

Final Documents

For

Annexation to the
City of Hillsboro

WA3302
Ordinance #5161
DOR: 34-1569-2002
SOS: AN-2002-0150

Final to DOR: _____

Signature:

Date of

Mailing: 7/16/02

Final to Secretary of State _____

Signature:

Date of

Mailing: 8/5/02

WA3302

Sent

Received

DOR:

7/16/02

8/5/02

Sec. State:

8/5/02

9/16/02

Assessor:

8/5/02

Elections:

8/5/02

Mapped:

Yes

Posted to Web:

9/16/02

Addresses:

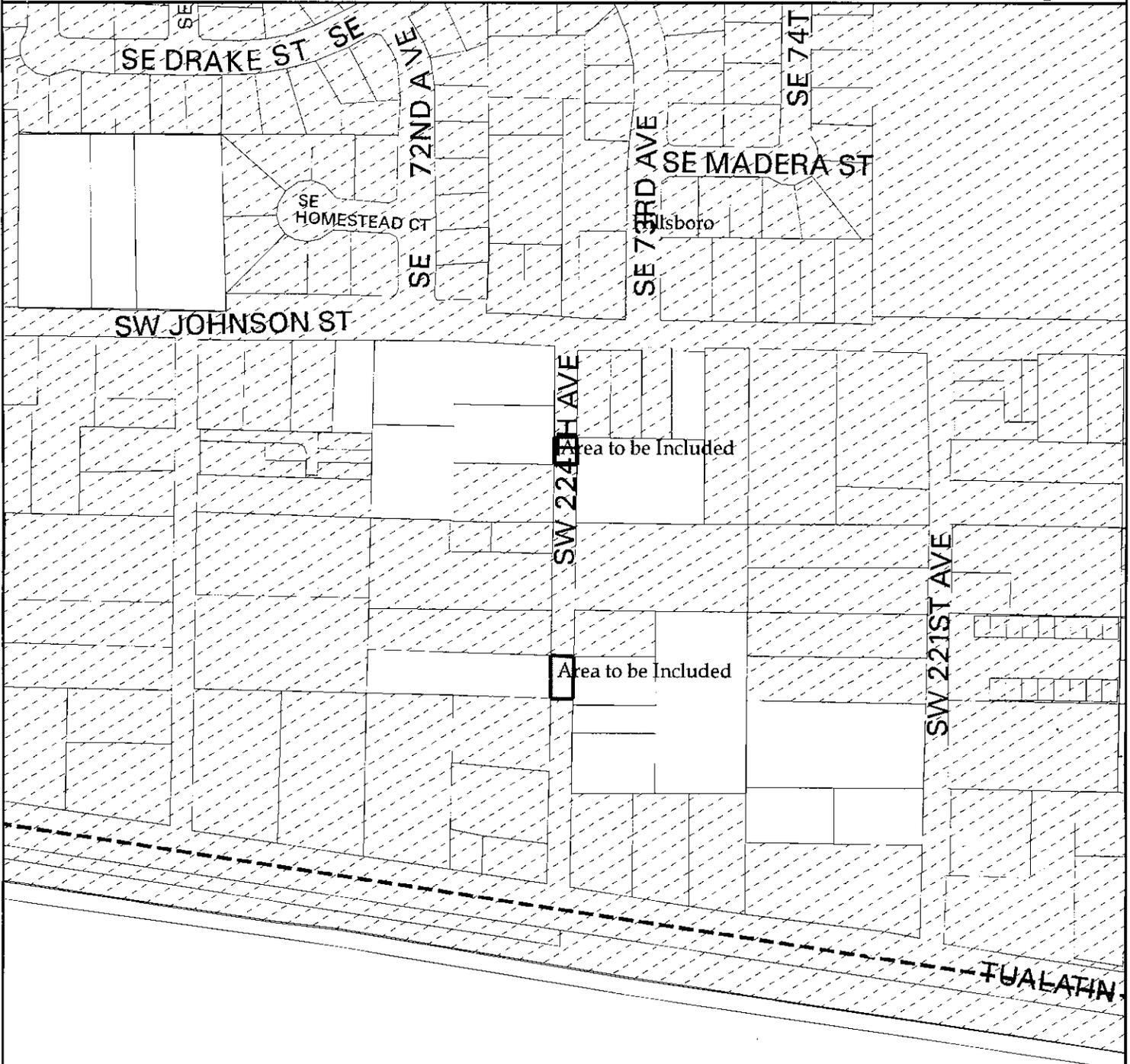
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Proposal No. WA3302

1S2W10, 11

Annexation to the City of Hillsboro

Washington Co.



R L I S
REGIONAL LAND INFORMATION SYSTEM



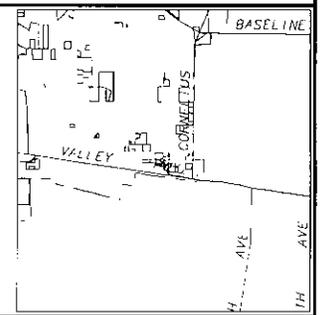
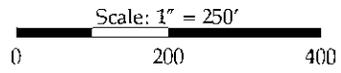
600 NE Grand Ave.
Portland, OR 97232-2736
Voice 503 797-1742
FAX 503 797-1909
Email dro@metro-region.org

METRO

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-  County lines
-  City
-  Annexation boundary
-  Urban Growth Boundary

Proposal No. WA3302
CITY OF HILLSBORO
Figure 1



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

September 13, 2002

Metro
600 NE Grand Ave
Portland, OR 97232-2736



Dear Sir or Madam:

Please be advised that we have received and filed on August 8, 2002 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
4209	Beaverton	AN 2002-0146
1114-02	Tualatin	AN 2002-0147
4216	Beaverton	AN 2002-0148
5162	Hillsboro	AN 2002-0149
5162	Hillsboro	AN 2002-0150
4219	Beaverton	AN 2002-0152

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

Description and Map Approved
July 24, 2002
As Per ORS 308.225

Description Map received from: METRO
On: 7/18/2002

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

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

ORD. #5161

has been: Approved 7/24/2002
 Disapproved

Notes:

Department of Revenue File Number: 34-1569-2002

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

ORDINANCE NO. 5161
AN 1-02: SW 224TH AVENUE RIGHT-OF-WAY

TO BE A TRUE AND
COPY OF THE ORIGINAL
[Signature]
Recorder, City of Hillsboro

AN ORDINANCE ANNEXING CERTAIN SECTIONS OF RIGHT-OF-WAY INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE RIGHTS-OF-WAY 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 Washington County, which has jurisdiction over certain sections of County road rights-of-way, described in Exhibit A to this ordinance, requesting that the rights-of-way 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 rights-of-way are contiguous to the City;

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 rights-of-way 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, Washington County has requested jurisdiction transfer of the right-of-way from County jurisdiction to City of Hillsboro jurisdiction;

WHEREAS, delay in the effective date of the annexation could cause inconvenience and unnecessary delay in the transfer of right-of-way jurisdiction from Washington County to the City of Hillsboro;

WHEREAS, the rights-of-way 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 July 2, 2002, and does hereby favor the annexation of the subject rights-of-way 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 rights-of-way of SW 224th Avenue, described in Exhibit A, are declared to be annexed to the City of Hillsboro, Oregon.

Section 2. The rights-of-way 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.

Section 4. Inasmuch as it is necessary that this annexation become effective soon, so as to allow for the transfer of right-of-way jurisdiction, 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 2nd day of July, 2002.

Approved by the Mayor this 2nd day of July, 2002.

Jon Hughes
Mayor

ATTEST: Gail Wachel
City Recorder

City of Hillsboro
Annex
Proposed legal description
MF, REVISED April 4, 2002

Exhibit 'A'

A tract of land in Section 11, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Commencing at the southeast corner of Lot 1, Block 5, Ladd and Reed Acres, a duly recorded subdivision in said county;

thence North 1° 17' East, along the east boundary of said lot, a distance of 100.0 feet to a point on the north boundary of that tract of land annexed to the City of Hillsboro by Final Order #3448 and the TRUE POINT OF BEGINNING;

thence North 1° 17' East, along the east boundary of said lot, a distance of 45.0 feet to a point on the south boundary of that tract of land annexed to the City of Hillsboro by Final Order #3278;

thence South 88°37' East, along said boundary, a distance of 50.0 feet to the west boundary of Lot 4, Block 4, Ladd and Reed Acres;

thence South 1° 17' West, along said boundary, a distance of 45.0 feet to the northeast of that tract of land annexed to the City of Hillsboro by Final Order #3448 ;

thence North 88°37' West, along the north boundary of said tract, a distance of 50.0 feet to the TRUE POINT OF BEGINNING.

ALSO TOGETHER WITH

A tract of land in Section 11, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the southeast corner of Lot 7, Block 5, Ladd and Reed Acres;

thence North 1° 17' East, along the east boundary of said lot, a distance of 75.0 feet to the southwest corner of that tract of land annexed to the City of Hillsboro by Final Order #3663x;

thence South 88°37' East, along said boundary, a distance of 50.0 feet to a point on the west boundary of Lot 8, Block 4, Ladd and Reed Acres;

thence South 1° 17' West, along said boundary, a distance of 75.0 feet to the southwest corner thereof;

thence North 88°37' West a distance of 50.0 feet to the place of beginning.

EXHIBIT B

FINDINGS IN SUPPORT CITY OF HILLSBORO ANNEXATION FILE NO. AN 1-02

I. BACKGROUND INFORMATION AND SITE DESCRIPTION

One petitioner representing two sections of right-of-way requested City Council approval for annexation of approximately 0.11 acres into the City Limits of Hillsboro.

The rights-of-way under consideration are located generally east of SW 226th Avenue, west of SW 221st Avenue, north of Tualatin Valley Highway, and south of SW Johnson Street. The portions of right-of-way can be identified as being located directly east of Tax Lots 403 and 1701 on Washington County Tax Assessor's Map 1S2-10AD. The portions of right-of-way are publicly owned and maintained, therefore they have no assessed property value.

The rights-of-way are sections of SW 224th Avenue.

II. PROCEDURAL REQUIREMENTS

In accordance with ORS 222.125 the petition for annexation from Washington County 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 July 2, 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 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 rights-of-way 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.

- 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.

In particular, the annexation would be consistent with Section 2. Urbanization Policy (III)(F), assisting property owner with the annexation process; 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 City's current plan designation for the right-of-way is RH High Density Residential for the northern section of right-of-way and RH High Density Residential and C Commercial for the southern section of right-of-way which are consistent with the regional urban growth goals and objectives. The northern section of right-of-way will be rezoned to A-4 Multi-Family Residential and the southern section of right-of-way will be rezoned to A-4 Multi-Family Residential on the western half and C-1 General Commercial on the eastern half 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: Development will not occur within the subject portions of right-of-way. Annexing the right-of-way will not interfere with timely, orderly and economic provisions of public facilities and services.

Fire and police protection would be provided by the City of Hillsboro and the portions of right-of-way 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 has determined that withdrawal of the portions of right-of-way 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 June 17, 2002

AN 1-02: SW 224TH AVENUE RIGHT-OF-WAY

