres,” Washington County Plat Records, being situated in the Northwest ¼ of Section 31, T1N, R3W, W.M., Washington County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of Lot 5, said “North Forest Grove Acres”; thence along the northerly right-of-way line of Willamina Avenue, N87°52’39”W, 206.80 feet to the southeast corner of Lot 7, said “North Forest Grove Acres”; thence along the easterly line of said Lot 7, N02°08’21”E, 185.29 feet to the southerly line of that tract of land described in Document No. 99-005659, Washington County Deed Records; thence along said southerly line and its easterly extension along the southerly line of Lot 25 of the duly recorded plat of “Cook Village”, said plat records, S88°03’49”E, 206.80 feet to the northwest corner of said Lot 5; thence along the westerly line thereof, S02°08’19”W, 185.96 feet to the point of beginning.

EXHIBIT B

# Proposed No. ANX-07-01

Map 1N3 31BD Tax Lot 700      Annexation to the City of Forest Grove      Washington County, Oregon



**EXHIBIT C**  
**Proposal ANX-07-01**

**FINDINGS**

Based on the staff study and the public hearing the City Council found:

1. Proposal No. ANX 07-01 was initiated by a consent petition of the property owners. Both residents are also registered voters. The petition meets the requirement for initiation set forth in ORS 222.170 (2) (double majority annexation law) and Metro Code 3.09.040 (a) (Metro's minimum requirements for a petition).
2. The territory to be annexed consists of one parcel totaling 0.90 acres, with the street address of 2385 NW Willamina Avenue. More specifically the territory includes Washington County Map 1N331BD, tax lot 700. It has an assessed real market value of \$336,760 and a Measure 50 value of \$121,100.
3. The annexation is necessary for the parcel to provide access to the lot adjacent to the north and provide public utilities for future development.
4. The annexation is consistent with the Metro criteria for annexations. The Legislature has directed Metro to establish criteria for annexations, which must be used by all cities within the Metro boundary. The Metro Code states that a final decision shall be based on substantial evidence in the record of the hearing and that the written decision must include findings of fact and conclusions from those findings. The Code requires these findings and conclusions to address the following minimum criteria:
  - 1) Consistency with directly applicable provisions in ORS 195 agreements or ORS 195 annexation plans. [ORS 195 agreements are agreements between various service providers about who will provide which services where. The agreements are mandated by ORS 195 but none are currently in place for this area. Annexation plans are timelines for annexations that may only be done after all required 195 agreements are in place and that must have been voted on by the City residents and the residents of the area to be annexed.]
  - 2) Consistency with directly applicable provisions of urban planning area agreements between the annexing entity and a necessary party.
  - 3) Consistency with directly applicable standards for boundary changes contained in Comprehensive land use plans and public facility plans.
  - 4) Consistency with directly applicable standards for boundary changes contained in the Regional Framework Plan or any functional plans.
  - 5) Whether the proposed boundary change will promote or not interfere with the timely, orderly and economic provision of public facilities and services.
  - 6) If the boundary change is to Metro, determination by Metro Council that territory should be inside the UGB shall be the primary criteria.
  - 7) Consistency with other applicable criteria for the boundary change in question under state and local law.

5. The annexation is consistent with State and regional planning requirements. These include: State Land Use Goal 14: Urbanization; Metro Regional Framework Plan:

State Land Use Goal 14. Goal 14 requires communities, “To provide for an orderly and efficient transition from rural to urban land use. The goal specifies that conversion of urbanizable land to urban uses be based on: orderly, economic provision of public facilities; availability of sufficient land for various uses; LCDC goals or the acknowledged comprehensive plan; and encouragement of development within urban areas before conversion of urbanizable areas.

Regional Framework Plan. This territory is inside Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB). The law that requires Metro to adopt criteria for boundary changes specifically states that those criteria shall include “. . . compliance with adopted regional urban growth goals and objectives, functional plans . . . and the regional framework plan of the district [Metro].” The Regional Framework Plan, which includes the regional urban growth goals and objectives, the Growth Management Functional Plan and the Regional Transportation Plan were examined and found not to contain specific criteria applicable to boundary changes.

6. The annexation is consistent with Washington County planning policies. The Metro Code states that the Council's decision on this boundary change should be “. . . consistent with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans, public facility plans . . .” Thus the applicable plans must be examined for “specific directly applicable standards or criteria.”

The territory is designated and zoned FD-10 (Future Development – 10 acre district).

Washington County’s Urban Growth Management policies require urban development to be accompanied by adequate urban services. The growth management policies define both urban development and necessary urban services. Public sewer, public water and a balanced urban level transportation system are the primary urban services considered.

The subject territory is within the area covered by an Urban Planning Area Agreement (UPAA), jointly prepared and adopted by Washington County and the City of Forest Grove. The annexation is consistent with the UPAA and its purpose is to coordinate land use actions within the City's planning area.

7. The City of Forest Grove has active planning responsibility for the entire area within the regional urban growth boundary surrounding the City. This territory is within the boundary.

The City Comprehensive Plan covers the territory to be annexed. The current Comprehensive Plan designation for the territory is Medium Density Residential (12 units per net acre). The zoning of the property will change upon annexation from the current County zone (FD-10) to the City designation of R-7 Single Family according to standards outlined in City Zoning Code 9.614, which requires the appropriate zone district upon annexation according to the underlying comprehensive plan designation.

The City's Comprehensive Plan policies were reviewed for policies related to annexation. The following policies are pertinent:

***Local Urbanization Goals***

1. Land shall be made available within the urban growth boundary to meet all urban land use needs.
2. Utility services shall be provided incrementally without bypassing large parcels of vacant land to serve peripheral parcels.

***Local Urbanization Policies***

2. All lands within the Urban Growth Boundary shall be assigned priorities for urban development. Priorities shall be based on the City's ability to provide urban services and the orderly and efficient timing of service extensions. These priorities shall be the basis for making decisions on all development proposals and requests for annexation.
3. Provide for an Urban Growth Management Strategy to set forth policies on the urbanization of vacant and agricultural land. The policies should cover the extension of water and sewer service, land partitioning requirements, zoning, and annexations within the Urban Growth Boundary. The strategy shall provide for the orderly and cost-efficient accommodation of anticipated urban growth for the next ten years.
4. Trunk lines for utilities shall be extended only to service areas which are adjacent to existing development.
5. Sewer and water utilities shall not be extended beyond the City's corporate limits and shall be provided only after annexation.

Urbanization Policy 2 calls for the City to designate priority areas for urban development. The City has not established a prioritization system for urban development. Similarly, Urbanization Policy 3 calls for the City to develop urban growth management policies. The City's growth management strategy is represented by the Comprehensive Plan. This territory will develop in conjunction with other properties and is adjacent to existing development. The property has the necessary urban services available with adequate capacity and is thus consistent with the intent of Policies 2 and 3. Policies 4 and 5 prohibit extension of utility outside the City and only to areas which are adjacent to existing development.

8. The site falls within the Northeast service area of the City's Sewer Master Plan. The site will connect to an 8" sewer line that will extend from Sunset Drive along Willamina Avenue. Further, the implementation of the Sewer Master Plan for this territory represents a logical extension of sewer service where a nearby service line would be extended to provide service to the site.
10. The property is served by city water at this time.

11. There is no existing storm water facility adjacent to or within the territory. The territory is within Clean Water Service's (CWS) service boundary. CWS is responsible for storm water management in Washington County. Any development will be contingent upon obtaining annexation to CWS service district. Due to the City's Intergovernmental Agreement with CWS, adequate storm water facilities meeting CWS standards will be required as part of any development approval
12. The territory to be annexed is within the Washington County Enhanced Sheriff's Patrol District which, in addition to the basic County-wide level of protection, provides .94 officers per 1000 population. The City may withdraw the territory from the District upon annexation. If the City declares the territory withdrawn from the District on the effective date of the annexation the District's tax levy will no longer apply. Upon annexation the City of Forest Grove Police Department would assume responsibility for the property.
13. The territory is within the boundary of the Forest Grove Rural Fire Protection District, The City may withdraw the territory from the District upon annexation. If the City declares the territory withdrawn from the District on the effective date of the annexation the District's tax levy will no longer apply.
14. The territory to be annexed is within the boundary of the Washington County Urban Road Maintenance District. The City can withdraw the territory from the District upon annexation to the City.
15. The city parks nearest to the subject property are Lincoln Park and the future Stites Park. Lincoln Park is undergoing a major renovation while Stites Park is still undeveloped.
16. The City of Forest Grove provides a municipal utility for electric power through its City Light and Power Department. Forest Grove provides library services, land use planning, zoning, building and general administration services.

## **REASONS FOR DECISION**

Based on the Findings, City Council Determined:

1. The Metro Code at 3.09.050(d)(3) calls for consistency between the City's decision and any "specific directly applicable standards or criteria for boundary changes contained in comprehensive plans, public facilities plans. . . ." The Council has reviewed both the County comprehensive plan which currently applies to these parcels and the City Comprehensive Plan which will apply upon annexation.

The County Plan does not contain any criteria directly applicable to annexations. The County 2000 program suggests that the County supports all urban lands annexing to cities.

The City's Comprehensive Plan provides in Urbanization Policy 5 that sewer and water utilities may not be extended to lands outside the City limits and may only be provided

after annexation. Thus, the plan anticipates that all lands within the City's urban planning area will be urbanized by first annexing to the City and then extending urban services to annexed areas.

Certain policies within the City's Comprehensive Plan contain criteria indirectly applicable to annexation decisions. Local Urbanization Goals 1 and 2 and Policies 2 through 4 suggest that lands should only be annexed if the City can provide adequate urban services in an orderly and efficient manner; that anticipated growth should be accommodated in an orderly and cost-efficient manner; and should be adjacent to existing development. Thus, the annexation is consistent with the intent of Policies 2 and 3.

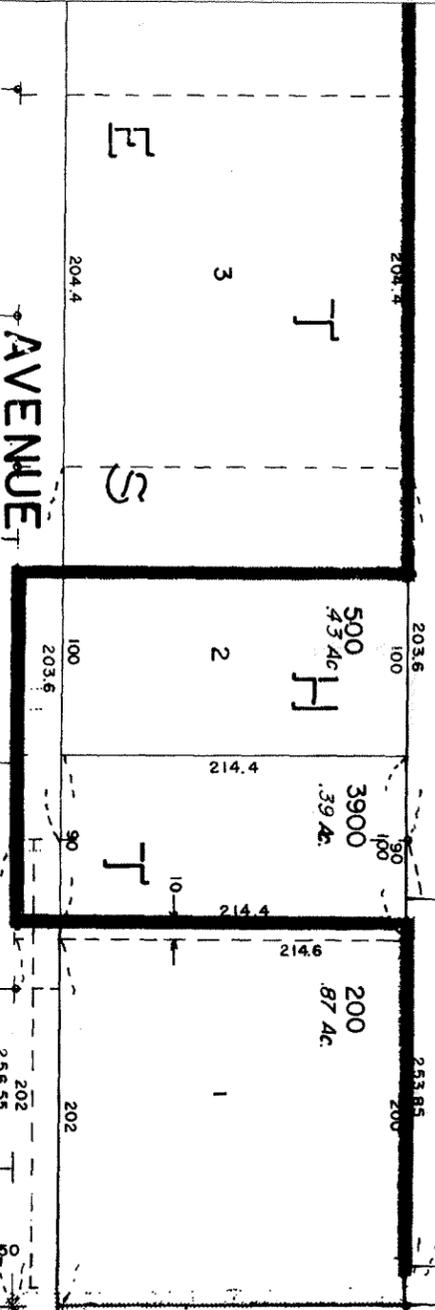
The Council concludes that the annexation is consistent with the applicable plans.

2. Metro Code 3.09.050(d)(1) requires the Council's findings to address consistency with applicable provisions of urban service agreements or annexation plans adopted pursuant to ORS 195. There are no such plans or agreements in place. Therefore the Council finds that there are no inconsistencies between these plans/agreements and this annexation.
3. The Council notes that the Metro Code also calls for consistency of the annexation with urban planning area agreements. As stated in Finding No. 7, the Forest Grove-Washington County UPAA specifically says that the County assumes this area will be served by the City. Therefore, the Council finds the annexation to be consistent with the UPAA.
4. The Metro Code calls for consistency of the annexation with the Regional Framework Plan or any functional plan. Because there were no directly applicable criteria for boundary changes found in the Regional Framework Plan or the Urban Growth Management Function Plan or the Regional Transportation Plan (see Finding No. 4) the Council concludes the annexation is not inconsistent with this criterion.
5. Metro Code 3.09.050(e)(3) states that another criterion to be addressed is that the annexation will not interfere with the timely, orderly and economic provision of public services and facilities. The Council finds the City's services will be adequate to serve the proposal before development is allowed and that the timely provision of services will not be negatively affected by the annexation. Therefore, the proposed boundary change promotes the timely, orderly and economic provision of services.
6. The City may specify in its annexation Ordinance that the territory will be simultaneously withdrawn from the Washington County Enhanced Law Enforcement District, Washington County Urban Roads Maintenance District and the Forest Grove Rural Fire Protection District. The City is not part of any of these districts. The services provided by these districts are provided by the City from City resources. To prevent the property from being taxed by both the Districts and the City, the territory should be simultaneously withdrawn from these Districts.



# 15-19

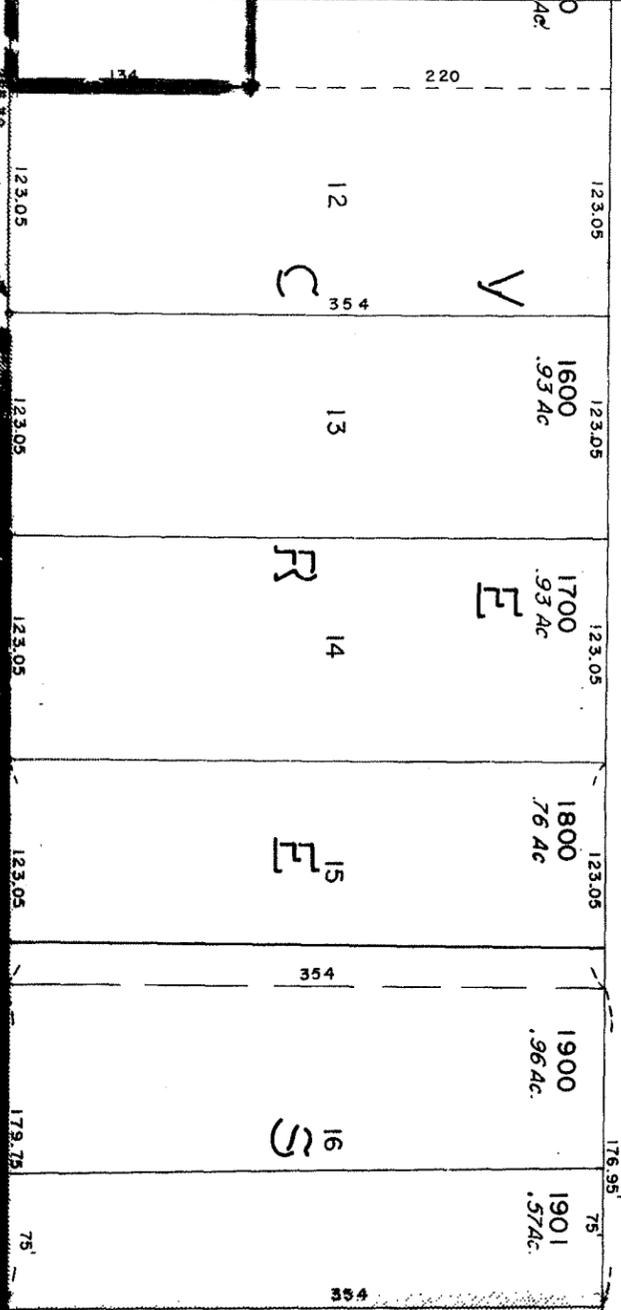
31BA



CANCELLED TAX LOTS  
100, 300, 1402, 2100, 2301,  
3600, 2500, 400, 3002,

TERM. OF CO. PA. 1271  
E. 52767 FROM THIS POINT

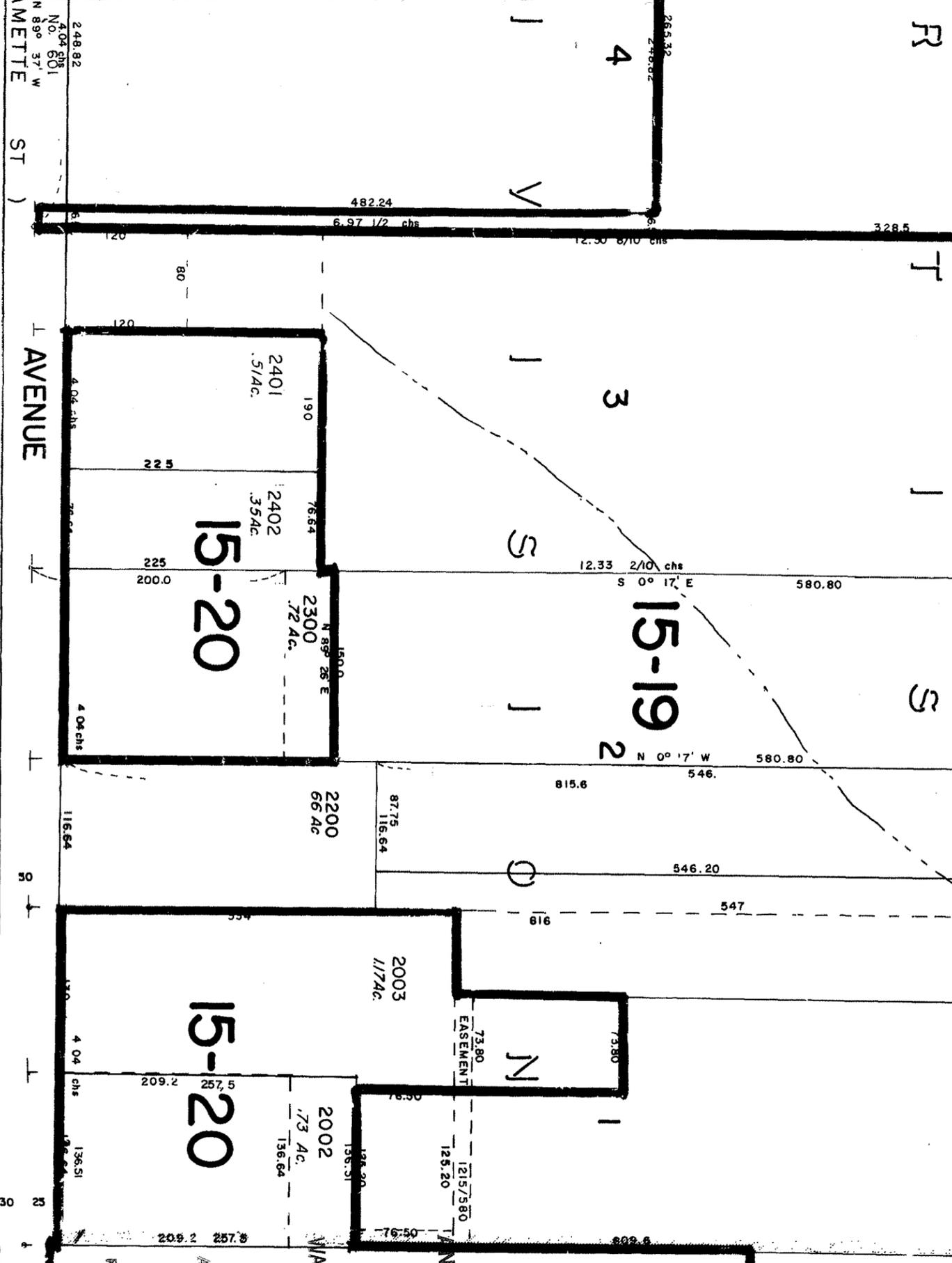
## AVENUE



SEE MAP IN 3 31AC

# 15-20

R



## AVENUE

4.04 chs  
No. 601  
N 89° 37' W  
METTE ST )

# 15-20

# 15-20

ANNEXATION C  
BY *ch*  
AUG 0 6  
WASHINGTON CC  
CARTOGR

WASHINGTON COUNTY  
DEPARTMENT OF  
ASSESSMENT & TAX  
AUG 0 6  
FOR ASSESSMENT  
ONLY - DO NOT  
FOR OTHER