

Final Documents

For

Annexation to the  
**City of Hillsboro**

WA4501  
DOR 34-1527-2001  
Ordinance #5078  
Sec. State #AN 2001-0236

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

Signature:

 \_\_\_\_\_

Date of  
Mailing: 11/19/01

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

Signature:

 \_\_\_\_\_

Date of  
Mailing: 12/5/01

WA4501

Sent

Received

DOR:

11/19/01

12/3/01

Sec. State:

12/5/01

12/14/01

Assessor:

12/5/01

Elections:

12/5/01

Mapped:

Yes

Posted to Web:

12/17/01

Addresses:

1S209DD00100

1S209DD00200

1S209DD00201

\_\_\_\_\_  
No Site Address

3845 SW 247<sup>th</sup> Ave.

No Site Address

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

December 11, 2001

Metro  
600 NE Grand Ave  
Portland, OR 97232-2736

Dear Mr. Martin:

Please be advised that we have received and filed on December 10, 2001 the following Annexation(s).

Ordinance(s):	City of:	Our File Number(s):
01-1026	Oregon City	AN 2001-0232
01-1028	Oregon City	AN 2001-0233
01-1025	Oregon City	AN 2001-0234
5072	Hillsboro	AN 2001-0235
5078	Hillsboro	AN 2001-0236
5079	Hillsboro	AN 2001-0237
5080	Hillsboro	AN 2001-0238
5081	Hillsboro	AN 2001-0239
5082	Hillsboro	AN 2001-0240
5083	Hillsboro	AN 2001-0241

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

RECEIVED  
METRO - ACCT. DEPT  
01 DEC 13 PM 1:43

# Proposal No. WA4501

S2W09

Annexation to the City of Hillsboro

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**

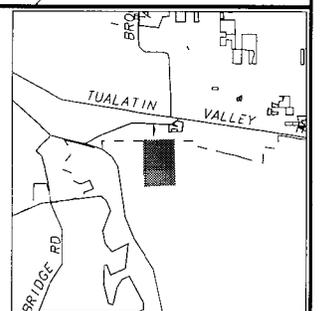
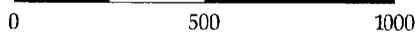
The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or 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. WA4501  
CITY OF HILLSBORO  
Figure 1

Scale: 1" = 500'



# Notice to Taxing Districts

ORS 308.225



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

**Description and Map Approved**  
**November 29, 2001**  
**As Per ORS 308.225**

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

Description     Map received from: METRO  
On: 11/26/01

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

**ANNEX TO THE CITY OF HILLSBORO & WITHDRAWAL FROM WASHINGTON  
COUNTY RFPD #2**

ORD. #5078

has been:     Approved            11/29/01  
                   Disapproved

Notes:

Department of Revenue File Number: 34-1527-2001

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

*Bill Wainell*  
Recorder, City of Hillsboro

ORDINANCE NO. 5078  
ANNEX 14-01: HILLSBORO SCHOOL DISTRICT 1J

AN ORDINANCE ANNEXING CERTAIN TRACTS OF LAND INTO THE CITY LIMITS OF HILLSBORO, WITHDRAWING THE TRACTS FROM THE TERRITORY OF WASHINGTON COUNTY RURAL FIRE PROTECTION DISTRICT NO. 2, AND DECLARING AN EMERGENCY.

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 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 the Urban Growth Boundary, within the area identified as "Site 55" in Metro Ordinance No. 99-809, and

WHEREAS, the City and Washington County have entered into a Memorandum of Understanding regarding Site 55, which recognized the eventual annexation of Site 55 and other Urban Reserve sites adjacent to the City's Planning Area, following inclusion of these sites into the UGB, and

WHEREAS, the tracts of land lie within the Washington County Rural Fire Protection District No. 2;

WHEREAS, delay in the effective date of the annexation could cause inconvenience and additional financial cost to the property owners and unnecessary delay in the provision of City services;

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

WHEREAS, the City Council conducted a public hearing on this matter on November 6, 2001, and does hereby favor the annexation of the subject tracts of land and withdrawal from the District based on the findings attached hereto as Exhibit B;

WHEREAS, the annexation and withdrawal 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.

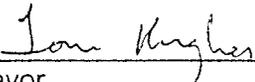
Section 2. The tracts of land annexed by this ordinance and described in Section 1 are withdrawn upon the effective date of the annexation from Washington County Rural Fire Protection District No. 2.

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 owners 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 6th day of November, 2001.

Approved by the Mayor this 6th day of November, 2001.

  
\_\_\_\_\_  
Mayor

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

City of Hillsboro  
Annex 14-01: City of Hillsboro  
Proposed legal description  
NS, MF September 26, 2001

## Exhibit 'A'

A tract of land in Section 9, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at the southeast corner of Lot 24 , Witch Hazel Little Farms, a duly recorded subdivision in said county;

thence North  $89^{\circ}41'46''$  East along the easterly projection of the south boundary of said lot, a distance of 40 feet to the east right-of-way line of SW 247<sup>th</sup> Avenue;

thence North  $1^{\circ}00'00''$  West along said right-of-way line, a distance of 1987.37 feet to the northwest corner of Lot 34, Witch Hazel Little Farms Tracts 26 to 68, a duly recorded subdivision in said county;

thence South  $89^{\circ}41'46''$  West along the westerly projection of the north line of said lot, a distance of 40 feet to the west right-of-way line of SW 247<sup>th</sup> Avenue;

thence South  $1^{\circ}00'00''$  East along said right-of-way , a distance of 1249.63 feet to the northeast corner of Lot 23 , Witch Hazel Little Farms;

thence South  $89^{\circ}41'46''$  West along the north line of said lot, a distance of 1180.01 feet to the northwest corner thereof;

thence South  $3^{\circ}57'00''$  East along the west line of Lots 23 and 24 of said subdivision, a distance of 739.18 feet to the southwest corner of Lot 24 of said subdivision;

thence North  $89^{\circ}41'46''$  East along the south line of said lot, a distance of 1141.97 feet to the point of beginning.

## EXHIBIT B

### FINDINGS IN SUPPORT HILLSBORO SCHOOL DISTRICT 1J ANNEXATION FILE NO. AN 14-01

#### I. BACKGROUND INFORMATION AND SITE DESCRIPTION

Two petitioners representing three properties requested City Council approval for annexation of approximately 19.65 acres into the City Limits of Hillsboro.

The properties under consideration are located generally east of SW River Road, west of SW 247<sup>th</sup> Avenue, north of SW Pheasant Street and south of SW Lone Oak Road. The properties can be specifically identified as Tax Lots 100, 200 and 201 on Washington County Tax Assessor's Map 1S2-9DD. The assessed value of the properties is \$400,720.

The properties are relatively flat with vegetation on the western boundary. A single-family residence is located on Tax Lot 201 and is addressed at 3845 SW 247<sup>th</sup> Avenue.

#### 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 November 6, 2000.

#### 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:** In January 1998, the City and Washington County entered into a Memorandum of Understanding (MOU) which recognized the eventual annexation of the Urban Reserve sites adjacent to the City's Planning Area, following inclusion of these sites into the UGB. Through adoption of Ordinance No. 99-809 in 1999, the Metro Council amended the Regional Urban Growth Boundary to include the area referenced as "Site 55 West": This site is shown on the attached map, and includes the proposed School District / Guardianships Plus properties. In 2000, the Planning Commission began consideration of a Concept Plan for the Site 55 West area, which included a school site west of 247<sup>th</sup> Avenue. Members of Citizens Against Irresponsible Growth (CAIG) testified against adoption of the proposed Concept Plan, citing a need for additional information on traffic impacts. A primary means of mitigating anticipated traffic impacts from the development of Site 55 West was the reconfiguration of the WitchHazel / Brookwood / Tualatin Valley Highway intersection, which would necessitate removal of the WitchHazel Elementary School. The site proposed for annexation would allow construction of a relocated, enlarged elementary school and potential future middle school, thereby facilitating the reconfiguration of the intersection and providing additional school capacity in the fast-growing Reedville neighborhood.

Although CAIG has testified in opposition to the proposed Site 55 West Concept Plan, the City has now received the attached letter from Lawrence Derr, representing CAIG. The letter, dated October 3, 2001 and addressed to the Metro Council, states that CAIG is not opposed to the annexation of the school site on SW 247<sup>th</sup> Avenue. This letter was written in response to Metro's consideration of Resolution No. 01-3109. That resolution interprets Metro Ordinance 99-809 to allow the development of a school site in Site 55 West prior to fulfilling the conditions that must be met to permit urban development on the remainder of Site 55 West. An implementation plan for the remainder of Site 55 West will be developed and adopted prior to annexation of any other properties within that area. Copies of the Derr letter and Metro Resolution No. 01-3109 are attached for the Council members' review.

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

Section 12. Public Facilities and Services, Goal (A) Provide public facilities and services in an orderly and efficient manner consistent with the expansion of urbanization into rural areas.

Section 12. Public Facilities and Services, Policy (D) Public facilities and services shall be provided at a level sufficient to create and maintain an adequate supply of housing and service an increasing level of commercial and industrial activity.

Section 12. Public Facilities and Services, Policy (G) The location of schools should be used as a tool in directing future growth within the planning area.

Section 12. Public Facilities and Services, Policy (K) Utilization of schools and other public facilities as multi-purpose facilities should be encouraged to help meet the education, recreation and civic needs of the community.

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

Section 12. Public Services Implementation Measure (G) (1) Public Facilities planning and projections shall be maintained in five year increments and shall be coordinated with the joint City/County urbanization studies.

Section 12. Public Services Implementation Measure (G) (2) The City shall coordinate with the school districts located in the Urban Area to help assure an adequate level of educational services. Areas of coordination shall include:

- a. Location of school site;
- b. Reservation of potential school sites during the development approval process;
- c. Provision of adequate pedestrian, bicycle and bus access from residential districts to school sites;
- d. Consideration of school capacities, school population, and district assessed value during the development approval process; and
- e. Provision of population projections.

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 (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. Following annexation, the Hillsboro Comprehensive Plan Land Use Map will be amended to designate the property as Public Facility, which is consistent with the regional urban growth goals and objectives. The property will be rezoned to a City zone, pursuant to Section 97 of Hillsboro Zoning Ordinance No. 1945, and development of the public school will be subject to Conditional Use approval pursuant to Sections 78 through 83 of the Zoning Ordinance. .

- 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 an eight-inch City line currently located in the SE Alexander Street right-of-way. Sanitary sewer is possible from Site 55 West to the existing treatment plant within existing public roads and proposed public utility easements. Storm water disposal is possible by draining the site to the west and into Witch Hazel Creek.

Fire and police protection would be provided by the City of Hillsboro and the property would be withdrawn from Washington County Rural Fire Protection District No. 2 as of the effective date of the annexation. Annexation of the subject properties would facilitate the timely provision of school service, and would not interfere with the provisions of other 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 Council has determined that withdrawal of the properties from Washington County Rural Fire Protection District No. 2 is in the best interest of the City.

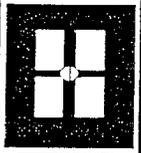
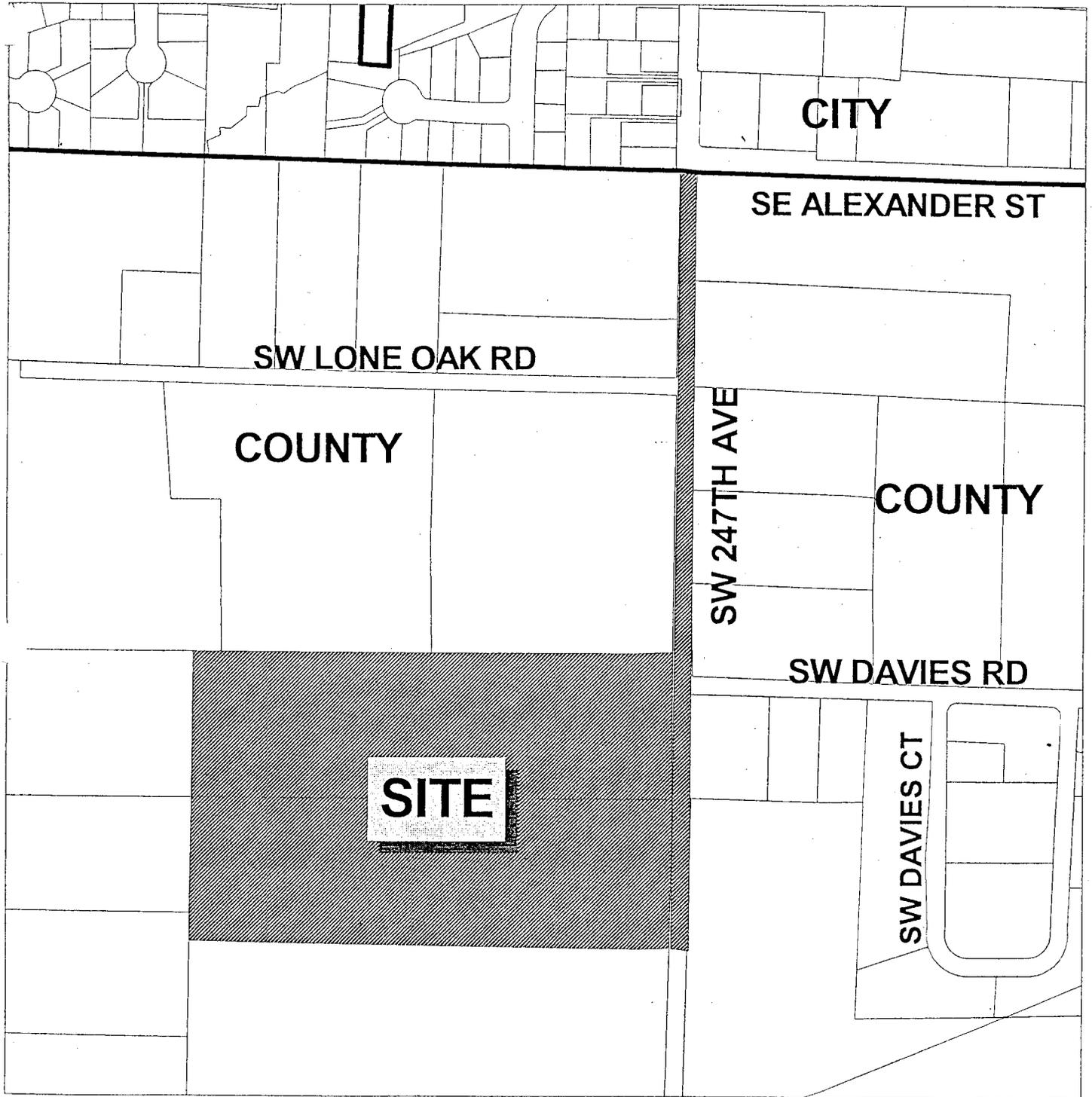
#### IV. TESTIMONY FROM NECESSARY PARTIES

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. A letter was received from Lawrence Derr, representing Citizens Against Irresponsible Growth, stating no objection to the proposed annexation.

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

- Staff Report dated October 22, 2001, with attachments

# AN 14-01: HILLSBORO SCHOOL DISTRICT 1J



**CITY OF  
HILLSBORO**

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



CITY LIMITS



PROPOSED  
ANNEXATION