

Final Documents

For

Annexation to the
City of Forest Grove

WA3306

Ordinance 2006-11

DOR 34-1808-2006

Sec. State: AN-2006-0234

Property Information:

1N3310000700

2633 Willamina Ave

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

July 27, 2006

Metro
Robert Knight
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Mr. Knight:

Please be advised that we have received and filed, as of July 27, 2006, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
OR NO 2456 (Lake Oswego)	AN 2006-0232
OR NO 06-1003 (Oregon City)	AN 2006-0233
OR NO 2006-11 (Forest Grove)	AN 2006-0234
OR NO 5624 (Hillsboro)	AN 2006-0235
OR NO 06-152 (Clean Water Services District)	SD 2006-0086

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

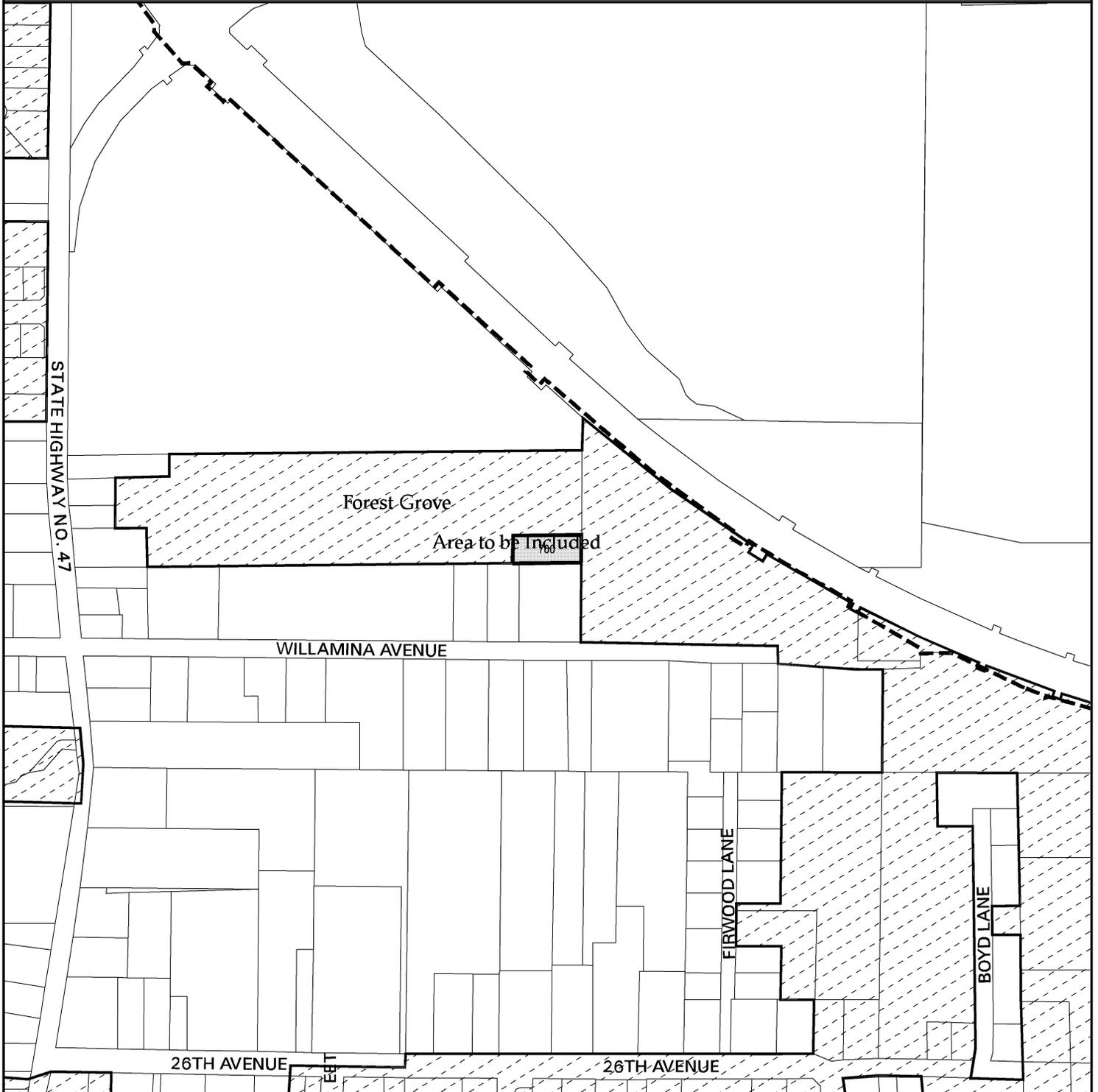
cc: County Clerk(s)
Department of Revenue
ODOT
Population Research Center

Proposal No. WA3306

1N3W31

Annexation to the City of Forest Grove

Washington Co.



R E G I O N A L L A N D I N F O R M A T I O N S Y S T E M



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

METRO

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

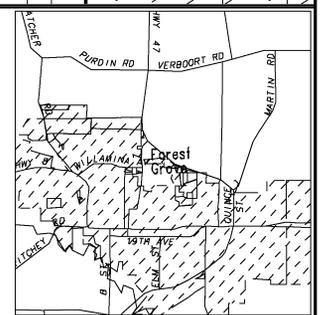
City

Annexation boundary

Urban Growth Boundary

Proposal No. WA3306
CITY OF FOREST GROVE
Figure 1

Scale: 1" = 400'



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
Director, Support Services
PO Box 326
Forest Grove, OR 97116

Description and Map Approved
July 24, 2006
As Per ORS 308.225

Description Map received from: METRO
On: 7/14/2006

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

ANNEX TO CITY OF FOREST GROVE; WITHDRAW FROM SEVERAL DISTRICTS
WA3306

ORD. #2006-11 (ANX-06-01)

has been: Approved 7/24/2006
 Disapproved

Notes:

WORD OMITTED IN DESCRIPTION. 4TH LINE FROM BOTTOM SHOULD READ
"THENCE EAST ALONG THE NORTH LINE OF SAID TROTTER TRACT..." PLEASE
CORRECT YOUR RECORDS.

Department of Revenue File Number: 34-1808-2006

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



**Council Action
Staff Memo**

To: Jon Holan, Community Development Director
From: Anna D. Ruggles, City Recorder
Date: June 28, 2006

RESOLUTION NO.
ORDINANCE NO. 2006-11

AGENDA DESCRIPTION:

ORDINANCE NO. 2006-11 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.

PLEASE BE ADVISED OF THE FOLLOWING:

- City Council approved the above ordinance at its meeting of June 26, 2006.
- Notification of Council action was sent to all parties that testified at the hearing; refer to attached Public Hearing Notice Signup Form, and Notice was sent to Public Utilities requesting notification. Notification was not sent to the applicant because the mailing address was not included in the staff report/record.
- Please advise if anyone else requires notification.

If you have any questions or concerns, please call:

Anna D. Ruggles, City Recorder
503-992-3235

cc: Department Director

Date: June 12, 2006

Agenda Item: 7

Subject: PUBLIC HEARING AND FIRST READING OF ORDINANCE NO. 2006-11 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. THE TERRITORY TO BE ANNEXED CONSISTS OF ONE PARCEL, TOTALING 0.34 ACRES, LOCATED AT 2633 WILLAMINA AVENUE. WASHINGTON COUNTY TAX LOT MAP NO. 1N3 31 700. PETITIONERS: DON AND NANCY TROTTER, PROPERTY OWNERS. FILE NO. ANX-06-01

Request to Testify at Public Hearing

The Mayor will announce the opening of the public hearing. A staff report will be read first. The Mayor will then ask for public testimony along with instructions on the type of testimony that is admissible. When the Mayor calls your name to testify, move to the center table and begin your testimony by stating your name and address for the record, and state your support, opposition or question(s) relating to the issue. In the interest of time, please be prepared to summarize your comments to three minutes.

Please sign-in below:

Proponents: (Please print legibly)

Name:

Matt Wellner

Address:

2348 NE 14TH PL. Hill 56000

Opponents: (Please print legibly)

Name:

Address:

Other: (Please print legibly)

Name:

Address:



NOTICE TO PUBLIC UTILITIES OF ANNEXATION

NOTICE SENT TO:

Comcast
Attn: Melody Malone
9605 SW Nimbus Ave, Bdg. 12
Beaverton, OR 97008

MACC
Attn: Bruce Crest
1815 NW 169th Pl Suite 6020
Beaverton, OR 97006-4849

Verizon
Attn: Kim Bump
Po Box 1100
Beaverton, OR 97075

NW Natural Gas
Customer Billing Services
Attn: Annexation Coordinator
220 NW 2nd Avenue
Portland, OR 97209

Waste Management
Attn: Dean Kampfer
7227 NE 55TH
Portland, OR 97218

Forest Grove Rural Fire
Protection Board
Lyle Spiesschaert, President
3150 NW Thatcher Road
Forest Grove, OR 97116

DATE: June 26, 2006
RE: Annexation Approval

Please be advised that this notice is an annexation that has been approved by the Forest Grove City Council for the following:

Site Addresses	File No.	Ord No.
Map No. 1N3 31 Tax Lot 700	ANX-06-01	2006-11

As required by Oregon Revised Statute 222.005 Notice to public utilities of annexation; contents of notice; effect the public utilities are hereby notified of the above listed annexation. The required material for the annexation is enclosed: The site address for the annexed territory; legal description; map of the proposed boundary change; and a copy of the City of Forest Grove Ordinance approving the annexation.

Sincerely,

Anna D. Ruggles
City Recorder

cc: Jon Holan, Community Development Director

ORDINANCE NO. 2006-11

**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 COUNCIL OF THE CITY OF FOREST GROVE
ORDAINS AS FOLLOWS:**

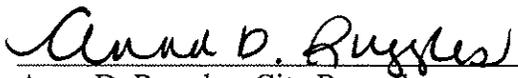
Section 1. The tract of land, described in Exhibit A and depicted on the attached map (Exhibit B), is declared to be annexed to the City of Forest Grove, Oregon.

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.

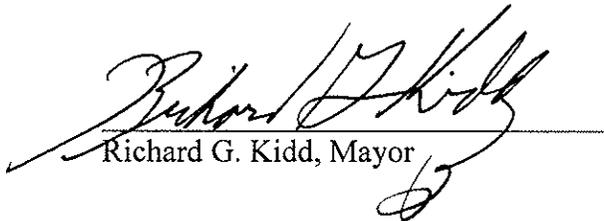
PRESENTED AND PASSED the first reading the 12th day of June, 2006.

PASSED the second reading the 26th day of June, 2006.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 26th day of June, 2006



Richard G. Kidd, Mayor

EXHIBIT A
Proposal ANX-05-03

Legal Description

For Parcel 1N3 31 AC 105

A parcel of land located in the Northeast One-Quarter Section 31, Township 1 North, Range 3 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 1, "North Forest Grove Acres"; thence West along the north line of said Lot 1 and the existing city limits of the City of Forest Grove, a distance of 20.00 feet to the TRUE POINT OF BEGINNING at the southeast corner of that tract of land conveyed to Donald M. Trotter and Nancy A. Trotter by deed recorded as Document No. 85-032570, Washington County Deed Records; thence leaving said existing city limits, West, along the north line of the plat of "North Forest Grove Acres", 200.00 feet to the southwest corner of said Trotter tract on the existing city limits of the City of Forest Grove; thence North, along the west line of said Trotter tract and said existing city limits, 75.00 feet to the northwest corner of said Trotter tract; thence , along the north line of said Trotter tract and the existing city limits of the City of Forest Grove, 200.00 feet to the northeast corner of said Trotter tract; thence South, along east line of said Trotter tract and said existing city limits, 75.00 feet to the TRUE POINT OF BEGINNING, containing 0.34 acre, more or less.

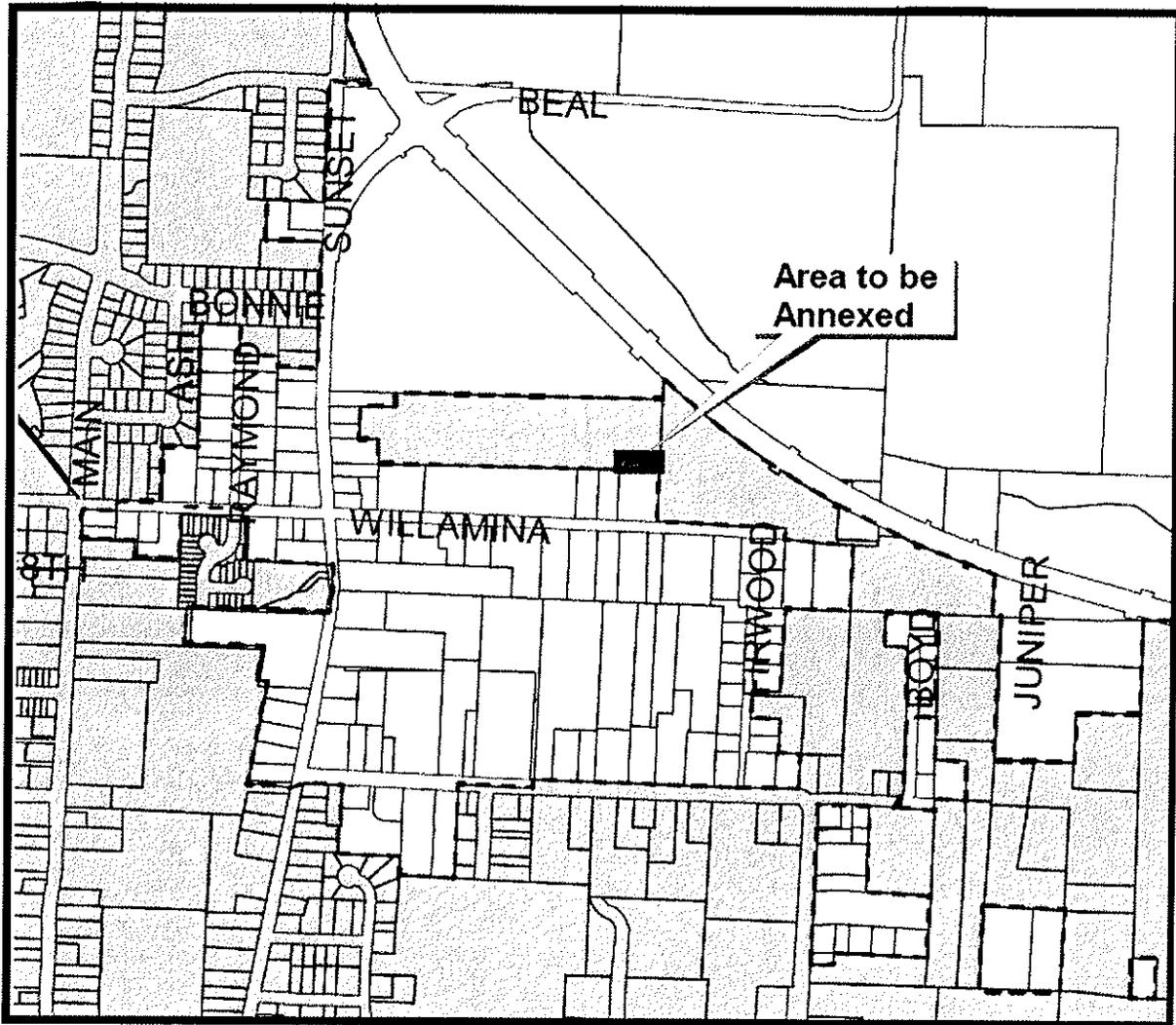
EXHIBIT B

Proposal No. ANX-06-01

Map 1N3 31 Tax Lot 700

Annexation to the City of Forest Grove

Washington County, Oregon



City of Forest Grove

1924 Council Street
P.O. Box 326
Forest Grove, Oregon 97116
(503) 992-3227
(503) 992-3202 Fax.

Legend

- City Limits
- ▨ Incorporated City
- Annexation

The inset map shows the outline of the City of Forest Grove with a north arrow. A stippled area within the city is labeled 'Area to be Annexed'. The city is situated between the towns of Forest Grove and Cornelius.

EXHIBIT C
Proposal ANX-05-03

FINDINGS

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

1. Proposal No. ANX 06-01 was initiated by a consent petition of the property owner. The property contains one property owner and no 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). The Council must review the proposal and determine whether it is in compliance with the applicable criteria.
2. The territory to be annexed consists of one parcel totaling 0.34 acres. The parcel is accessed off of Willamina Avenue by a private easement, while not fronting the street its address is 2633 Willamina Avenue. More specifically the territory includes Washington County Tax Lot Map 1N 3 31 700. It has an assessed real market value of \$129,100.
3. The annexation is necessary for the parcel to access public utilities.
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.

The Metro Code also contains a second set of ten factors which are to be considered where: 1) no ORS 195 agreements have been adopted, and 2) a necessary party is contesting the boundary change. Those ten factors are not applicable at this time because no necessary party has contested the proposed annexation.

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).

309-1 Intent and Purposes

This zoning applies to the unincorporated portions of some city active planning areas where these cities are the only available source of urban services. . . The FD-10 District provides recognition of the desirability of encouraging and retaining limited interim uses until a need for more intensive urban land use activities develops and such lands are annexed to a city.

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.

Washington County reviewed its role in service provision in its County 2000 program, the County's financial management plan. The County established a policy of supporting a service delivery system that distinguishes between municipal and countywide services. To achieve tax fairness and expenditure equity in the provision of public services the County's policy is to provide only countywide services with general fund revenues. The County policy favors municipal services being provided either by cities or special districts.

7. 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. Pertinent portions of the UPAA are as follows:

* * *

III. Planning Responsibilities

- A. The following policies are intended to further clarify the respective planning interests and duties of the CITY and the COUNTY as they relate to the Forest Grove Urban Planning Area:

2. The CITY shall be responsible for comprehensive planning in the incorporated and unincorporated portions of the CITY's urban planning area, and shall implement the planning process outlined in the CITY's comprehensive plan. The COUNTY shall support the planning process and participate as necessary.

* * *

9. Urban development in the urban planning area shall be served with adequate urban services including sewer, water, storm drainage, streets, and police and fire protection. The CITY shall be responsible for the preparation, adoption and amendment of the public facility plan required by OAR 660-11 within the urban planning area.

10. As required by OAR 660-11-010, the CITY is identified as the appropriate provider of local water, sanitary sewer, storm sewer and transportation facilities within the urban planning area. Exceptions include facilities provided by other service providers subject to the terms of any intergovernmental agreement the CITY may have with other service providers not covered by an intergovernmental agreement; and future facilities that are more appropriately provided by an agency other than the CITY. The CITY shall provide urban services consistent with annexation and fiscal policies.

11. The CITY has developed a transportation plan which addresses the existing and future traffic needs of the urban planning area. The CITY shall coordinate local transportation plans, proposals and improvements with the COUNTY.

13. The CITY shall monitor and regulate the conversion of vacant and agricultural land to urban uses through the extension of water and

sewer service, land partitioning requirements and annexations within the urban planning area. Unincorporated urbanizable land shall not be converted to urban development prior to annexation to the CITY.

8. 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 Low Density Residential B-Standard (6.22 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 Residential – 7000 (R-7) 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.

9. The site falls within the Northeast service area of the City's Sewer Master Plan. The topography of this area generally drains from south to north towards a Clean Water Service (CWS) 36-inch trunk line located at Council Creek. It is intended that a sewer connection from the territory to the CWS line would be sought. The development of the adjacent property will bring sewer to this territory. Further, the implementation of the Sewer Master Plan for this territory represents a logical extension of sewer service where service from the site would be extending to an existing nearby service line.

Forest Grove receives treatment and disposal of waste water and transmission services from the Clean Water Services County Service District. Forest Grove provides its own collection system while Clean Water Services provides regional transmission and sewage treatment services.

Clean Water Services' Forest Grove sewage treatment plant, was built in 1946 and then expanded by the addition of primary and secondary treatment facilities. The last expansion was in 1975. The treatment plant is located on the east side of Fern Hill Rd. The Forest Grove plant serves the cities of Forest Grove, Cornelius, and Gaston. In 1995 Clean Water Services built an intertie between the Forest Grove plant and the Rock Creek plant in Hillsboro. If there is any problem at the Forest Grove plant sewage can be diverted to the Rock Creek plant.

10. The property has water service available with adequate capacity. There is an 8-inch diameter line on Willamina Avenue that can be extended to serve the property. Thus, water service is currently available to the territory.

The City of Forest Grove has two sources of water supply. The primary source is the Forest Grove watershed, consisting of 4,300 acres of the Clear Creek drainage basin. (The City also has water rights from Gales Creek.) Water from the Forest Grove watershed is treated at the City's treatment plant located in the northwest section of the City. The treatment plant has a capacity of about 3.0 million gallons per day (mgd). The other major source is the joint Hillsboro/Forest Grove/Beaverton water treatment plant, which is supplied from the Trask and Scoggins impoundments via the Tualatin River. The joint water supply system has a nominal capacity of 60 mgd. Forest Grove owns 13.3 percent (8 mgd) of the system's capacity.

The City's main storage reservoir is located adjacent to the Forest Grove Water Treatment Plant. It has a storage capacity of 5 million gallons (mg). This is adequate for the existing system. An additional reservoir provides 1 mg of storage for the Forest Gale Heights area.

11. There is no existing storm water facility adjacent to or within the territory. Clean Water Services (CWS) County Service District is responsible for storm water management in Washington County. The territory is within CWS service boundary. 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

The District levies an annual assessment of \$3 per dwelling unit of which \$2.24 goes to the City. Upon development of the property the City charges a system development charged for each dwelling unit.

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. The City employs 26 officers, equating to 1.46 officers per 1000 population. The department operates on three ten-hour shifts, 7 days a week. Staffing for each shift is determined by calls for service.

The Police Department has expressed concerns about access to the area and moving in and out of the City limits to respond to calls in the area. Regarding access, they are concerned about the road condition of Willamina Avenue in terms of police response. This issue can be addressed during the development review process. The irregular city boundary in this part of the city makes it difficult for the police to determine whether they or the Sheriff's Department have primary jurisdiction when responding to a call.

This is a relevant issue related to this annexation proposal. That is, is it timely to annex the property at this time due to the amount of property along Willamina and Sunset Drive that is within the County? In response to this question, it does not substantially change the current situation in the area. The city boundary weaves throughout the area encompassed by Highway 47 and Sunset Drive. Thus, the annexation is part of a process to extend city services that would likely facilitate more annexation requests in the area. This would help achieve, over time, the incorporation of this area into the City as development occurs.

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.

The City Fire Department provides service to the District on contract. Fire service is provided from two fire stations. The new main station (constructed in 1995) is located in the center of the City on Ash Street. The second station is located in the Gales Creek area. The City plans a third fire station in the future near the intersection of David Hill Road and Thatcher Road to serve development within the City.

The Department operates with 19 paid fire fighters and 42 volunteer fire fighters. The City provides four to eight paid personnel on duty at all times at the Ash Street station. On all alarms, the volunteers respond to the station along with off duty paid personnel. All personnel are provided with tone activated radio receivers. Night responses are augmented by the resident volunteers at the station. The Fire Department is equipped with 5 engines; 2 tankers; 5 pick-ups; a 104' platform truck; a command vehicle; a utility vehicle; and one rescue unit.

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 of Forest Grove maintains one large community park (Lincoln) and two fully developed neighborhood parks (Joseph Gale and Rogers). There are three playgrounds included in the City park system (Bard, Hazel Sills, and Talisman). Land has been acquired by the City for a second community park at the intersection of David Hill Road and Thatcher Road.
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. The territory will be part of a larger area to be developed as one project. Forest Grove sewer and water services are immediately adjacent to this larger area. Therefore, the annexation and the eventual extension of services to the properties would be logical, promoting orderly and efficient timing of the delivery of services. Thus, the annexation is consistent with the intent of Policies 2 and 3. The proposal is to annex the territory to the City so that sewer and water utilities can be provided to the territory within the City. Urbanization Policy 5, requires that properties are within the City limits before service are extended, would be satisfied upon annexation.

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.