

Final Documents
for
Annexation to
Hillsboro

WA0607

Ordinance: 5711

Annexation: AN 18-06

DOR: 34-1842-2007

Secretary of State: AN 2007-0138

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 Hillsboro
 City Manager
 123 W. Main St.
 Hillsboro, OR 97123

Description and Map Approved
February 9, 2007
As Per ORS 308.225

Description Map received from: METRO
 On: 2/8/2007

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

**ANNEX TO CITY OF HILLSBORO; WITHDRAW FROM SEVERAL DISTRICTS
 (GENETECH)**

ORD. #5711 (AN 18-06)

has been: Approved 2/9/2007
 Disapproved

Notes:

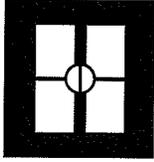
Department of Revenue File Number: 34-1842-2007

Prepared by: Carolyn Sunderman, 503-945-8882

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

CITY OF HILLSBORO



FINAL BOUNDARY CHANGE SUBMISSION FORM

DATE: January 27, 2007

TO:

**Metro
Data Resource Center
Attn: Joanna Mensher
600 NE Grand Avenue
Portland, OR 97232-2736
Phone: (503) 797-1591**

FROM:

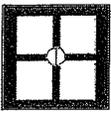
**City of Hillsboro
Planning Department
Attn: Ruth Klein
150 E. Main Street
Fourth Floor
Hillsboro, OR 97123
Phone: (503) 681-6465
Fax: (503) 681-6245**

RE: File Number AN 18-06: GENENTECH

ATTACHED PLEASE FIND:

- Final signed resolution, order or ordinance
- Final legal description
- Final maps
 - County Tax Assessor Map(s)
 - City Vicinity Map
- Filing fee

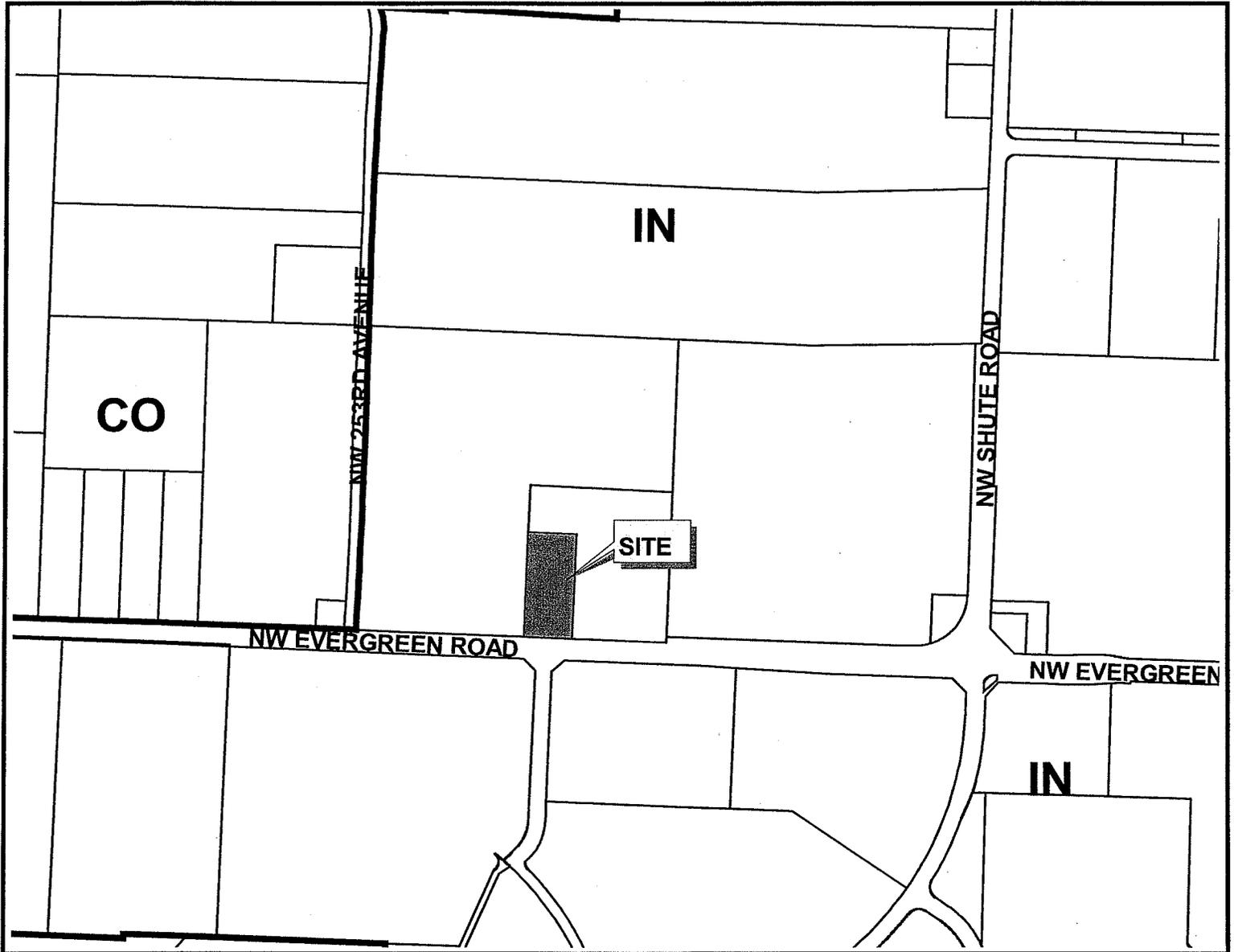
This is being sent to you as required by Metro Code 3.09.030(e).



AN 18-06 & ZC 24-06: GENENTECH



REQUEST FOR ANNEXATION OF ONE PROPERTY APPROXIMATELY 1.91 ACRES IN SIZE AND ASSOCIATED CITY-INITIATED ZONE CHANGE FROM COUNTY FD-20 TO CITY M-P SSID INDUSTRIAL PARK SHUTE RD. SPECIAL INDUSTRIAL DISTRICT.



0 500 1000 1500 2000 2500 3000 3500 4000 Feet



Comprehensive Plan Designations

RL - Low Density Residential (3-7 units per acre)	C - Commercial	MU - Mixed Use
RM - Medium Density Residential (8-16 units per acre)	IN - Industrial	
RH - High Density Residential (17-23 units per acre)	PF - Public Facility	
RMR - Mid-Rise Residential (24 - 30 units per acre)	OS - Open Space	
SCPA - Station Community Planning Area	FP - Floodplain	

ORDINANCE NO. 5711

AN 18-06: GENENTECH

AN ORDINANCE ANNEXING A TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO AND WITHDRAWING THE TRACT FROM THE TERRITORIES OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, WASHINGTON COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT, WASHINGTON COUNTY SERVICE DISTRICT FOR URBAN ROAD MAINTENANCE, AND WASHINGTON COUNTY SERVICE DISTRICT NO. 1 FOR STREET LIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City received a complete petition from the property owner of a certain tract of land, described in Exhibit A to this ordinance, requesting that the property be annexed into the city limits of Hillsboro;

WHEREAS, the petition represented 100 percent of the property owners of the territory requesting to be annexed into the City Limits of Hillsboro as required by ORS 222.125 in order to consent to an annexation;

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

WHEREAS, as permitted by ORS 222.120(2) and Metro Code Sections 3.09.045(a) the City Council dispenses with submitting the question of the proposed annexation to the electors of the City for their approval or rejection;

WHEREAS, the tract of land is located within the Hillsboro Urban Service Area identified in the Hillsboro Urban Service Agreement (April, 2003) between and among the City of Hillsboro, Washington County, the City of Beaverton, Metro and several special service districts and is contemplated by the Agreement ultimately to become a part of the City of Hillsboro by eventual annexation of the tract of land to the City of Hillsboro;

WHEREAS, the tract of land lies within the following districts: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights;

WHEREAS, notice of the proposed annexation and withdrawals has been published, mailed and posted in the manner provided by law;

WHEREAS, the City Council conducted a public hearing on this matter on January 16, 2007, and does hereby favor the annexation of the subject tract of land and withdrawals from the districts based on the findings attached hereto as Exhibit B;

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

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The tract of land, described in Exhibit A, is declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tract of land annexed by this ordinance and described in Section 1 is withdrawn from the following districts upon the effective date of the annexation: Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District #1 for Street Lights.

Section 3. The findings attached as Exhibit B 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(f) 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.

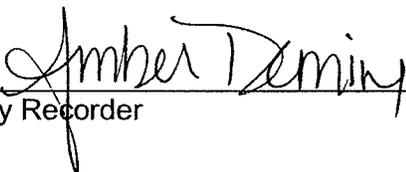
Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to avoid unnecessary hardship to the property owner and allow for the immediate provision of City services, an emergency is declared to exist and this ordinance shall become effective immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 16th day of January, 2007.

Approved by the Mayor this 16th day of January, 2007.



Mayor

ATTEST: 

City Recorder

City of Hillsboro
Annexation 18-06: Genetech
Proposed legal description
NS, December 5, 2006

Exhibit 'A'

A tract of land in of Section 21, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of Lot 16 of Five Oaks, a duly recorded subdivision in said county;

thence South 89°21' East, along the south line of said subdivision, a distance of 723.67 feet to the Point of Beginning;

thence North 00°29'30" East, parallel with the west line of said Lot 16, a distance of 446.77 feet;

thence South 89°21' East, parallel with the south line of Lot 17 of said subdivision, a distance of 195.0 feet;

thence South 00°29'30" West a distance of 446.77 feet to the south line of said lot;

thence North 89°21' West, along said south line, a distance of 195.0 feet to the Point of Beginning.

ANNEXATION CERTIFIED

BY *TF*

DEC 15 2006

WASHINGTON COUNTY A & T
CARTOGRAPHY

EXHIBIT B

FINDINGS IN SUPPORT GENENTECH ANNEXATION FILE NO. AN 18-06

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

A petitioners representing a property requested City Council approval for annexation of approximately 1.91 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of NW Evergreen Road, west of NW Shute Road, and east of NW 253rd Avenue. The property can be specifically identified as Tax Lot 2801 on Washington County Tax Assessor's Map 1N2-21. The total Measure 50 assessed value of the property is \$203,040.

The site slopes gradually towards the southwest corner of the site. A single family residence and associated outbuildings are located on the center of the site and trees are scattered through out.

NW Evergreen Road is identified as a five lane Arterial in the Transportation System Plan (TSP).

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify any Significant Natural Resources and associated impact areas on or near the site. The southern portion of the site is within the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owners constituted 100 percent of the property owners and at least 50 percent of the registered voters residing on the property. Notice of the proposed annexation was given as specified by Metro Code Chapter 3.09.030 and ORS 222.120. A staff report was prepared and available 15 days prior to the hearing as stipulated by Metro Code Chapter 3.09.050. A public hearing on the matter was conducted by the City Council on January 16, 2007.

III. APPLICABLE APPROVAL CRITERIA

Metro Code Chapter 3.09.050(d) specifies the minimum review criteria for a proposed annexation. The six minimum applicable criteria are as follows:

- 1) *Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;*

FINDING: The Hillsboro Urban Service Agreement was adopted April 2, 2003 between the City of Hillsboro and Washington County. The subject property is part of the Hillsboro Urban Service Area and is thus subject to the terms and conditions that are contained in the Urban Service Agreement. Approval of this Petition for Annexation would be consistent with the intent and stated objectives of the Agreement. Section I.B. and I.D. designate the City as the "appropriate" and "ultimate service provider" for those areas within the Hillsboro Urban Service Boundary. Section I.G.1 states that the "City, County and Special Service Districts will develop a program for the eventual annexation of all unincorporated properties into the cities." As an unincorporated area, annexation of the subject property would be consistent with this provision. Finally, annexation of the subject property would bring about the transition of services from County to City as specified in Section V.A. and B and Exhibits A through G.

- 2) *Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;*

FINDING: The annexation would be consistent with the applicable Comprehensive Plan policies and implementation measures listed on pages 2 and 3.

The *Hillsboro Urban Service Agreement* adopted in April, 2003 pursuant to ORS 195.065, automatically covers this site as shown on map A-1 of the Agreement. The Agreement establishes a common boundary between the Hillsboro and Beaverton Urban Service Areas called the *Beaverton/Hillsboro Urban Service Boundary* ("Boundary"). For the majority of its length the boundary follows the common school district boundary of the Beaverton and Hillsboro School Districts or the existing city limits that are east of the school district boundary. Section IV of the Agreement clearly demarcates this Boundary as the ultimate divide between the Cities of Hillsboro and Beaverton wherein land west of the Boundary is generally acknowledged under the Agreement as ultimately coming into Hillsboro while lands east of the Boundary ultimately would come into Beaverton.

Approval of the annexation would be consistent with, and carry out the intent and stated purposes and objectives of the entire *Hillsboro Urban Service Agreement*. Specifically, it fulfills Sections IV.A and IV.B of the Agreement which generally declare that areas west of the Beaverton/Hillsboro Urban Service Boundary and shown on Map Exhibit C-1 to the Agreement would become part of the City of Hillsboro Urban Service Area upon its addition to the UGB.

- 3) *Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;*

FINDING: The annexation would be consistent with regional framework and functional plans. Annexation approval would bring the site into Hillsboro's planning and land use regulatory jurisdiction.

In addition, the annexation would be consistent with the following Comprehensive Plan policies and implementation measures:

Section 2. Urbanization Policy (III)(A) Urbanization within the planning area shall be consistent with the goals and policies of this Plan. Development shall occur according to the availability of urban services and within the context of the Urban Planning Area Agreement. The City and other government agencies shall encourage property owners to maintain the present rural use and character of undeveloped or underdeveloped lands within the Hillsboro Planning Area until such land is required and proposed for urban use and the necessary urban services are available.

Section 2. Urbanization Implementation Measure (IV)(A)(5) The infill of vacant, bypassed lands, between areas of development, at an urban level, shall be encouraged. Appropriate measures shall be taken to insure that new development in infill areas is compatible with existing developed areas. The City will support a proposed annexation of infill areas and allow subsequent development to occur under the clear and objective standards in its implementing ordinances, including the Zoning and Subdivision ordinances.

Section 2. Urbanization Implementation Measure (IV)(F) All land in the Hillsboro Planning Area is assumed to be available for annexation and/or development, consistent with the Comprehensive Plan, zoning, subdivision regulations, and the Urban Planning Area Agreement.

Section 12. Public Services Implementation Measure (V)(C)(2) The City shall require properties to annex to the City prior to the provision of sanitary sewer service.

Section 12. Public Services Implementation Measure (V)(I)(2) The City shall require properties in the urban area to annex to the City prior to the provision of water service.

In particular, the annexation would be consistent with Section 2. Urbanization Implementation Measure (IV)(A)(5), supporting the annexation of infill areas; and Section 2. Urbanization Implementation Measure (F), all land in the Hillsboro Planning Area is assumed to be available for annexation.

4) *Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;*

FINDING: The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is IN Industrial which is consistent with the regional urban growth goals and objectives. The property will be rezoned to M-P SSID Industrial Park with a Shute Road Site Special Industrial District pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945.

5) *Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;*

FINDING: There is an eighteen inch City water line located in the NW Evergreen Road right-of-way. There is a fifteen inch City sanitary sewer line in the NW Evergreen Road right-of-way. There is a fifteen inch and a twenty-one inch City storm line in the NW Evergreen Road right-of-way.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights as of the effective date of the annexation.

Annexation of the subject property would not interfere with the provisions of public facilities and services.

- 6) *Consistency with other applicable criteria for the boundary change in question under state and local law.*

FINDING: Pursuant to ORS 222.524, the City of Hillsboro has determined that withdrawal of the properties from the Washington County Rural Fire Protection District No. 2; Washington County Service District for Enhanced Law Enforcement; Washington County Service District for Urban Road Maintenance; and Washington County Service District No. 1 for Street Lights is in the best interest of the City.

IV. TESTIMONY FROM NECESSARY PARTIES

No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS

- Staff Report dated December 29, 2006.