

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA1902  
Ordinance #5118  
DOR 34-1551-2002  
Sec. State: AN-2002-0065

Final to DOR: \_\_\_\_\_

Signature:

\_\_\_\_\_

Date of

Mailing: 3/5/02

Final to Secretary of State \_\_\_\_\_

Signature:

\_\_\_\_\_

Date of

Mailing: 4/4/02

WA1902

Sent

Received

DOR: 3/5/02

4/3/02

Sec. State: 4/4/02

4/29/02

Assessor: 4/4/02

Elections: 4/4/02

Mapped: Yes

Posted to Web: 5/8/02

Addresses: 1N235BD00100  
1N235BD00200  
1N235BD00300

21685 NW Cherry Lane  
21725 NW Cherry Lane  
21765 NW Cherry Lane

Office of the Secretary of State

Bill Bradbury  
Secretary of State



Archives Division  
ROY TURNBAUGH  
Director

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

Facsimile (503) 373-0953

---

April 24, 2002

Metro  
600 NE Grand Ave  
Portland, OR 97232-2736

Dear Mr. Martin:

Please be advised that we have received and filed on April 9, 2002 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
1095-02	Tualatin	AN 2002-0062
5116	Hillsboro	AN 2002-0063
5117	Hillsboro	AN 2002-0064
5118	Hillsboro	AN 2002-0065
5119	Hillsboro	AN 2002-0066
5120	Hillsboro	AN 2002-0067

All the above Final Order(s) determination of the effective date is subject to ORS199.461 and/or ORS 222.180 and/or ORS 222.750

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

Sincerely,

Rita F. Mathews  
Official Public Documents

cc: Washington County  
ODOT/Highway Dept  
PSU/Population ResearchCtr.  
Revenue Cartography Section

# Notice to Taxing Districts

ORS 308.225



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

City of Hillsboro  
 Planning Department  
 123 W. Main St., Room 250  
 Hillsboro, OR 97123

**Description and Map Approved**  
**April 3, 2002**  
**As Per ORS 308.225**

Description     Map received from: METRO  
 On: 3/29/02

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

**ANNEX TO THE CITY OF HILLSBORO & WITHDRAWAL FROM SEVERAL DIST.**

ORD. #5118

has been:     Approved            4/3/02  
                    Disapproved

Notes:

Department of Revenue File Number: 34-1551-2002

Prepared by: Jennifer Dudley, 503-945-8666

Boundary:     Change     Proposed Change  
 The change is for:

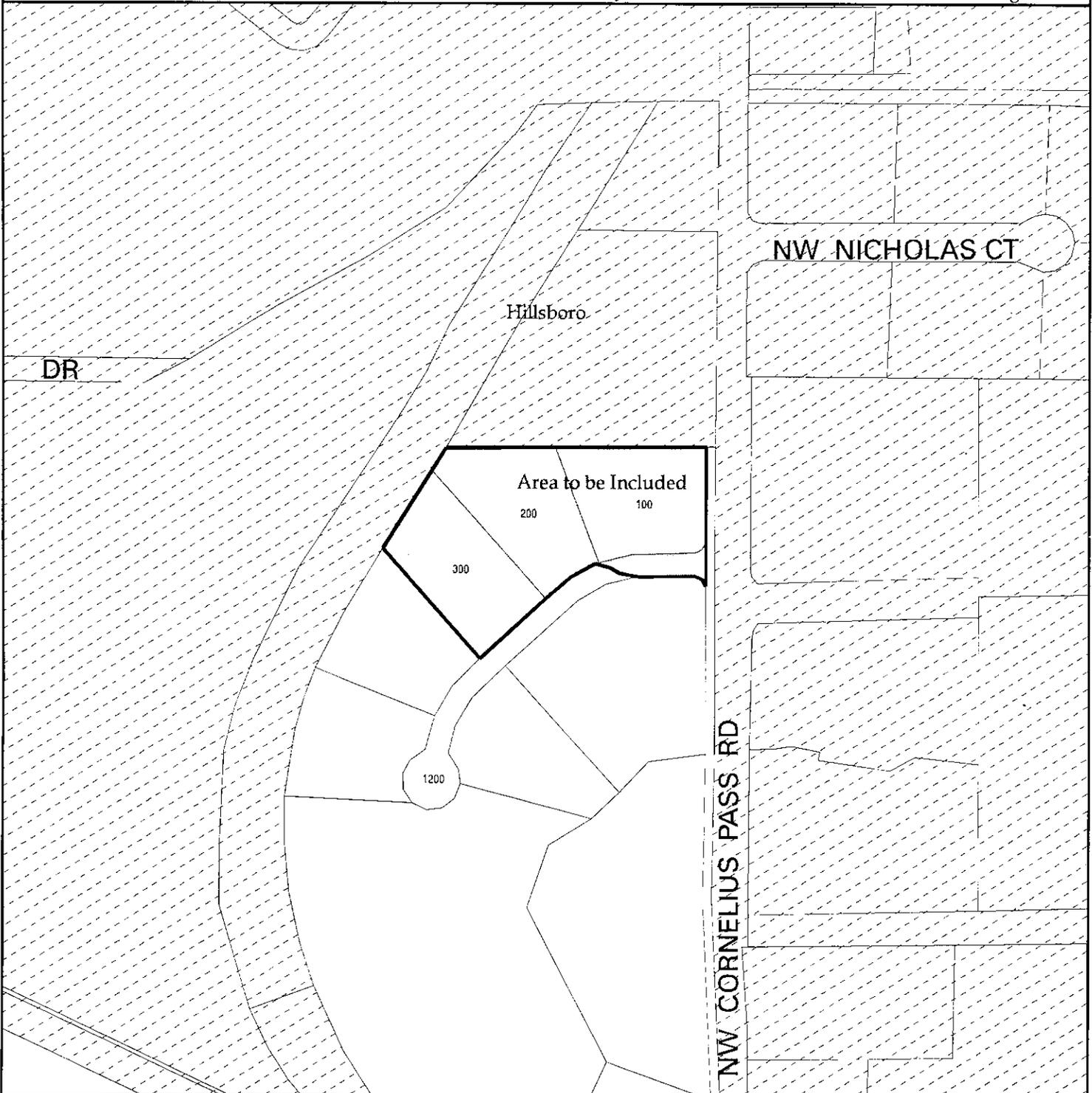
- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

# Proposal No. WA1902

1N2W35

Annexation to the City of Hillsboro

Washington Co.



R L I S  
REGIONAL LAND INFORMATION SYSTEM



**METRO**

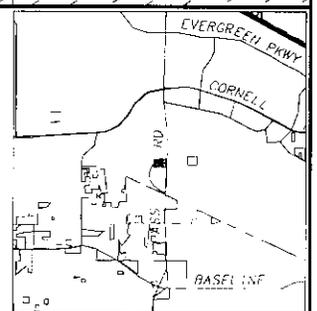
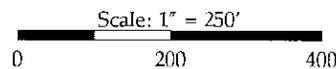
600 NE Grand Ave.  
Portland, OR 97232-2736  
Voice 503 797-1742  
FAX 503 797-1909  
Email [drc@metro-region.org](mailto:drc@metro-region.org)

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

-  County lines
-  City
-  Annexation boundary

 Urban Growth Boundary

Proposal No. WA1902  
CITY OF HILLSBORO  
Figure 1



ORDINANCE NO. 5118  
AN 25-01: CITY OF HILLSBORO ET AL

*Gail Wabel*

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACTS 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.

WHEREAS, the City received a complete petition from the property owners of certain tracts of land, described in Exhibit A to this ordinance, requesting that the properties be annexed to 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 tracts of land are contiguous to the City and can be served by City services;

WHEREAS, 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 tracts of land are located within Urban Planning Area A of the Urban Planning Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the Urban Planning Area Agreement specifies that all land in Urban Planning Area A shall annex to the City prior to development;

WHEREAS, the tracts of land lie 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 March 5, 2002, and does hereby favor the annexation of the subject tracts 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:

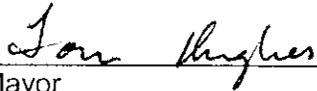
Section 1. The tracts of land, described in Exhibit A, are declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The tracts of land annexed by this ordinance and described in Section 1 are 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, after the primary election on May 21, 2002 pursuant to ORS 222.040.

Passed by the Council this 5th day of March, 2002.

Approved by the Mayor this 5th day of March, 2002.

  
\_\_\_\_\_  
Mayor

ATTEST:   
\_\_\_\_\_  
City Recorder

City of Hillsboro  
Annex xx-xx: City of Hillsboro et. al.  
Proposed legal description  
MF, November 12, 2001

## Exhibit 'A'

A tract of parcel in Section 35, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, being all of Lots 1 through 3, and a portion of Tract C, Orenco Industrial Park, a duly recorded plat in said county, said parcel being more particularly described as follows:

Beginning at the northeast corner of Lot 1, Orenco Industrial Park;

thence South  $89^{\circ} 51' 54''$  West, along the north boundaries of Lots 1 and 2, a distance of 463.09 feet to the northwest corner of Lot 2, Orenco Industrial Park;

thence South  $31^{\circ} 57' 02''$  West, along the northwest boundaries of Lots 2 and 3, a distance of 210.79 feet to the west corner of Lot 3;

thence South  $42^{\circ} 10' 20''$  East, along the southwest boundary of said lot, a distance of 259.65 feet to the south corner thereof;

thence North  $47^{\circ} 44' 00''$  East, along the southeast boundary of Lots 3 and 2, a distance of 188.70 feet a point of curvature in the southeast boundary of Lot 2;

thence along the arc of a 220.00 foot radius curve to the right, an arc distance of 67.07 feet through a central angle of  $17^{\circ} 27' 59''$  ( the chord of which bears  $N65^{\circ} 28' 01''E, 66.81'$  );

thence along the arc of a 635.00 foot radius non-tangent curve to the left, with a radial bearing of  $N14^{\circ} 06' 24'' E$ , an arc distance of 161.79 feet, through a central angle of  $14^{\circ} 35' 53''$  (the chord of which bears  $S 83^{\circ} 11' 32'' E, 161.35'$  ) to a point on the south boundary of Tract C, of said plat;

thence North  $89^{\circ} 30' 31''$  East, along said boundary, a distance of 21.93 feet to a point of curvature in said boundary;

thence along the arc of a 23.0 foot radius curve to right, an arc distance of 36.29 feet through a central angle of  $90^{\circ} 24' 38''$  ( the chord of which bears  $S 45^{\circ} 17' 10''E, 32.64'$  ) to the southerly east corner of said Tract C;

thence North  $0^{\circ} 04' 51''$  West, along the east boundaries Tract C and Lot 1, a distance of 250.48 feet to the place of beginning.

## EXHIBIT B

### FINDINGS IN SUPPORT CITY OF HILLSBORO ET AL ANNEXATION FILE NO. AN 25-01

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Three petitioners representing four properties requested City Council approval for annexation of approximately 3.04 acres into the City Limits of Hillsboro.

The properties under consideration are located generally east of Northern Burlington Railroad, west of NW Cornelius Pass Road, north of MAX Light Rail Transit, and south of NW Nicholas Court. The properties can be specifically identified as Tax Lots 100, 200, 300 and a portion of Tax Lot 1200 on Washington County Tax Assessor's Map 1N2-35BD. The total assessed value of the properties is \$767,920.

The properties are relatively flat with no significant vegetation. Tax Lots 100, 200 and 300 are being used for outdoor storage and are respectively addressed at 21685 NW Cherry Lane, 21725 NW Cherry Lane, and 21765 NW Cherry Lane.

#### 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 March 5, 2002.

#### 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:** There are currently no urban service provider agreements as required by ORS 195.065 (Senate Bill 122) in place for this area. The City is currently working with other urban service providers to establish these required agreements.

- 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 properties are identified as being within Urban Area A of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to that agreement, "the City shall regulate the conversion of vacant land to urban uses in Urban Area A through the extension of water and sewer service, land partitioning requirements, provision of transportation facilities and annexations within the area. Land within Urban Area A shall not be converted to urban uses prior to annexation to the City." Section IV (A) of the UPAA also specifies that "all land in Area A shall annex to the City prior to development. As used in this subsection, "development" includes the construction of any residential dwelling unit structure or related accessory structures." Annexation of these properties would be consistent with the UPAA, and allow the petitioners the ability to further develop the properties.

- 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 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 7. Air, Water and Land Resource Quality Policy (III)(B) The City shall design a storm sewer and sanitary sewer master plan and

develop implementation measures necessary to assure that a storm sewer and sanitary system are provided to areas designated urban. The plan shall be designed to accommodate the growth anticipated in undeveloped portions of the Hillsboro Planning Area.

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 properties is IN – Industrial, which is consistent with the regional urban growth goals and objectives. The properties will be rezoned to M-P – Industrial Park pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, unless the property owner applies for a different industrial zone.

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

**FINDING:** Water is available to the properties from a twelve-inch City line currently located in the NW Cherry Lane right-of-way. Sanitary sewer is available through a eight-inch City line located in NW Cherry Lane. Storm water disposal is available in a twelve-inch line adjacent to NW Cherry Lane.

Fire and police protection would be provided by the City of Hillsboro and the properties would be withdrawn from the following districts as of 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  
Washington County Service District #1 for Street Lights

Annexation of the subject properties 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 following districts is in the best interest of the City:

Washington County Rural Fire Protection District No. 2  
Washington County Service District for Enhanced Law Enforcement  
Washington County Service District for Urban Road Maintenance  
Washington County Service District #1 for Street Lights

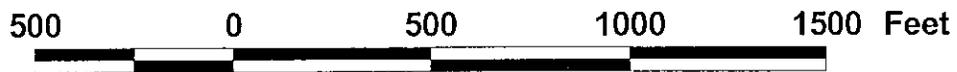
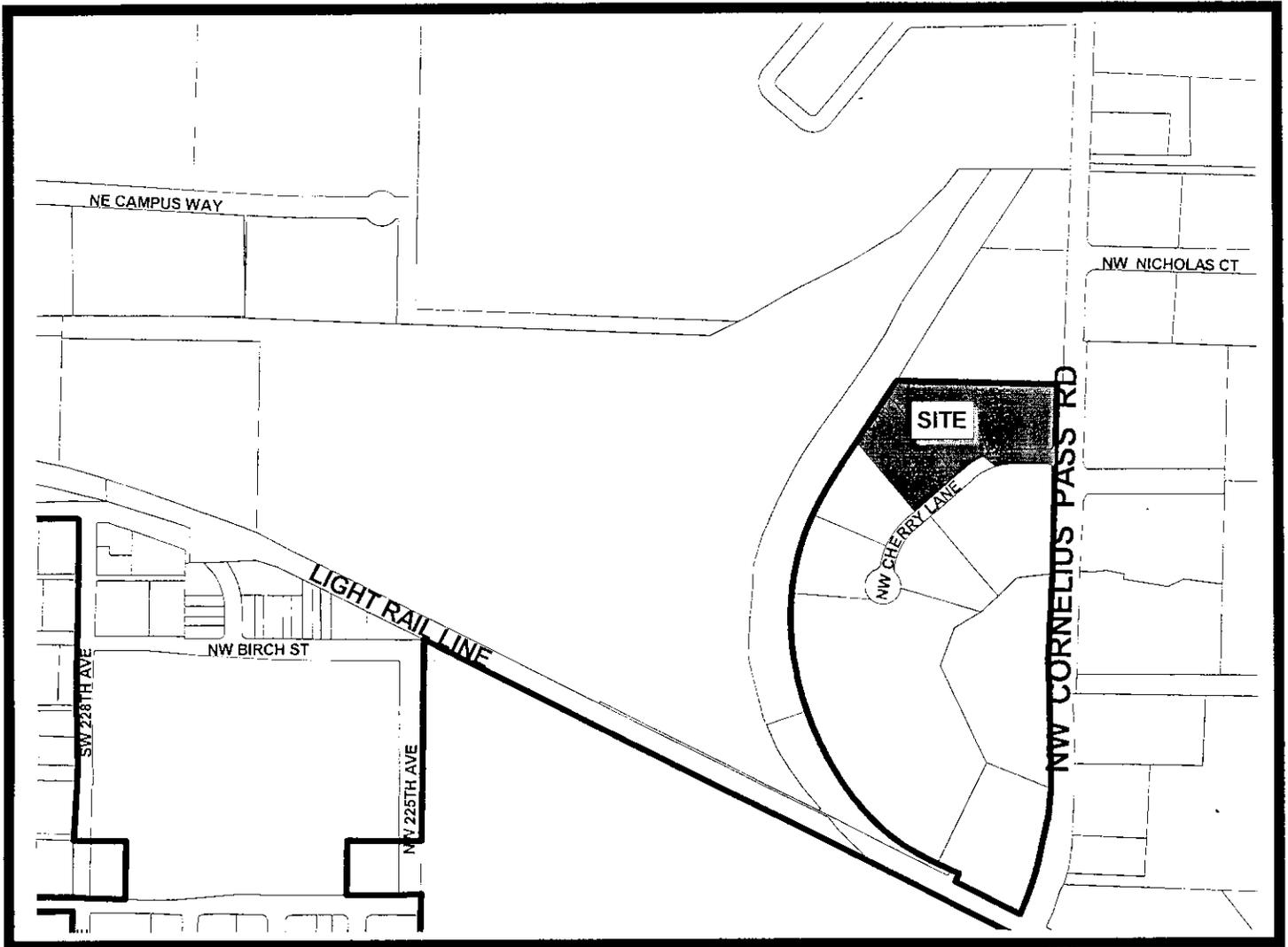
#### **IV. TESTIMONY FROM NECESSARY PARTIES**

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.

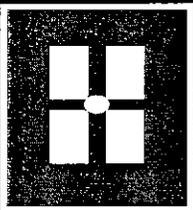
#### **V. ADDITIONAL MATERIALS CITED BY REFERENCE AND INCLUDED IN FINDINGS**

- Staff Report dated February 19, 2002

# AN 25-01 CITY OF HILLSBORO ET AL



-  Hillsboro City Limits
-  Site



**CITY OF  
HILLSBORO**

**PLANNING DEPARTMENT (503) 681-6153**

