

Final Documents  
for  
Annexation to  
**Hillsboro**

WA2407  
Ordinance: 5756  
Annexation: AN 4-07  
DOR: 34-1865-2007  
Secretary of State: AN 2007-0212



May 18, 2007

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 May 18, 2007, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
07-105 (Clean Water Services District)	SD 2007-0085
5756 (Hillsboro))	AN 2007-0212
5740 (Hillsboro)	AN 2007-0213

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

# CITY OF HILLSBORO

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## **BOUNDARY CHANGE SUBMISSION FORM** **FINAL METRO APPROVAL**

**DATE: May 10, 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: Dawn Duray  
150 E. Main Street  
Fourth Floor  
Hillsboro, OR 97123  
Phone: (503) 681-6465  
Fax: (503) 681-6245**

**RE: File Number AN 4-07: Epling**

**ATTACHED PLEASE FIND:**

**Final certified ordinance including exhibits: findings & legal description  
Final maps  
    Full Size County Tax Assessor Map(s)  
    Site Vicinity Map  
Filing fee  
Final Letter of DOR approval**

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

# 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  
 Planning Department  
 150 E Main St, 4th floor  
 Hillsboro, OR 97123

**Description and Map Approved**  
**May 7, 2007**  
**As Per ORS 308.225**

Description     Map received from: CITY  
 On: 5/4/2007

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

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

ORD. #5756 (AN 4-07)

has been:     Approved            5/7/2007  
                    Disapproved

Notes:

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Department of Revenue File Number: 34-1865-2007

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

ORDINANCE NO. 5756  
AN 4-07: EPLING

AN ORDINANCE ANNEXING A CERTAIN TRACT OF LAND INTO THE CITY LIMITS OF HILLSBORO, 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 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 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 tracts of land to the City of Hillsboro;

WHEREAS, the tract of land is located within Urban Planning Area B of the Urban Area Agreement between Washington County and the City of Hillsboro, adopted on December 15, 1998;

WHEREAS, the Urban Planning Area Agreement specifies that all property owners in Urban Planning Area B interested in annexation are welcome to contact the City for information and assistance they need to initiate and complete the annexation process;

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 May 1, 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.

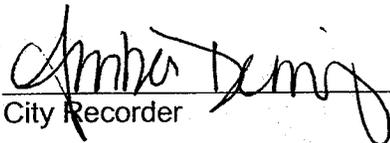
Section 3. The findings attached as Exhibit B are adopted. The City Recorder shall immediately file a certified copy of this Ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(f) and ORS 222.005. The annexation and withdrawals shall become effective upon filing of the annexation 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 1<sup>st</sup> day of May, 2007.

Approved by the Mayor this 1<sup>st</sup> day of May, 2007.

  
\_\_\_\_\_  
Mayor

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

City of Hillsboro  
Annexation 4-07: Epling  
Proposed legal description  
NS, March 21, 2007

## Exhibit 'A'

A tract of land in the northeast quarter of Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the southwest corner of the Joseph Wood Donation Land Claim No. 48;

thence East, along the south line of said claim, a distance of 792 feet to the southwest corner of that tract of land conveyed to Steve E. Epling and Julie A. Epling by deed recorded March 21, 1994 as Document No. 94026657 in Deed Records of said county;

thence North 0°42' West, along the west line of said tract, a distance of 20.0 feet to a point on the north right of way line of Southeast Drake Street and the true point of beginning;

thence East, along said right of way line, a distance of 100.0 feet to a point on the east line of said Epling Tract;

thence North 0°42' West, along said east line, a distance of 150.0 feet to the northeast corner of said tract;

thence West, along the north line of said tract, a distance of 100.0 feet to the northeast corner thereof;

thence South 0°42' East, along the west line of said tract, a distance of 150.0 feet to the point of beginning.

**ANNEXATION CERTIFIED**

BY AJN

MAR 22 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY

94026657

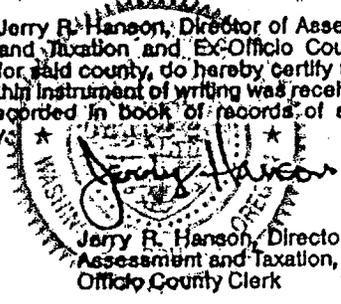
Washington County

Page 1 of 2

STATE OF OREGON  
County of Washington }

§§

I, Jerry R. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



Doc : 94026657  
Rect: 118918                      140.00  
03/21/1994 11:21:18AM



5186

Know all men by these presents, that I, William H. Wilken, of the County of Washington, State of Oregon, do hereby certify that I am the husband of Lucy and William H. Wilken wife and husband, of County of Washington, State of Oregon, (10-85)

do hereby certify that Charles H. Rickard and George C. Rickard, husband and wife, of the County of Washington, State of Oregon, do hereby certify that they are the owners and possessors of the following land, to-wit:

That part of the Joseph Woods and wife Donation, Section 348, in Township 1 South of Range 2 East of the V.M., described as follows: Beginning at a point on the south boundary line of the said Woods D. Co. E. chain east of the southwest corner thereof, thence east 4 chains, thence north 12 1/2 chains, thence west 4 chains, thence north 12 1/2 chains to point of beginning, containing 5 acres, more or less.

To Have and to Hold the above described and granted premises unto the said grantors, their heirs and assigns forever. And of the grantors, so covenants that they and lawfully heirs in fee simple of the above granted premises, they and their heirs, except rights of the public in and to County Road No. 1612 upon the south portion of the above described tract.

and that we, the said Charles H. Rickard and George C. Rickard, heirs and administrators, shall defend and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whatsoever, EXCEPT AS ABOVE SET FORTH. Witness my hand and seal this 22nd day of May, 1955.

Charles H. Rickard (and George C. Rickard)  
STATE OF OREGON  
County of Washington

On this 22nd day of May, 1955 before me, the undersigned a Notary Public in and for said County and State, personally appeared the within named Charles H. Rickard and William H. Wilken

known to me to be the Marital Individual's described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

W. H. Wilken  
Notary Public for Oregon  
My Commission expires Dec. 24, 1955

WARRANTY-DEED

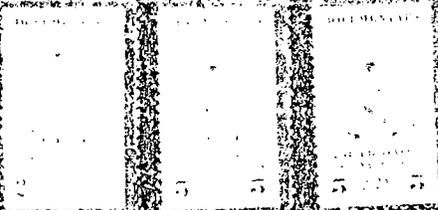
INDEXED  
TO  
APPLY RECORDING RETURN TO

Charles H. Rickard  
2303 S.E. 11th  
Portland, OR

STATE OF OREGON

County of Washington  
I certify that the within instrument was received for record on the 6th day of May, 1955, at 10:30 o'clock AM, and recorded in book 368 on page 1 of Book of Deeds of said County.

Witness my hand and seal of Washington County, Oregon, this 6th day of May, 1955.  
W. H. Torbet  
COUNTY CLERK



as per 5186

FILE NO.: AN 4-07

Epling

CERTIFICATION OF PROPERTY OWNERS OF  
AT LEAST ONE-HALF LAND AREA

I hereby certify that Two (2) names on the attached petition are owners of property as identified by the tax lot described in the petition.

These signatures represent at least one-half of the land area within the annexation or withdrawal area described in this petition.

NAME Adam Niles

TITLE Cartographer

DEPARTMENT Assessment & Taxation

COUNTY OF Washington

DATE March 22, 2007

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I certify that the description of property included within the attached petition has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Adam Niles

TITLE Cartographer

DEPARTMENT Assessment & Taxation

COUNTY OF Washington

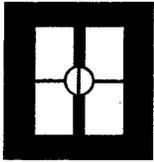
DATE March 22, 2007

**ANNEXATION CERTIFIED**

BY AN

MAR 22 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY



## EXHIBIT B

### FINDINGS IN SUPPORT EPLING ANNEXATION FILE NO. AN 4-07

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing one property requested City Council approval for annexation of approximately 0.34 acres into the City Limits of Hillsboro.

The property under consideration is located generally north of SE Drake Street, east of SE 61<sup>st</sup> Drive and west of SE Century Boulevard. The property can be specifically identified as Tax Lot 201 on Washington County Tax Assessor's Map 1S2-10BA. The assessed value of the property is \$134,470. The Measure 50 Base Value is \$130,560.

The property is generally flat with scattered trees. A single family residence is located on Tax Lot 201, which is addressed at 6137 SE Drake Street.

#### II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from the property owner 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 May 1, 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:** There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

- 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 *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.

The properties are identified as being within Urban Area B of the Urban Planning Area Agreement (UPAA) between Washington County and the City of Hillsboro, adopted on December 15, 1998. Pursuant to Section III.B of that agreement:

1. The CITY has identified Area B as a potential for future annexation and the future provision of urban services by the CITY. Area B includes only those unincorporated properties within the Regional Urban Growth Boundary, and does not include any properties within other areas.
2. In Area B, the CITY will continue its current annexation policy, under which property owners interested in annexation are welcome to contact the CITY for whatever information and assistance they need to initiate and complete the annexation process.
3. Upon annexation within Area B, the CITY will initiate Comprehensive Plan Land Use and Transportation Map changes on recently annexed properties, to CITY land use designations and functional street classifications corresponding as closely as possible to those designations and classifications already adopted by Washington County for those properties.
4. The City will negotiate with the service districts currently providing urban services to properties in Area B, and will address service provision issues on an individual basis upon receipt of petitions for annexation. The CITY will work toward formal long-term service agreements with each affected service district, and shall consider Area B in all public facility plans.

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 III.B of the Agreement.

- 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)(G) 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 (G), 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 RL – Low Density Residential which is consistent with the regional urban growth goals and objectives. The property has been recommended for R-6 – Single Family Residential zoning, and the City Council will consider the recommended zone immediately following consideration of the annexation (Casefile No. ZC 6-07).

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

**FINDING:** An eight-inch City water line is located in the SE Drake Street right-of-way. An eight-inch City sanitary sewer line is located in the SE Drake Street right-of-way. A twelve-inch City storm water lines is located in the SE Drake Street right-of-way, approximately 200 feet east.

Fire and police protection would be provided by the City of Hillsboro and the properties 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 property 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

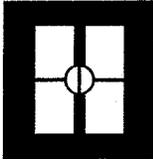
No written testimony was received prior to or at the public hearing from a necessary party as defined in Metro Code Chapter 3.09.020(j), nor was oral testimony received by the City Council from a necessary party at the public hearing.

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

- Staff Report dated April 20, 2007

# CITY OF HILLSBORO

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April 20, 2007

## **STAFF REPORT**

TO: City Council

FROM: Planning Department

RE: Request for Annexation of Property into the City Limits of Hillsboro –  
**File No. AN 4-07: Epling**

## **REQUEST**

The petitioners, Steve and Julie Epling, requests City Council approval for annexation of approximately 0.34 acres into the City Limits of Hillsboro. The purpose of the annexation is to allow the site to connect to City utilities. The property owners are Steve and Julie Epling.

## **SITE DESCRIPTION**

The property under consideration for annexation is located generally north of SE Drake Street, east of SE 61<sup>st</sup> Drive and west of SE Century Boulevard. The property can be specifically identified as Tax Lot 201 on Washington County Tax Assessor's Map 1S2-10BA. The assessed value of the property is \$134,470. The Measure 50 Base Value is \$130,560. The property is located within Urban Area "B" as defined by the Urban Planning Area Agreement.

SE Drake Street is identified as a Collector in the City of Hillsboro Transportation System Plan (TSP), and is not fully improved with curbs, sidewalks or a bicycle lane.

The City of Hillsboro Goal 5 Natural Resource Inventory does not identify significant natural resources and/or impact area on the site. The entire site is outside the 250-foot area of potential impact on the Clean Water Services Sensitive Areas Pre-Screen Map. At the time the annexation application was filed, the property had yet not annexed into the Clean Water Services service district.

**DESCRIPTION OF SURROUNDING AREA**

Area	Plan	Zoning	Land Uses
North	RL – Low Density Residential	R-6 Single Family Residential	SF Residential
East	RL – Low Density Residential	R-6 Single Family Residential	SF Residential
West	RL – Low Density Residential	R-7 Single Family Residential	SF Residential
South	RH – High Density Residential	A-4 Multi-Family Residential	MF Residential

**PUBLIC UTILITIES**

Service	Provider	Size	Location	Distance from site
Water	City	8"	SE Drake Street	adjacent
Sanitary Sewer	City	8"	SE Drake Street	adjacent
Storm Drain	City	12"	SE Drake Street	200' +/- east

**TRANSPORTATION FACILITIES**

Streets	Existing R-O-W	Improvement	Plan Designated R-O-W	Improvement
SE Drake Street	50 feet*	32 feet +/-	Collector/70 feet	46 feet
<u>Sidewalk Improvements</u>	<u>Existing</u>		<u>Plan Designated</u>	
SE Drake Street	None		Five feet	
<u>Mass Transit</u>	<u>MAX Stations / Bus Routes</u>		<u>Distance to Site</u>	
MAX Light Rail	Quatama		2 miles north +/-	
Bus	#57 / TV Highway		100 feet south +/-	
<u>Bicycle Lane</u>	<u>Existing</u>		<u>Plan Designated</u>	
SE Drake Street	None		Six feet	

\*20 feet to ROW centerline

**APPLICABLE 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)(G). 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). Consistent with the adopted UPAA and other agreements with service providers the City shall require properties in the urban area to annex to the City prior to the provision of water service by the City or Tualatin Valley Water District (TVWD).

Section 12. Public Services Implementation Measure (V)(D)(1)(c) Within Urban Area "B" as defined by the Urban Planning Area Agreement, the City may require properties to annex to the City prior to the provision of sanitary sewer service. The City shall negotiate with service districts currently providing urban services to properties in Area B, and will address service provision issues on an individual basis upon receipt of petitions for annexation.

### **APPROVAL CRITERIA**

- 1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;
- 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;
- 4) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans;
- 5) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan;
- 6) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services;
- 7) If the proposed boundary change is for annexation of territory to Metro, a determination by the Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criteria for approval;
- 8) Consistency with other applicable criteria for the boundary change in question under state and local law.

### **DISCUSSION**

The petitioner requests annexation of the property into the City Limits of Hillsboro. The petitioner represents 100 percent of the property owners as required by ORS 222.125. At present, the City Limits abut the site on all four sides.

There is an eight-inch City water line located in the SE Drake Street right-of-way. There is an eight-inch sanitary sewer line located in the SE Drake Street right-of-way. There is a twelve-inch City storm sewer line located in the SE Drake Street right-of-way approximately 150-200 feet east.

If approved, fire and police protection would be provided to the property by the City of Hillsboro and the property would be automatically 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

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

The property is identified as being within Urban Area B 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 will negotiate with the service districts currently providing urban services to properties in Area B, and will address service provision issues on an individual basis upon receipt of petitions for annexation."* Annexation of this property would be consistent with the UPAA, and allow the petitioner the ability to further develop the site.

The annexation would be consistent with regional framework and functional plans. The City's current plan designation for the property is RL – Low Density Residential which is consistent with the regional urban growth goals and objectives. The property has been recommended for R-6 Single Family Residential zoning, and the City Council will consider the recommended zone immediately following consideration of the annexation (Casefile No. ZC 6-07).

There is currently a Hillsboro Urban Service Provider Agreement in place for this area, dated April 2, 2003, as required by ORS 195.065 (Senate Bill 122). The units of local government which have entered into this agreement are as follows: Washington County; City of Hillsboro; City of Beaverton; Metro; Clean Water Services; TriMet; Tualatin Valley Park and Recreation District; Tualatin Valley Fire and Rescue District; Tualatin Valley Water District; and Washington County Fire District No. 2. The annexation is consistent with the applicable provisions of the Agreement, specifically Section 1 Roles and Responsibilities(C) and (E).

No written testimony has been received from neighboring property owners. Neither has any testimony been received from necessary parties, defined in Metro Code Chapter 3.09.020(j) as follows: any county, city or district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory or who provides any urban service to any portion of the affected territory, Metro, and any other unit of local government, as defined in ORS 190.003, that is a party to any agreement for provision of an urban service to the affected territory.

## **RECOMMENDATION**

Should the Council choose to approve the subject annexation petition, staff recommends that the annexation ordinance become effective immediately upon submission to the Secretary of State, unless contested by a necessary party as defined in Metro Code Chapter 3.09.020(j). If the proposal is contested by a necessary party then the effective date of the annexation can be no earlier than 10 days after the decision is reduced to writing pursuant to Metro Code Chapter 3.09.050(f).

Respectfully submitted,

CITY OF HILLSBORO PLANNING DEPARTMENT



Evan MacKenzie  
Urban Planner I

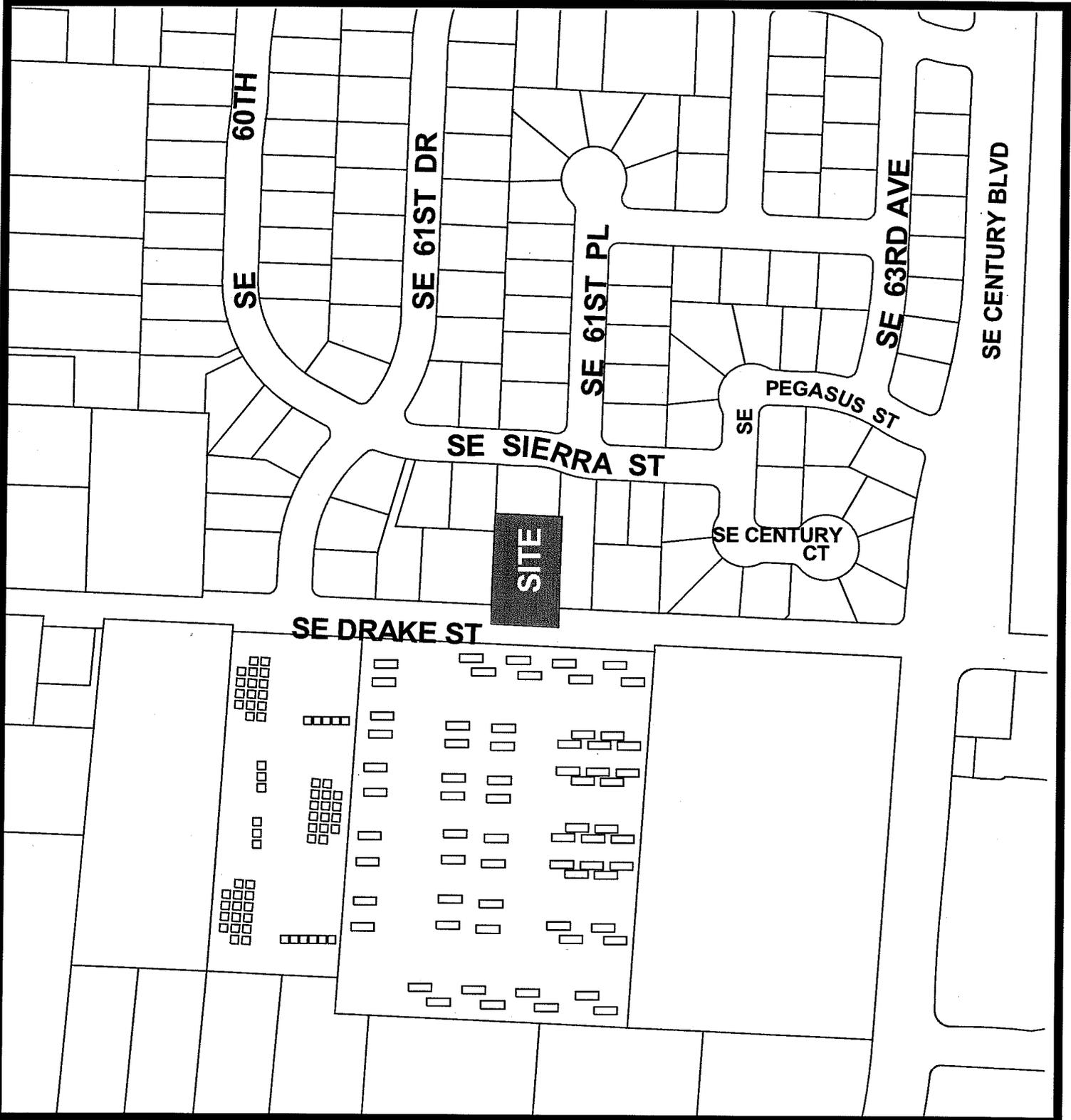
Attachments:      Comprehensive Plan Map  
                         Zoning Map  
                         Clean Water Services Sensitive Area Pre Screen Map  
                         Goal 5 – Significant Natural Resources Overlay District Map



# AN 4-07 & ZC 6-07: EPLING



REQUEST FOR ANNEXATION OF ONE PROPERTY APPROXIMATELY 0.34 ACRES IN SIZE AND ASSOCIATED CITY-INITIATED ZONE CHANGE FROM COUNTY R-9 (NINE UNITS PER ACRE) TO CITY R-6 SINGLE FAMILY RESIDENTIAL.



FILE NO.: AN 4-07  
Epling

CERTIFICATION OF PROPERTY OWNERS OF  
AT LEAST ONE-HALF LAND AREA

I hereby certify that Two (2) names on the attached petition are owners of property as identified by the tax lot described in the petition.

These signatures represent at least one-half of the land area within the annexation or withdrawal area described in this petition.

NAME Adam Niles  
TITLE Cartographer  
DEPARTMENT Assessment & Taxation  
COUNTY OF Washington  
DATE March 22, 2007

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I certify that the description of property included within the attached petition has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME Adam Niles  
TITLE Cartographer  
DEPARTMENT Assessment & Taxation  
COUNTY OF Washington  
DATE March 22, 2007

**ANNEXATION CERTIFIED**

BY AN

MAR 22 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY



