

COLUMBIA COUNTY ASSESSORS
RECORD OF DISTRICT BOUNDARIES

01/20/05

INIT DATE:11/29/2004

NO.:2005.11

HOW INITIALLY RECEIVED:REQUESTED

AFFECTED DISTRICT NAME:ST HELENS CITY

DISTRICT ORD. #:2916 EFFECTIVE DATE:11/02/2004

LEGAL DESCRIPTION RECEIVED: YES MAP RECEIVED: YES

IF A SCHOOL DIST. HAS O.A.R. 150-330.123 BEEN FILED?

REMARKS:

IF NON-SCHOOL DIST., LIST LB-50 VALUATION:0

TYPE OF ACTION: ANNEXATION

REMARKS:

D.O.R. APPROVED YES NO.:5-251-2004 DATE:11/26/2004

CODE AREAS AFFECTED OR CHANGED:

FROM:02-08

TO:02-01

FROM:

TO:

AFFECTED AREA:

TOWNSHIPS:

RANGES:

SECTIONS:

4

1

9.2.1 BAL 400

LIST UTILITY, PERS. PROP. MH & BUSINESS ACCT #'S, IF NONE, STATE NONE:
NONE

***** DATE COMPLETED:12/03/2004 *****

REMARKS:

COLUMBIA COUNTY ASSESSORS
RECORD OF DISTRICT BOUNDARIES

01/05/05

NO:2005.11 PAGE 1

DISTRICT NAME:CITY OF ST HELENS

TYPE OF ACTION :ANNEXATION EFFECTIVE DATE:11/02/2004

DIST. ORD. #:2916 RECORDED:

---- LEGAL DESCRIPTION ----

Lots 11 through 14, Block 12, South St. Helens Addition, Columbia
County, Oregon.

Notice to Taxing Districts

ORS 308.225



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

RECEIVED ON
 DEC 01 2004
 COLUMBIA COUNTY ASSESSOR

City of St. Helens
 Finance Director
 P.O. Box 278
 St. Helens, OR 97051

Description and Map Approved
November 26, 2004
As Per ORS 308.225

☒ Description ☒ Map received from: CITY
 On: 11/26/2004

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

ANNEX TO CITY OF ST. HELENS

ORD. #2916

has been: ☒ Approved 11/26/2004
 ☐ Disapproved

Notes:

Department of Revenue File Number: 5-251-2004

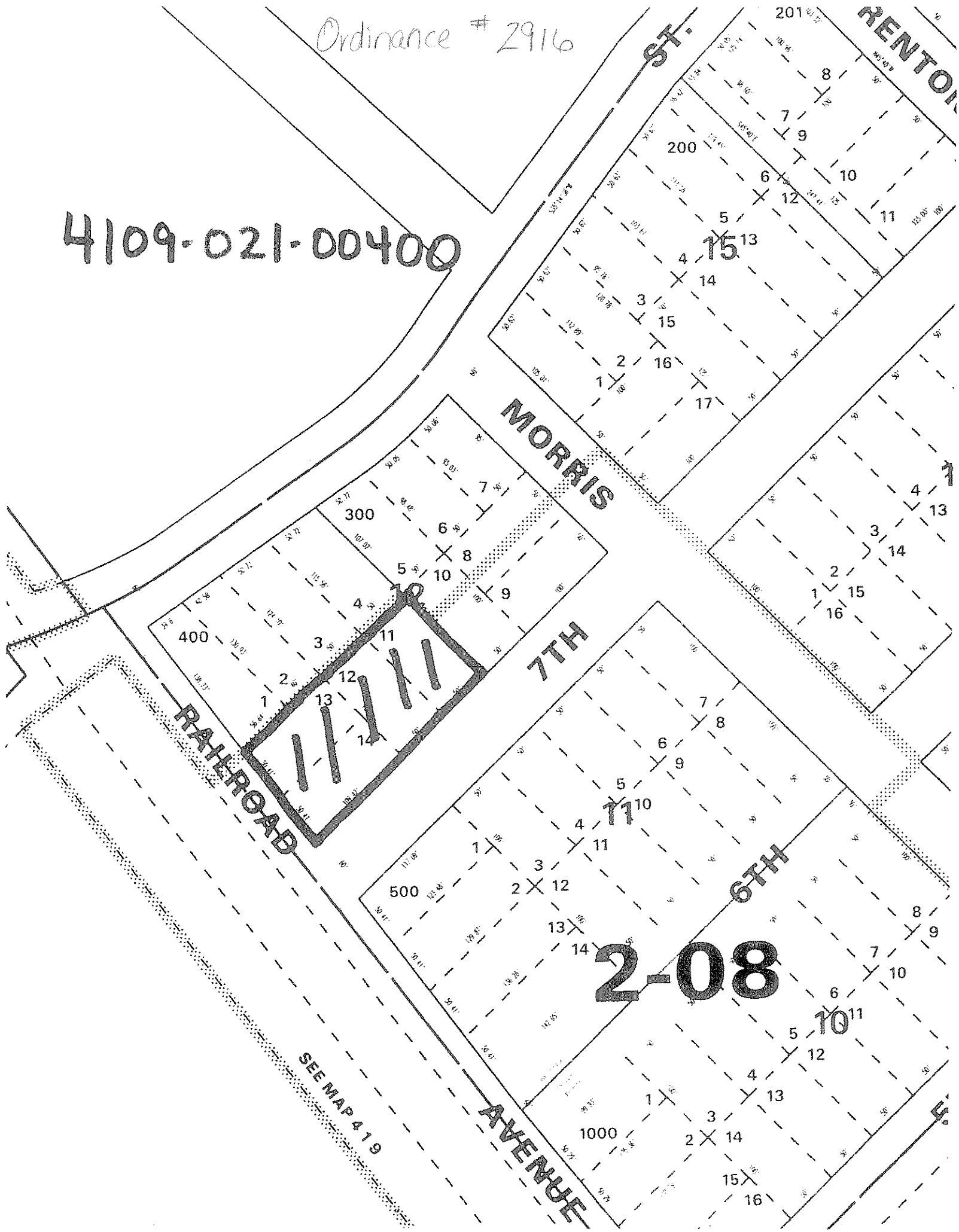
Prepared by: Carolyn Sunderman, 503-945-8882

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
- ☐ Establishment of Tax Zone

Ordinance # 2916

4109-021-00400



IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

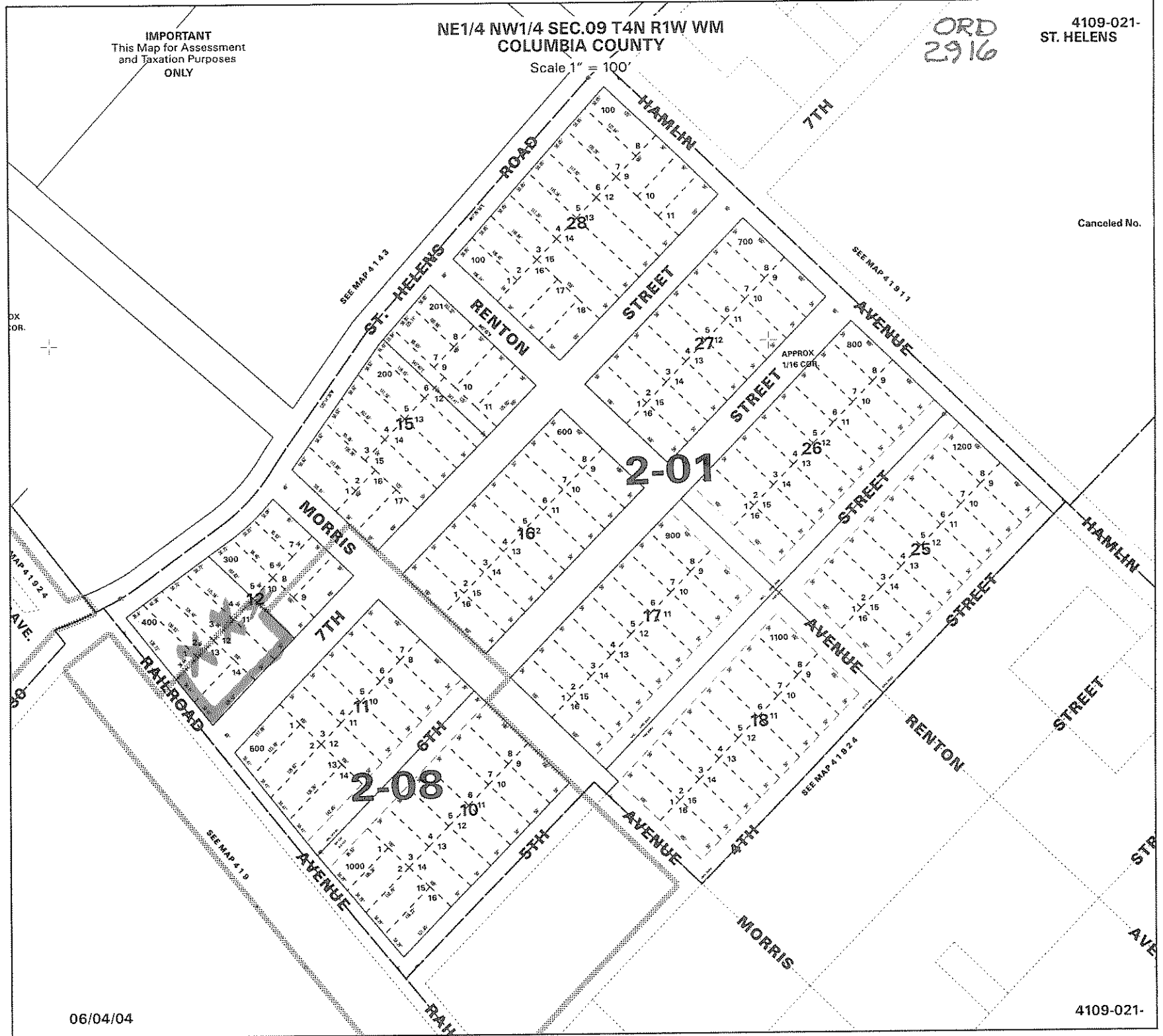
NE1/4 NW1/4 SEC.09 T4N R1W WM
COLUMBIA COUNTY

Scale 1" = 100'

ORD
2916

4109-021-
ST. HELENS

Canceled No.



06/04/04

4109-021-

APPROVED
MAY 29 2004
CITY CLERK
ORDINANCE NO. 2916

AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF CERTAIN PROPERTY AT 2065, 2075, & 2085 GABLE ROAD.

WHEREAS, applicant Ogan, Inc., has requested to annex to the City of St. Helens that certain property described in Attachment A. This property is generally located at 2065, 2075, & 2085 Gable Road and is also described as Columbia County Tax Lot 410902100400.

WHEREAS, the applicant has consented in writing to the proposed annexation; and

WHEREAS, the applicant constitutes (1) all the owners of the property to be annexed, and (2) more than half of the owners of the property to be annexed own more than half of such property representing more than half of the assessed value pursuant to ORS 222.170(1); and

WHEREAS, the City Council must recommend the property for annexation to the voters; and

WHEREAS, the City Council must designate the incorporated Comprehensive Plan Map designation, the zone map designation and the overlay status for developing or established; and

WHEREAS, appropriate notice has been given and a public hearing was held May 5, 2004 on the annexation proposal; and

WHEREAS, the Council has considered findings of compliance with criteria and law applicable to the proposal.

NOW THEREFORE, THE CITY OF ST. HELENS DOES ORDAIN AS FOLLOWS:

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby accepted for annexation to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect the following:
 - a. The property described herein shall be zoned, HI, Heavy Industrial.


4. In support of the above annexation and zoning, the Council hereby adopts the Ogan Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated June 2, 2004.
6. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.
7. The effective date of this ordinance shall be the date of the successful approval by the voters of the City of St. Helens, in accordance with the City Charter and other applicable laws.

Read the first time:	May 19, 2004
Read the second time:	May 19, 2004
Read the third time:	June 2, 2004
Approved by the Mayor	June 2, 2004

Attested by:



Brian D. Little, City Recorder



Randy Peterson, Mayor

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Ogan Annexation

REQUEST:

Ogan, Inc., has requested that certain property be annexed into the City of St. Helens, Oregon.

PUBLIC HEARING:

A Public Hearing was held on May 5, 2004 in front of the City Council.

NOTICE OF PUBLIC HEARING:

A notice of this Public Hearing on this annexation request and zoning amendment was sent to property owners within 300 feet of the properties proposed for annexation on February 23, 2004 by first class mail. Notice was published in The Chronicle March 31, 2004. Notice was sent to Oregon Department of Land Conservation and Development February 20, 2004.

LOCATION:

The property is located at 2065, 2075, & 2085 Old Portland Road. The site is also known as Columbia County Tax Assessor tax lot 400 on map 4109021.

SITE INFORMATION:

The site is about 21,000 square feet in area and is developed.

REFERRALS: Sent to the following:

1. St Helens Police, Public Works, Parks, Building Official, Waste Water Treatment Plan Superintendent and Public Works Manager.
2. Columbia County Land Development Services, Surveyor, Planning Commission, Board of Commissioners and Roadmaster.
3. St. Helens Rural Fire District
4. St. Helens School District #502
5. Columbia County 911, Emergency Communications District.
6. Columbia River PUD
7. Portland General Electric
8. Community Public Health Department
9. NW Natural Gas

The St. Helens Engineering Department explained where the public facilities are located. No adverse comments have been received.

CRITERIA:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.

The property will need to be zoned to conform to the City's adopted Comprehensive Plan and Zoning Map. The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community;
2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;
3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and
4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

EVALUATION:

The principle criteria for annexation are:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and

Finding: Service agencies have been notified of this request. Their comments are listed above in the Referrals Section.

Finding: The current water system has excess capacity of about 100% or about twice the consumption rate as the sewer has excess capacity at the plant of over twice the use rate domestically.

Finding: Railroad Avenue and 7th Street, abut this property. Both roads have sufficient right of ways but are not improved to normal standards.

Finding: There is a sewer lines in 7th Street about 200 feet to the northeast and water also in about the same location.

This criteria is met.

2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.

Finding: There do not appear to be any applicable comprehensive plan policies that directly relate to this request except for the zone map amendment.

Finding: The only implementing ordinance that applies is the Code and this process, including the below required criteria for a zone map amendment apply to this annexation.

This criteria is met.

3. Complies with State laws.

Finding: State law in ORS 222 requires the proposed property for annexation to be contiguous to a City Limit as defined by law.

Finding: This site is contiguous to the City Limits on the northwest side.

Finding: State law in ORS 222 requires that all property owners of the proposed property to be annexed and at least half of the electors residing on the property shall be required to consent in writing.

Finding: There are no registered voters living on this site.

This criteria is met.

The criteria for amending the Zoning Map are:

1. The applicable Comprehensive Plan policies and map designation: and that the change will not adversely affect the health, safety, and welfare of the community;

Finding: This property is located in Heavy Industrial designated area according to the Comprehensive Plan Map.

Finding: The policy of the Comprehensive Plan for Heavy Industrial designated lands is that the City of St. Helens should “Zone them as Heavy Industrial”.

Finding: This site is surrounded on all sides by either Heavy Industrial zones or Heavy Industrial unincorporated designated areas.

Finding: The Comprehensive Plan Map will need to reflect incorporated designation of Heavy Industrial after annexation is completed.

This criteria is met.

2. Statewide planning goals adopted under Oregon Revised Statutes Chapter 197, until acknowledgment of the Comprehensive Plan and ordinances;

Finding: The St. Helens' Comprehensive Plan has been acknowledged by the State.

This criteria is met.

3. The standards applicable of any provision of this Code or other applicable implementing ordinance; and

Finding: The Community Development Code specifies a process as per Chapter 1.075, to wit this process is being carried out.

Finding: The Code requires that any changes to the Comprehensive Plan Map and/or Zone Map be in compliance with the current designation shown on the Comprehensive Plan Map and in the policies applicable thereof.

Finding: The Comprehensive Plan Map indicates that this site is located in a Heavy Industrial area.

Finding: The Code requires that each property annexed into the City must be identified as Established or Developing.

Finding: The definition for an "established area" is an area where the land is not classified as buildable under Oregon Administrative Rule 660-08.0005 which states that buildable shall be land that is residentially designated vacant. The zone designation per the Comprehensive Plan shows that this area is not residential.

This criteria is met.

4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or zoning map as it relates to the property which is the subject of the development application.

Finding: This application is not for development.

Finding: This area of land is generally contiguous on at least one side.

Finding: The land is surrounded by industrial type uses.

This criteria is met.

There was no testimony at the hearing from anyone.

CONCLUSIONS:

1. All services and facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
2. The applicable comprehensive plan policies and implementing ordinance provisions have been satisfied.
3. Complies with State laws.
4. Complies with the applicable Comprehensive Plan policies and map designation: and the zone change will not adversely affect the health, safety, and welfare of the community;
5. The City's Comprehensive Plan and ordinances have been acknowledged by the State.
6. Meets the standards applicable of any provision of this Code or other applicable implementing ordinance.
7. Is generally contiguous to the City and already has industrial uses around it.
8. The zone should be HI, Heavy Industrial in keeping with the Comprehensive Plan Map and policies of the Plan and the fact that it is surrounded on all side by HI zones.

The City Council considered the staff report, application, Planning Commission recommendation, and criteria and concluded that they approve the application for annexation of the property into the City to be zoned as HI, Heavy Industrial for both the zone and Comprehensive Plan Map designation with the added conditions of approval that Railroad Avenue should either be improved along the property frontage to City standards or that a Waiver of Remonstrance should be signed for future Local Improvement District formation to improve the public facilities along Railroad Avenue fronting this property.

6/2/04
Date

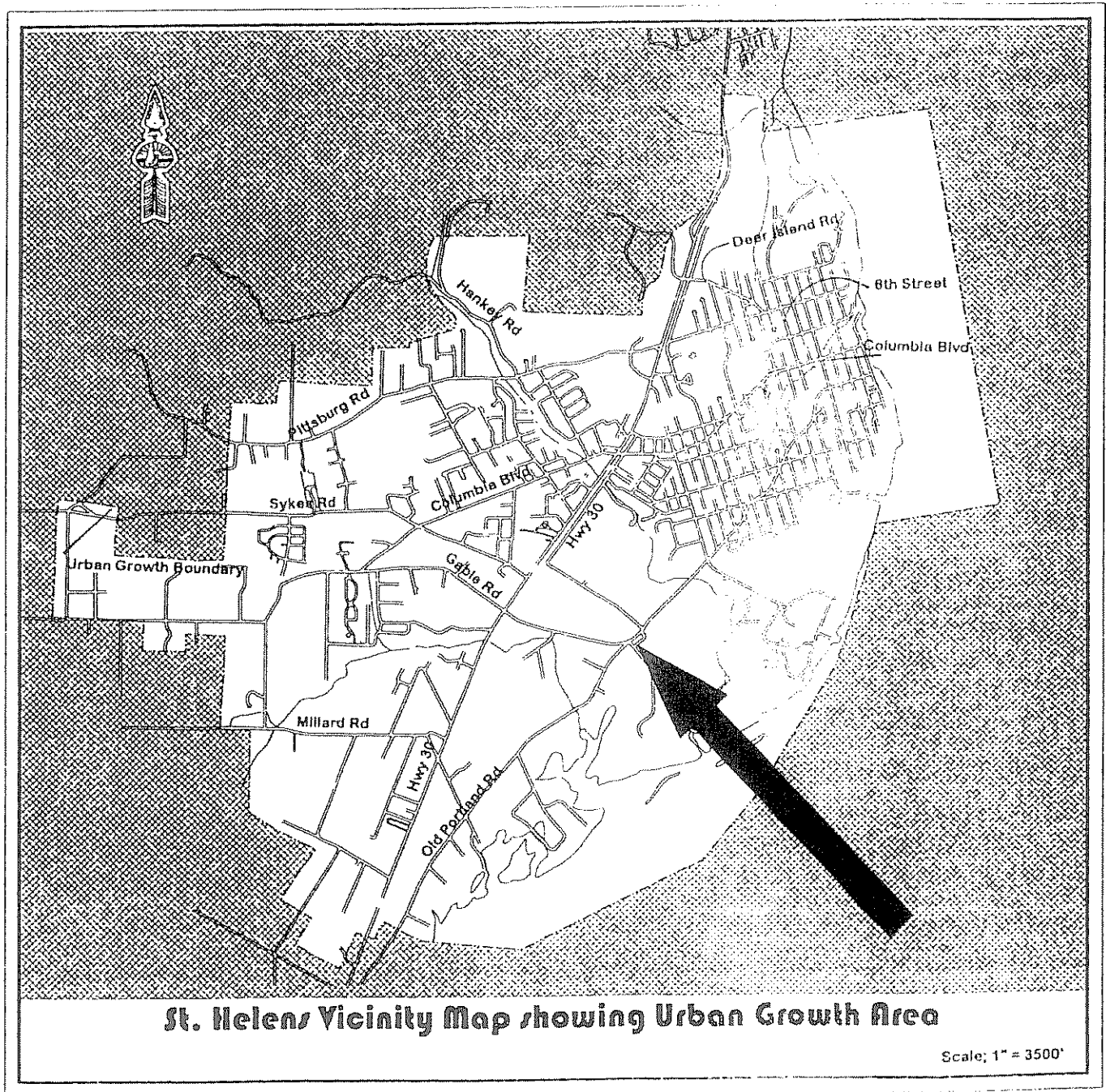
Brian D. Little
Brian D. Little, City Recorder

6/2/04
Date

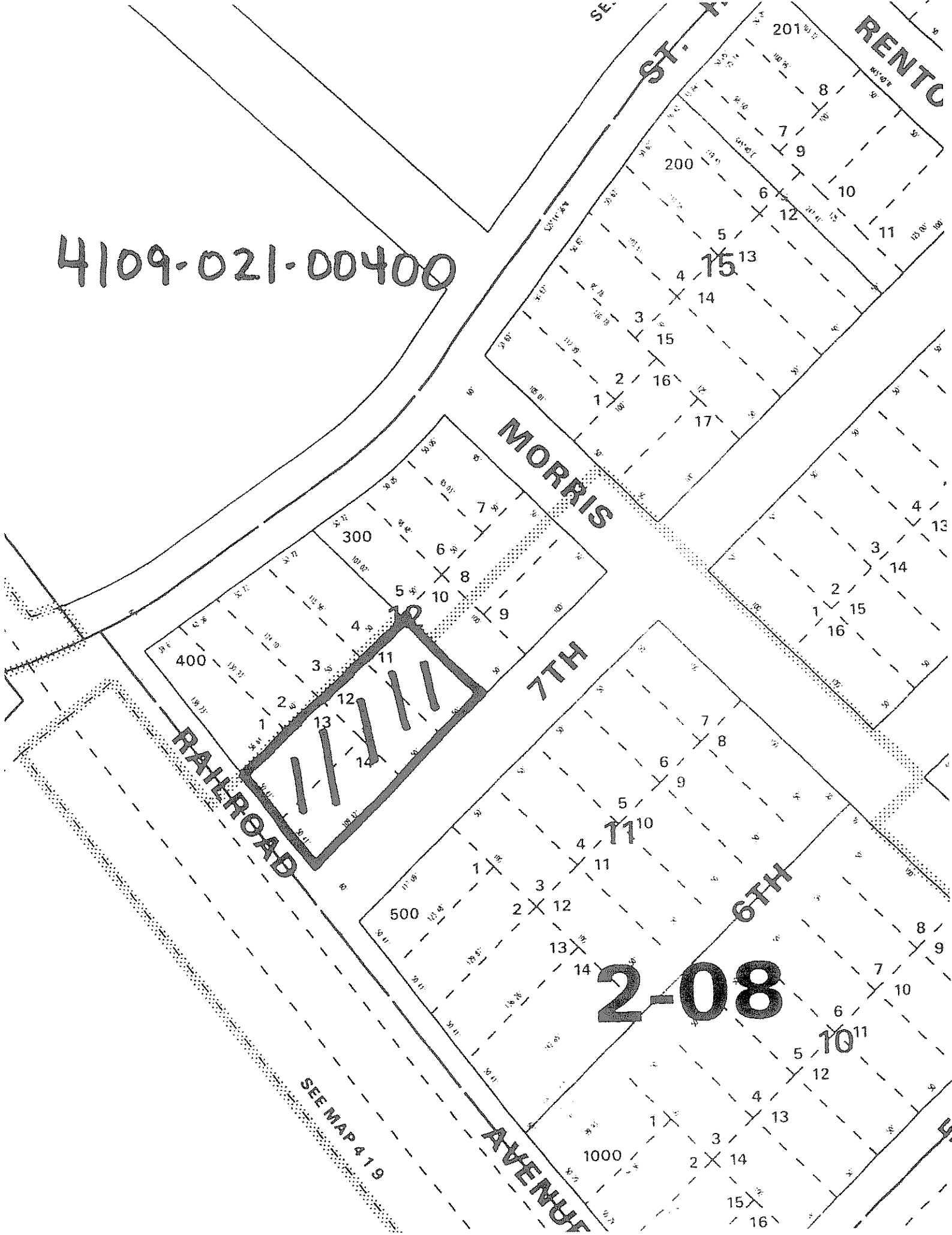
Randy Peterson
Randy Peterson, Mayor

Subject Property

~ Approximate Location ~



4109-021-00400



Attachment A

LEGAL DESCRIPTION

Lots 11-14, Block 12, South St. Helens Addition.

Annexation to the City of St. Helens, Oregon

PETITION

To: The Common Council of the City of St. Helens, Oregon

We, the undersigned owner(s) of the property described below, hereby petition for and give our consent to annexation of that property to the City of St. Helens.

The property legal description to be annexed is attached as Exhibit A.

2065, 2075, 2085 Old Pt Pl
Street Address of Property (if assigned)

02-082 4109 -021-00400
Tax Account Number of Property

1. OGAN Inc
Print Owner Name

[Signature]
Signature of Owner

2. _____
Print Owner Name

[Signature]
Signature of Owner

3. _____
Print Owner Name

Signature of Owner

4. _____
Print Owner Name

Signature of Owner

Please send all correspondence to: Name: OGAN INC
Mailing Address: P.O. Box 267
City, State, Zip: SEASIDE OREGON 97054
Contact Telephone: 503-543-5093

We agree that this consent shall be irrevocable and is a covenant and runs with the land, and is binding on our heirs, assignees, or successors in interest. We agree that in lieu of paying the required fees and deposits at this time, that we will pay the required fees and deposits (current at the time of demand) upon written demand from the City of St. Helens and that failure to do so may result in the City placing a lien against the property. We agree that we will obligate all Electors to either consent to this annexation or to terminate their status as electors.

The foregoing instrument was acknowledged before me this 17th day of February, 2004 by Dale Ogan

[Signature]
Notary Public for Oregon
My commission expires: 9/4/07

