

Columbia County Assessors Record of District Boundaries

Wednesday, June 20, 2012

Init Date: 03/19/12 Also See No.: No.: 2012 . 02

How Initially Received: Email from City of St Helens

Affected District Name: St Helens City

Remarks:

District Ord No: 3156 Effective Date: 05/16/12

Name of Approving Jurisdiction:

Jurisdiction Ord No: Effective Date:

Legal Description Received: Y Map Received: Y

If A School Dist, Has OAR 150-330.123 Been Filed:

If Non-SchoolDist, List LB-50 Valuation:

Type Of Action: A With Whom:

Correction Remarks:

DOR Approved: Y No: 5-312-2012 Date: 03/27/12

Recording Information:

1) Col. Co. Deed Records: Comm Journal:

2) Other : Name:

: Number: Date:

Code Areas Affected or Changed:

Affected Area:

From Code Area: 02-08

To Code Area: 02-01

Townships: Ranges Sections

4N 1W 17-00100

From Code Area: 02-08

To Code Area: 02-01

4N 1W 17-00-00100 A2

4N 1W 17-00-00100 A4

From Code Area: 02-08

To Code Area: 02-01

4N 1W 17-00-00100 N1

4N 1W 17-00-00100 W3459

From Code Area: 02-08

To Code Area: 02-01

From Code Area: 02-08

To Code Area: 02-01

Date Completed 06/20/12

Remarks: Annexation received voter approval on 05/16/12.

Columbia County Assessors Record of District Boundaries

Wednesday, June 20, 2012

Init Date: 03/19/12

Also See No.:

No.: 2012 . 02

Legal Description

Beginning at the SE corner of the Posey Williams Donation Land Claim, in Section 16, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon, said corner being the TRUE POINT OF BEGINNING;
Thence, along the E line of the Posey Williams Donation Land Claim N 26°16'53" W a distance of 1577.00 feet to an angle point of the east line of said Donation Land Claim;
Thence, N 09°05'00" W a distance of 65.51 feet;
Thence, S 45°23'25" W a distance of 1225.76 feet;
Thence, N 25°21'44" W a distance of 915.50 feet to a point on the S side of the Old Portland Road right-of-way;
Thence, along said right-of-way line, S 37°48'35" W a distance of 112.12 feet; Thence S 37°00'14" W a distance of 193.74 feet; Thence S 37°17'52" W a distance of 210.66 feet; Thence along a 5,108.96 foot radius curve (chord bearing S 39°20'40" W a distance of 364.94 feet) a curve distance of 365.02 feet; Thence S 41°23'29" a distance of 151.78 feet;
Thence, S 25°17'36" E a distance of 857.40 feet;
Thence, S 34°49'11" W a distance of 1,016.52 feet to a point on the W line of the Posey Williams Donation Land Claim;
Thence, along the W line of the Posey Williams Donation Land Claim S 25°17'36" E a distance of 822.45 feet to the SW corner of said Donation Land Claim;
Thence, S 25°17'36" E a distance of 220.00 feet;
Thence, N 74°26'24" E a distance of 968.69 feet;
Thence, N 63°42'02" E a distance of 409.00 feet;
Thence, N 68°27'02" E a distance of 350.15 feet;
Thence, N 57°37'02" E a distance of 802.96 feet;
Thence, N 31°33'02" E a distance of 245.00 feet;
Thence, N 08°45'02" E a distance of 182.00 feet;
Thence, N 49°09'02" E a distance of 173.16 feet;
Thence, N 26°16'53" W a distance of 460.00 feet to the point of beginning.

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

MAR 29 2012

City of St. Helens
 Attn: City Planner
 P.O. Box 278
 St. Helens, OR 97051

COLUMBIA COUNTY ASSESSOR

Description and Map Approved**March 27, 2012****As Per ORS 308.225**

☒ Description ☒ Map received from: Jacob A. Graichen
 On: 3/19/2012

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

Annexation to the City of St. Helens

Ordinance No. 3156

has been: ☒ Approved 3/27/2012
 ☐ Disapproved

Notes:

Department of Revenue File Number: 5-312-2012

Prepared by: Barbara Callahan 503-945-8303

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

Notice to Taxing Districts
ORS 308.225



OREGON
DEPARTMENT
OF REVENUE

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

City of St. Helens
Attn: City Planner
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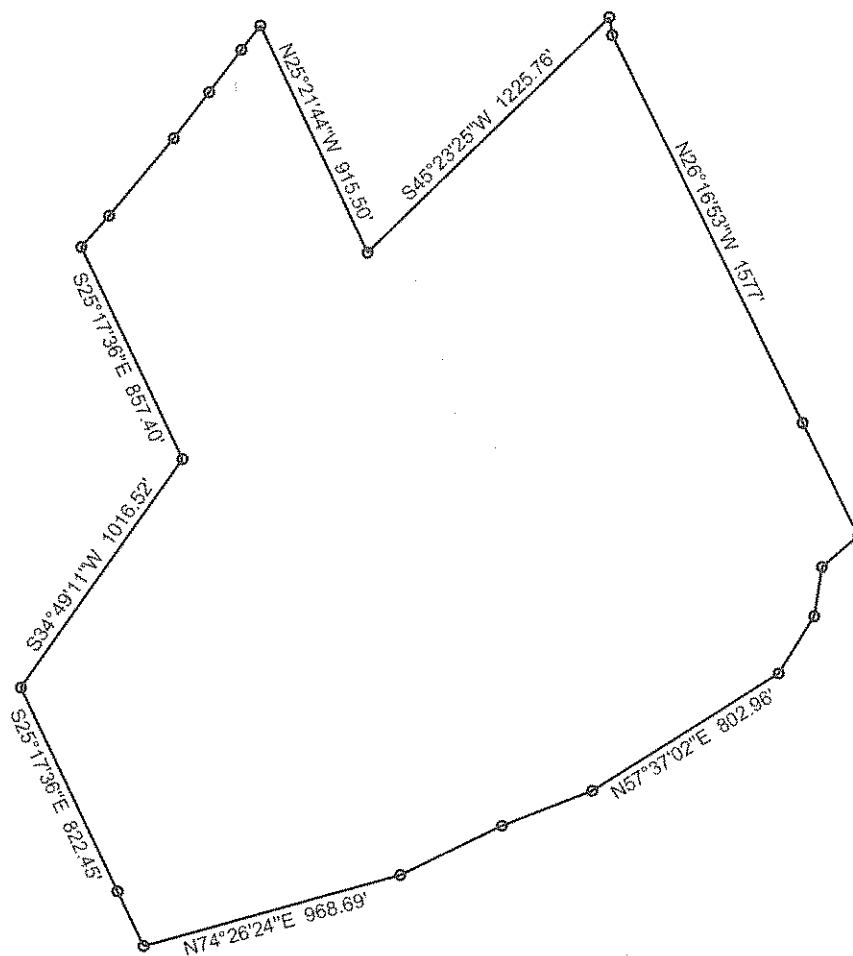
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- ☐ Dissolution of a district
- ☐ Transfer
- ☐ Merge



Scale: 1 Inch = 700 Feet

4N1W17-00-00100



Errors and Omissions Excepted.

1. N26°16'53"W 1577'
2. N09°05'00"W 65.51'
3. S45°23'25"W 1225.76'
4. N25°21'44"W 915.50'
5. S37°48'35"W 112.12'
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11. S34°49'11"W 1016.52'
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13. S25°17'36"E 220'
14. N74°26'24"E 968.69'
15. N63°42'02"E 409'
16. N68°23'02"E 250.15'

17. N57°37'02"E 802.96'
18. N31°33'02"E 245'
19. N08°45'02"E 182'
20. N49°09'02"E 173.16'
21. N26°16'53"W 460'

City of St. Helens
ORDINANCE NO. 3156

AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF
CERTAIN PROPERTY AT 58144 OLD PORTLAND ROAD

WHEREAS, applicant Port of St. Helens has requested to annex to the City of St. Helens certain property at 58144 Old Portland Road. This property is also described per **Exhibit A**; and

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 determine the incorporated Comprehensive Plan Map designation and the Zone Map designation; and

WHEREAS, appropriate notice has been given and a public hearing was held January 4, 2012 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 ORDAINS AS FOLLOWS:

Section 1. The above recitations are true and correct and are incorporated herein by this reference.

Section 2. The property described in **Exhibit A** is hereby accepted for annexation to the City of St. Helens.

Section 3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned Heavy Industrial, HI.

Section 4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as Heavy Industrial, HI.

Section 5. In support of the above annexation and zoning, the Council hereby adopts the A.1.11 Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated February 1, 2012.

Section 6. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.

Section 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: January 18, 2012
Read the second time: February 1, 2012

APPROVED AND ADOPTED this 1st day of February, 2012, by the following vote:

Ayes: Morten, Locke, Martyn, Conn, Peterson

Nays: None



Randy Peterson, Mayor

ATTEST:



Kathy Payne, City Recorder

EXHIBIT A

LEGAL DESCRIPTION

Beginning at the SE corner of the Posey Williams Donation Land Claim, in Section 16, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon, said corner being the TRUE POINT OF BEGINNING;

Thence, along the E line of the Posey Williams Donation Land Claim N 26° 16' 53" W a distance of 1577.00 feet to an angle point of the east line of said Donation Land Claim;

Thence, N 09° 05' 00" W a distance of 65.51 feet;

Thence, S 45° 23' 25" W a distance of 1225.76 feet;

Thence, N 25° 21' 44" W a distance of 915.50 feet to a point on the S side of the Old Portland Road right-of-way;

Thence, along said right-of-way line, S 37° 48' 35" W a distance of 112.12 feet; Thence S 37° 00' 14" W a distance of 193.74 feet; Thence S 37° 17' 52" W a distance of 210.66 feet; Thence along a 5,108.96 foot radius curve (chord bearing S 39° 20' 40" W a distance of 364.94 feet) a curve distance of 365.02 feet; Thence S 41° 23' 29" W a distance of 151.78 feet;

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Thence, N 49° 09' 02" E a distance of 173.16 feet;

Thence, N 26° 16' 53" W a distance of 460.00 feet to the point of beginning.

**CITY OF ST. HELENS PLANNING DEPARTMENT
FINDINGS OF FACT AND CONCLUSIONS OF LAW
Annexation A.1.11**

APPLICANT: Port of St. Helens

OWNER: same as applicant

ZONING: Columbia County's Heavy Industrial, M-1

LOCATION: 4N1W-17-100; 58144 Old Portland Road

PROPOSAL: Annexation of approximately 145.3 acres

SITE INFORMATION

The subject property lies on the SE side of Old Portland Road, between said road and Scappoose Bay. Known as the Multnomah Industrial Park, the developed portion of the site is fairly isolated surrounded by bodies of water and wetlands, very likely historic wetlands in-filled long ago to maximize water access. The property includes a gated driveway off Old Portland Road and railroad spur servicing the site. There are existing industrial businesses on the site, including a plastic bottle recycler (under construction), whose need for City Sanitary Sewer service is the catalyst for this annexation.

The site is irregular in shape, with more-or-less flat topography, except for lower grade wetland areas. The property's approximate 1,000 foot Old Portland Road frontage is improved, though lacking right-of-way improvements such as sidewalk, curb and streetscape.

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

December 13, 2011 before the Planning Commission
January 4, 2012 before the City Council

At their December 13, 2011 public hearing, the Planning Commission recommended approval of this annexation request as written herein.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on November 16, 2011 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on November 23, 2011. Notice was sent to the Oregon Department of Land Conservation and Development on October 14, 2011. A draft staff report was also e-mailed to DLCD on November 7, 2011 per their request.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.08.040 (1) – Quasi-judicial amendment and standards criteria

- (a) A recommendation or a decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:
 - (i) The applicable comprehensive plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community; and
 - (ii) The applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197, until acknowledgment of the comprehensive plan and ordinances; and
 - (iii) The standards applicable of any provision of this code or other applicable implementing ordinance.
- (b) Consideration may also be given to:
 - (i) Any applicable 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.

Discussion: (a)(i) The Comprehensive Plan designation for the subject property is Unincorporated Heavy Industrial, UHI. Applicable designation and zoning district for annexation are discussed later.

SHMC 19.08.020 discusses economic goals and policies and the City's historic association with the Columbia River. It also states as a goal: "to promote industrial development necessary to provide a balanced tax base for the operation of local government services." This annexation is triggered by the need for City Sanitary Sewer service for this industrial site. This connection will allow a plastic bottle recycler operation to function on the site and provides an option for future development. Connection to a City service requires consent to annex based on City policy. As an additional option for industrial growth (local jobs, money, etc.), this furthers another goal of this section "to establish greater control over the destiny of local government services."

SHMC 19.08.030 discusses public services and facilities and includes utility provisions (e.g. water and sewer) as well as services such as police and library. In sum, all services are intertwined; the consent to annexation allows connection to City sewer to support existing and future development on the subject property, and, once annexed, all other City services/facilities. By this process, the proposal complies with the Comprehensive Plan.

Finally, there is no evidence that this proposal will be contrary to the health, safety and welfare of the community.

(a)(ii) The City's Comprehensive Plan has been adopted by the State, thus, the applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197 needn't be analyzed per this section.

(a)(iii) Other provisions applicable to this proposal are discussed elsewhere herein.

Finding: The quasi-judicial amendment criteria are met as they relate to this annexation request.

SHMC 17.08.060 – Transportation planning rule compliance

- (1) Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060 (the Transportation Planning Rule ("TPR")). "Significant" means the proposal would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (i) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (ii) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - (iii) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- (2) Amendments That Affect Transportation Facilities. Comprehensive plan amendments, zone changes or land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
 - (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (3) Traffic Impact Analysis. A traffic impact analysis shall be submitted with a plan amendment or zone change application, as applicable, pursuant to Chapter 17.156 SHMC.

Discussion: This section reflects State law regarding the Transportation Planning Rule (TPR): Transportation Planning Rule (TPR), OAR 660, Division 12. The TPR requires that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures to assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility. *Current zoning of the property is Columbia County's M-1 and the City zoning option given annexation is HI, both of which are heavy industrial.*

Generally, when comparing potential land use impact on transportation facilities, the *reasonable worst case scenario* for the existing and proposed designation/zone are considered. Given the subject property's size and access, none of the possible uses can be specifically ruled out.

The potential land uses are very similar for both the City and County; the City's zoning is no more intense than the County's with regards to the possible intensity of uses allowed and potential vehicular trips generated. Thus, this proposal will not affect an existing or planned transportation facility.

Finding: No transportation facility will be significantly affected by this proposal. No traffic impact analysis is warranted.

SHMC 17.28.030 (1) – Annexation criteria

- (a) Adequate public facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
- (b) Comply with comprehensive plan amendment standards and zoning ordinance amendment standards and not be in conflict with applicable comprehensive plan policies and implementing ordinances; and
- (c) Complies with state laws; and
- (d) Abutting roads must meet city standards or property owner will be required to sign and record an irrevocable consent to local improvement district; and
- (e) Property exceeding 10 acres in gross size must show a need on the part of the city for such land if it is designated residential (e.g., less than five years' supply of like designated lands in current city limits).

Discussion: (a) The City's water system is available and has been used by the subject property prior to the consent to annexation request. The site is served by a 16" diameter pressure line. In addition, the City's current water capacity is 6 million gallons/day and the peak flow, usually in the summer, is 3 to 4 million gallons/day. Additionally, the City has the space for approximately 10 million gallon capacity to meet future demands. Any additional uses that occur on the subject property can be accommodated by the City's municipal water system as infrastructure is in place and there is substantial capacity available.

Connection to the City's sanitary sewer is the catalyst for this annexation. The site is served by a 15" diameter gravity line which leads to a pump station approximately 1,700 feet northbound (from the subject property's northernmost point adjacent to Old Portland Road) along Old Portland Road. From the pump station there is a 6" and 8" diameter pressure line. Only the 6" line is being utilized to deliver waste water to the City's waste water treatment plant and this is sufficient for current development on the subject property. If future development resulted in more discharge than could be handled by existing utilized infrastructure, the pump station could be upgraded and the unused 8" line could be used individually or in conjunction with the 6" line for adequate conveyance. With regards to capacity, the City's waste water treatment plant currently has the capacity (physically and as permitted by DEQ) to handle 50,000 pounds of Biochemical Oxygen Demand (BOD), which is the "loading" or potency of the wastewater received by the plant. The average daily BOD is well below this at only 1,500 pounds. Any potential uses that occur on the subject property can be accommodated by the City's sanitary sewer system as infrastructure is in place or can be upgraded and there is substantial capacity available.

Note: the Port of St. Helens did not extend the public line from where it's at within the Old Portland Road right-of-way. Rather, they connected a private line to serve the subject property (see attached letter dated November 18, 2011 from the Port of St. Helens).

Storm water capacity is not an issue as it ultimately ends up in the Columbia River (Scappoose Bay in this case). If there is any conveyance issue with water, sewer or storm, improvements would be required at the time of development in relation to the intensity and nature of that development.

As described above, this proposal poses no significant affect on a transportation facility.

Finally, with regards to public facilities, as noted under AGENCY REFERRALS & COMMENTS above, service agencies have been notified of the proposal and none responded identifying conflicts with the proposed annexation and their respective provided service.

(b) The predominant land uses currently on the property are of a heavy industrial nature. The majority if not all existing uses on the property are possible given the City's HI zoning upon annexation.

(c) Pursuant to ORS 222.111(1), a City may only annex territory that is not within another City, and the territory must either be contiguous to the annexing City or be separated from the City only by a body of water or public right-of-way. The subject property is not within another City's jurisdiction and City of St. Helens corporate limits is adjacent to it on the north east sides.

Further, ORS Chapter 222 requires that that all property owners of the subject property to be annexed and at least half of the electors residing on the property consent in writing to the annexation. These documents were submitted with the annexation application.

State law is reflected in the statewide planning goals adopted under ORS Chapter 197. The statewide planning goals that technically apply or are related to this proposal are Goal 1, Goal 2, Goal 11 and Goal 12.

- ***Statewide Planning Goal 1: Citizen Involvement.***

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in the statutes and in its acknowledged comprehensive plan and land use regulations.

The City's Development Code is consistent with State law with regards to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of

general circulation is required too. The City has met these requirements and notified DLCD of the proposal.

- ***Statewide Planning Goal 2: Land Use Planning.***

This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

Generally, Goal 2 requires that actions related to land use be consistent with acknowledged Comprehensive Plans and coordination with affected governments and agencies and be based on an adequate factual base. The City has an adopted Comprehensive Plan, compliance of this proposal which is addressed herein. Moreover, explanation and proof of coordination with affected agencies and factual base are described herein, as well, including inventory, needs, etc.

- ***Statewide Planning Goal 11: Public Facilities and Services.***

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

City water and sewer capacities are adequate to serve the subject property. This is explained above.

- ***Statewide Planning Goal 12: Transportation.***

Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system." This is accomplished through development of Transportation System Plans based on inventories of local, regional and state transportation needs. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ("TPR"). The TPR contains numerous requirements governing transportation planning and project development.

Traffic impacts and the City's provisions that address the TPR are explained above. This proposal will not significantly affect an existing or planned transportation facility.

(d) The subject property abuts one street/road: Old Portland Road, which is improved (asphalt) but lacking frontage improvements such as sidewalk and curb, rather having only a ditch. City standards require such improvements. ***However, this property is not the subject of a current development land use review, which provides the legal nexus and proportionality to require such improvements.*** As such, the only option is for the property

owner to be required to sign and record an irrevocable consent to local improvement district, though, the applicant could improve the frontages if they desired.

(e) The property exceeds 10 acres in size, but is not designated residential. This provision does not apply.

Finding: The annexation approval criteria are met for this proposal, with the condition that the property owner to be required to sign and record an irrevocable consent to local improvement district for street improvements or complete the street improvements (following the appropriate right-of-way dedication) to City standards.

SHMC 17.28.030 (2) – Annexation criteria

The plan designation and the zoning designation placed on the property shall be the city's zoning district which most closely implements the city's comprehensive plan map designation.

Discussion: The Comprehensive Plan Designation is Unincorporated Heavy Industrial, UHI. Upon annexation, the Comprehensive Plan designation would thus be (incorporated) Heavy Industrial, HI. There is only one zoning option under that designation: Heavy Industrial, HI.

Finding: The subject property shall be designated Heavy Industrial, HI and zoned Heavy Industrial, HI upon annexation.

SHMC 17.112.020 – Established & Developed Area Classification criteria

(1) Established Area.

(a) An "established area" is an area where the land is not classified as buildable land under OAR 660-08-0005;

(b) An established area may include some small tracts of vacant land (tracts less than an acre in size) provided the tracts are surrounded by land which is not classified as buildable land; and

(c) An area shown on a zone map or overlay map as an established area.

(2) Developing Area. A "developing area" is an area which is included in the city's buildable land inventory under the provisions of OAR except as provided by subsection (1)(b) of this section.

Discussion: OAR 660-008-0005 generally defines "Buildable Land" as vacant residential property not constrained by natural hazards or resources, and typically not publicly owned. The subject property is not zoned residential, thus, this provision does not apply.

Finding: This provision is not applicable.

CONCLUSION & DECISION

Based upon the facts and findings herein, and the recommendations of the Planning Commission, the City Council approves this Annexation, subject to voter approval, and that upon annexation, the subject property have a Comprehensive Plan designation of Heavy Industrial (incorporated), HI, and be zoned Heavy Industrial, HI, with the condition that:

The street(s) abutting the subject property shall be brought into compliance with City street standards (or) property owner(s) shall sign and record an irrevocable consent to a local improvement district.

Signed by:



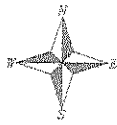
Randy Peterson, Mayor

2/1/12
Date

CS 5729

FOR COR

Record of Survey
For The Port Of St. Helens
Situated In The Posey Williams D.L.C.
In Sections 8, 9, 16 & 17
T.4N., R.1W., W.M.
Columbia County, Oregon
July 22, 2010



Reynolds
Land Surveying, Inc.
32050 Stone Road
Warrenton, Oregon 97146
(503) 297-3510

N.E. Corner
Posey Williams D.L.C.
1/2" IRON PIPE WITH
1/2" IRON ROD INSIDE
AS MARKED IN BEARING
TRUE BEAR 125° 15' 00" FROM 378

Legend

- Denotes monument found as noted.
- Denotes 5/8" iron rod per "Bay View Estates"
- Denotes 5/8" x 3/32" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING 180°" set above a 1/2" x 1/2" galvanized iron conduit along side set monuments.
- Denotes calculated position.
- 1) 1 Denotes record data per County Survey No. 217 (Van Orsingen, November 1925)
- 2) 1 Denotes record data per County Survey No. 768 (Van Orsingen, November 1925)
- 3) 1 Denotes record data per County Survey No. 839 & 3299 (Survey not noted, May 1955)
- 4) 1 Denotes record data per County Survey No. 3186 (Setters for Robert E. Meyers Consultants, October 1978)
- 5) 1 Denotes record data per County Survey No. 3220 (Dowey, December 1980)
- 6) 1 Denotes record data per Instrument No. 85-5530.

Narrative

The purpose of this survey is to monument the outer boundary of the tract of land described in Instrument No. 95-05530, Columbia County Clerk's Records.

Double of bearings is C.S. No. 217 between monuments found at points E and F. I had monuments found at points A, B and C to define the East line. The monument found at point C fits the deed distance (950.00') from the monument found at point D with a 1/2". I had the monuments found at points F and G per C.S. No. 3220. For lines L-1 through L-4 and Curve C-1, I offset the as-traveled centerline of Old Portland Road 30' Southerly. I set the monument found at point G, C.S. No. 217 calls for a 3/4" iron pipe. I had an old 1/2" iron pipe inside a 2" iron pipe. The distance from the monument found at point H to C.S. No. 217 with a 0.02'. I had the monuments found at points E and H per C.S. No. 217. I found no evidence of the "set with net" called for on C.S. No. 217 at point I. I set point I on a line correlated with line R-Q 30' from the as-traveled centerline of Old Portland Road. I found no evidence of the 1" iron pipe called for on C.S. No. 217 at point U. I projected line G-H Southerly 822.45' (per C.S. No. 217) to set point U. Parcels 2, 3 and 5 are identical described in Instrument No. 85-05530. Reynolds Land Surveying, Inc. makes no warranties as to the ownership of land below the ordinary high water line of Scappoose Bay.

Line Table

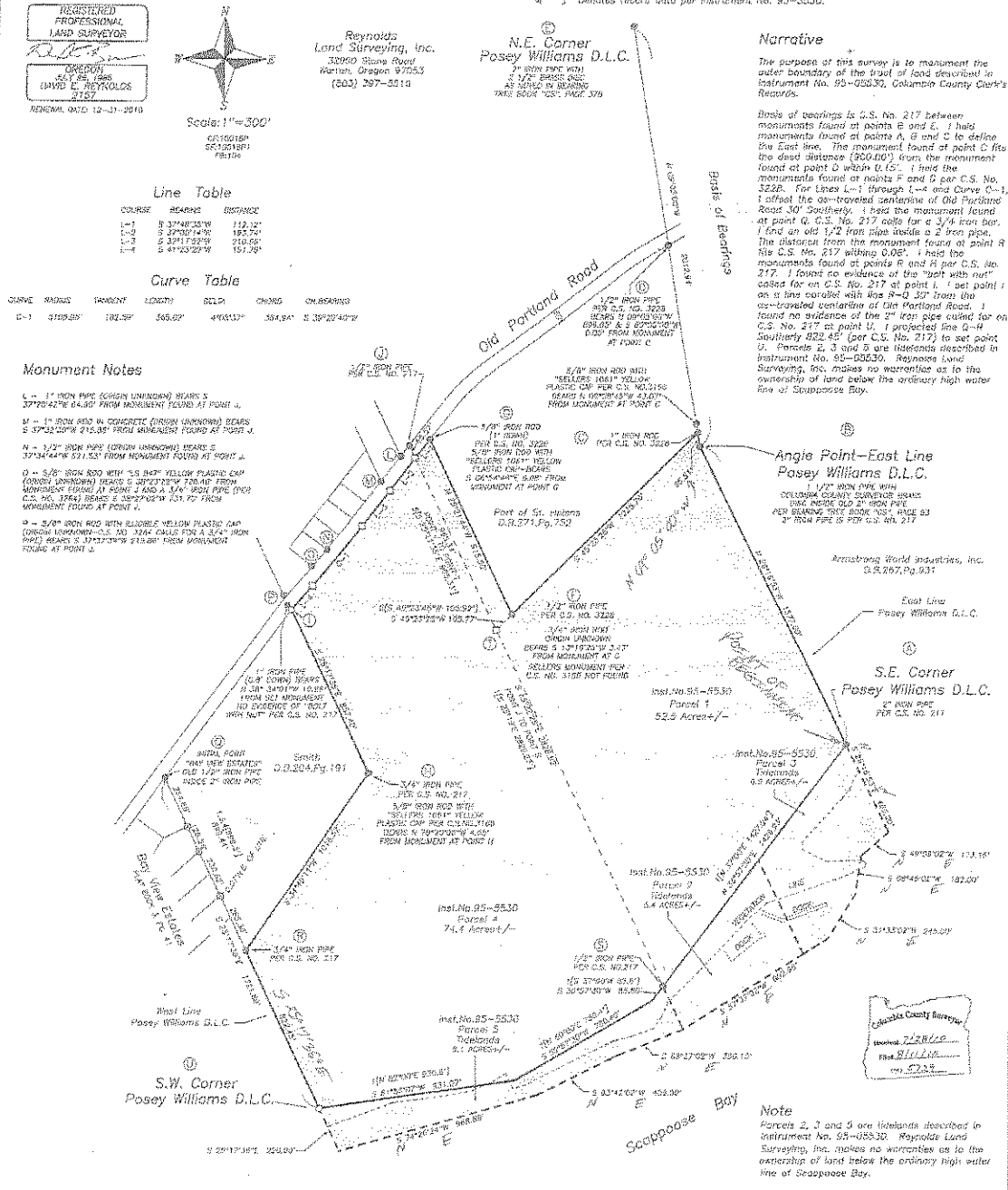
COURSE	BEARING	DISTANCE
L-1	S 37°40'42"W	112.12'
L-2	S 57°32'02"W	183.75'
L-3	S 29°17'36"W	216.00'
L-4	S 47°42'02"W	192.00'

Curve Table

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORDS	CHORD BEARING
C-1	3789.80'	182.59'	565.02'	49°04'13"	354.84'	S 39°29'40"W

Monument Notes

- L-1 = 1" IRON PIPE (ORIGIN UNKNOWN) BEARS S 37°40'42"W 64.50' FROM MONUMENT FOUND AT POINT J.
- M-1 = 1" IRON ROD IN CONCRETE (ORIGIN UNKNOWN) BEARS S 57°32'02"W 215.85' FROM MONUMENT FOUND AT POINT J.
- N-1 = 1/2" IRON PIPE (ORIGIN UNKNOWN) BEARS S 37°40'42"W 571.53' FROM MONUMENT FOUND AT POINT J.
- O-1 = 5/8" IRON ROD WITH "S" AND "H" YELLOW PLASTIC CAP (ORIGIN UNKNOWN) BEARS S 57°32'02"W 230.40' FROM MONUMENT FOUND AT POINT J AND A 3/4" IRON PIPE (PER C.S. NO. 1764) BEARS S 39°29'40"W 151.72' FROM MONUMENT FOUND AT POINT J.
- P-1 = 3/4" IRON ROD WITH BLUISH YELLOW PLASTIC CAP (ORIGIN UNKNOWN) C.S. NO. 3214 CALLS FOR A 3/4" IRON PIPE BEARS S 37°40'42"W 215.85' FROM MONUMENT FOUND AT POINT J.



Note

Parcels 2, 3 and 5 are identical described in Instrument No. 85-05530. Reynolds Land Surveying, Inc. makes no warranties as to the ownership of land below the ordinary high water line of Scappoose Bay.

CS 5729

CS 5729

Notice from Taxing District

Boundary change packets must be received by the **Department of Revenue** and the **County Assessor(s)** by March 31.

For Department of Revenue use only			
Prepared by		DOR File Number	
Date Received	Date Approved	Date Disapproved	
Notes			

District name City of St. Helens			
Mailing address PO Box 278		City St. Helens	State OR
County name Columbia		ZIP 97051	
Contact person Jacob Graichen		Second county name (if applicable)	
Telephone (503) 366-8204		Second contact person (if applicable)	
E-mail jacobg@ci.st-helens.or.us		Planning file number A.1.11	
Ordinance/resolution/order ORD No. 3156		Effective date June 14, 2012	
Election date May 15, 2012			

Notes

June 14, 2012 is the certification of election results and thus listed as the effective date. This annexation is subject to voter approval. The map and description has received preliminary approval by DOR. DOR file DOR 5-P1-2011.

Boundary

☐ Change ☒ Proposed change ☐ Preliminary review ☐ Delayed annexation

The change is for

- ☐ Formation of a new district
- ☒ Annexation of territory to a district
- ☐ Withdrawal of territory from a district
- ☐ Dissolution of a district
- ☐ Transfer
- ☐ Merge
- ☐ Establishment of tax zone

Documents included

- ☒ Ordinance/Resolution/Order
- ☒ Map of Boundary Change (shows point of beginning and all bearings and distances.)
- ☒ Legal description of Boundary Change

Send to

Oregon Department of Revenue
Cadastral Information Systems Unit
PO Box 14380
Salem OR 97309-5075

Contact us

E-mail: boundary.changes@dor.state.or.us
Telephone: 503-945-8297
Fax: 503-945-8737

DOR 5-P1-2011
Preliminary Review



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

City of St. Helens
Attn: City Planner
Attn: Jacob Graichen
P.O. Box 278
St. Helens, OR 97051

Date: 10/10/2011

This letter is to inform you that the map and description for your PLANNED Annex to City of St. Helens (A.1.11 (4N1W-17)) in Columbia County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted to the Columbia County Assessor and Department of Revenue in final form before March 31, 2012 per ORS 308.225.

Preliminary
Review

If you have any questions please contact: Elise Bruch 503-945-8344

REAL ACCOUNT MANAGER - Document

Save Save and Close Transaction Instrument Voucher Identify View Query Close

Transaction # 586238

☐ Finished

Finished Date

Initials

Status

Accepted

Effective Date

Time

☐ Internal Viewing Only

Source	Year	Id	Process ID	Source Id	Type	Recording Date	Releas...	Sale Date	Consideration	Sales Co...	Internal Notes
TAX DISTRICT	2012	21		ANNEX		5/10/2012	<input type="checkbox"/>				

Task	Assigned To	Start Date	End Date	Task Description
ANNEXATION	BECKY PENDING			

#	#	Map or Lot	Account ID	Instrument	Status	Code Area	Notifications
1	1	4N1W170000100A1 ✓	15111	TAX DISTRICT 2012-2	A	0208	NOTIFY...
2	1	4N1W170000100A2 ✓	15112	TAX DISTRICT 2012-2	A	0208	NOTIFY...
3	1	4N1W170000100A4	435383	TAX DISTRICT 2012-2	A	0208	NOTIFY...
4	1	4N1W170000100N1 ✓	429371	TAX DISTRICT 2012-2	A	0208	NOTIFY...
5	1	4N1W170000100W3459 ✓	434593	TAX DISTRICT 2012-2	A	0208	NOTIFY...

#	V#	Operation	Map & Taxlot	To/From Map & Taxlot	Instrument	Voucher ID	Notificat...
1	1	ANNEXATION	4N1W170000100		TAX DISTRICT 2012-2	778183	NOTIFY...
2	1	2 ANNEXATION	4N1W170000100A2		TAX DISTRICT 2012-2	778183	NOTIFY...
3	1	3 ANNEXATION	4N1W170000100A4		TAX DISTRICT 2012-2	778184	NOTIFY...
4	1	4 ANNEXATION	4N1W170000100N1		TAX DISTRICT 2012-2	778185	NOTIFY...
5	1	5 ANNEXATION	4N1W170000100W3459		TAX DISTRICT 2012-2	778188	NOTIFY...

ORCATS

City of St. Helens
P.O. BOX 278 PHONE (503) 397-6272
St. Helens, Oregon
97051

June 19, 2012

RECEIVED ON
JUN 20 2012
COLUMBIA COUNTY ASSESSOR

Columbia County Assessor
230 Strand Street
St. Helens, OR 97051

Re: Recent Annexations to the City of St. Helens

Dear Sir or Madam:

Pursuant to ORS Chapter 222, we have enclosed the following:

1. Ordinance No. 3154: "An Ordinance to Annex and Designate the Zone of Certain Property at 35031 Millard Road and Repealing Ordinance No. 3142", including Findings of Fact and Conclusions of Law, maps, legal description and signed petition.
2. Ordinance No. 3156: "An Ordinance to Annex And Designate the Zone of Certain Property at 58144 Old Portland Road", including Findings of Fact and Conclusions of Law, maps, legal description and signed petition.
3. Abstract of Votes, Election Date: May 15, 2012.

If you have any questions, please contact me at (503)397-6272.

Sincerely,



Kathy Payne
City Recorder

KP/ls

Enclosures

City of St. Helens
ORDINANCE NO. 3156

AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF
CERTAIN PROPERTY AT 58144 OLD PORTLAND ROAD

WHEREAS, applicant Port of St. Helens has requested to annex to the City of St. Helens certain property at 58144 Old Portland Road. This property is also described per **Exhibit A**; and

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 determine the incorporated Comprehensive Plan Map designation and the Zone Map designation; and

WHEREAS, appropriate notice has been given and a public hearing was held January 4, 2012 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 ORDAINS AS FOLLOWS:

Section 1. The above recitations are true and correct and are incorporated herein by this reference.

Section 2. The property described in **Exhibit A** is hereby accepted for annexation to the City of St. Helens.

Section 3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned Heavy Industrial, HI.

Section 4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as Heavy Industrial, HI.

Section 5. In support of the above annexation and zoning, the Council hereby adopts the A.1.11 Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated February 1, 2012.

Section 6. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.

Section 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: January 18, 2012
Read the second time: February 1, 2012

APPROVED AND ADOPTED this 1st day of February, 2012, by the following vote:

Ayes: Morten, Locke, Martyn, Conn, Peterson

Nays: None



Randy Peterson, Mayor

ATTEST:



Kathy Payne, City Recorder

EXHIBIT A
LEGAL DESCRIPTION

Beginning at the SE corner of the Posey Williams Donation Land Claim, in Section 16, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon, said corner being the TRUE POINT OF BEGINNING;

Thence, along the E line of the Posey Williams Donation Land Claim N 26° 16' 53" W a distance of 1577.00 feet to an angle point of the east line of said Donation Land Claim;

Thence, N 09° 05' 00" W a distance of 65.51 feet;

Thence, S 45° 23' 25" W a distance of 1225.76 feet;

Thence, N 25° 21' 44" W a distance of 915.50 feet to a point on the S side of the Old Portland Road right-of-way;

Thence, along said right-of-way line, S 37° 48' 35" W a distance of 112.12 feet; Thence S 37° 00' 14" W a distance of 193.74 feet; Thence S 37° 17' 52" W a distance of 210.66 feet; Thence along a 5,108.96 foot radius curve (chord bearing S 39° 20' 40" W a distance of 364.94 feet) a curve distance of 365.02 feet; Thence S 41° 23' 29" W a distance of 151.78 feet;

Thence, S 25° 17' 36" E a distance of 857.40 feet;

Thence, S 34° 49' 11" W a distance of 1,016.52 feet to a point on the W line of the Posey Williams Donation Land Claim;

Thence, along the W line of the Posey Williams Donation Land Claim S 25° 17' 36" E a distance of 822.45 feet to the SW corner of said Donation Land Claim;

Thence, S 25° 17' 36" E a distance of 220.00 feet;

Thence, N 74° 26' 24" E a distance of 968.69 feet;

Thence, N 63° 42' 02" E a distance of 409.00 feet;

Thence, N 68° 27' 02" E a distance of 350.15 feet;

Thence, N 57° 37' 02" E a distance of 802.96 feet;

Thence, N 31° 33' 02" E a distance of 245.00 feet;

Thence, N 08° 45' 02" E a distance of 182.00 feet;

Thence, N 49° 09' 02" E a distance of 173.16 feet;

Thence, N 26° 16' 53" W a distance of 460.00 feet to the point of beginning.

**CITY OF ST. HELENS PLANNING DEPARTMENT
FINDINGS OF FACT AND CONCLUSIONS OF LAW
Annexation A.1.11**

APPLICANT: Port of St. Helens

OWNER: same as applicant

ZONING: Columbia County's Heavy Industrial, M-1

LOCATION: 4N1W-17-100; 58144 Old Portland Road

PROPOSAL: Annexation of approximately 145.3 acres

SITE INFORMATION

The subject property lies on the SE side of Old Portland Road, between said road and Scappoose Bay. Known as the Multnomah Industrial Park, the developed portion of the site is fairly isolated surrounded by bodies of water and wetlands, very likely historic wetlands in-filled long ago to maximize water access. The property includes a gated driveway off Old Portland Road and railroad spur servicing the site. There are existing industrial businesses on the site, including a plastic bottle recycler (under construction), whose need for City Sanitary Sewer service is the catalyst for this annexation.

The site is irregular in shape, with more-or-less flat topography, except for lower grade wetland areas. The property's approximate 1,000 foot Old Portland Road frontage is improved, though lacking right-of-way improvements such as sidewalk, curb and streetscape.

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

December 13, 2011 before the Planning Commission
January 4, 2012 before the City Council

At their December 13, 2011 public hearing, the Planning Commission recommended approval of this annexation request as written herein.

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on November 16, 2011 via first class mail. Notice was sent to agencies by mail or e-mail on the same date. Notice was published in the The Chronicle on November 23, 2011. Notice was sent to the Oregon Department of Land Conservation and Development on October 14, 2011. A draft staff report was also e-mailed to DLCDC on November 7, 2011 per their request.

APPLICABLE CRITERIA, ANALYSIS & FINDINGS

SHMC 17.08.040 (1) – Quasi-judicial amendment and standards criteria

- (a) A recommendation or a decision to approve, approve with conditions, or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:
 - (i) The applicable comprehensive plan policies and map designation; and that the change will not adversely affect the health, safety, and welfare of the community; and
 - (ii) The applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197, until acknowledgment of the comprehensive plan and ordinances; and
 - (iii) The standards applicable of any provision of this code or other applicable implementing ordinance.
- (b) Consideration may also be given to:
 - (i) Any applicable 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.

Discussion: (a)(i) The Comprehensive Plan designation for the subject property is Unincorporated Heavy Industrial, UHI. Applicable designation and zoning district for annexation are discussed later.

SHMC 19.08.020 discusses economic goals and policies and the City's historic association with the Columbia River. It also states as a goal: "to promote industrial development necessary to provide a balanced tax base for the operation of local government services." This annexation is triggered by the need for City Sanitary Sewer service for this industrial site. This connection will allow a plastic bottle recycler operation to function on the site and provides an option for future development. Connection to a City service requires consent to annex based on City policy. As an additional option for industrial growth (local jobs, money, etc.), this furthers another goal of this section "to establish greater control over the destiny of local government services."

SHMC 19.08.030 discusses public services and facilities and includes utility provisions (e.g. water and sewer) as well as services such as police and library. In sum, all services are intertwined; the consent to annexation allows connection to City sewer to support existing and future development on the subject property, and, once annexed, all other City services/facilities. By this process, the proposal complies with the Comprehensive Plan.

Finally, there is no evidence that this proposal will be contrary to the health, safety and welfare of the community.

(a)(ii) The City's Comprehensive Plan has been adopted by the State, thus, the applicable Oregon Statewide Planning Goals adopted under ORS Chapter 197 needn't be analyzed per this section.

(a)(iii) Other provisions applicable to this proposal are discussed elsewhere herein.

Finding: The quasi-judicial amendment criteria are met as they relate to this annexation request.

SHMC 17.08.060 – Transportation planning rule compliance

- (1) Review of Applications for Effect on Transportation Facilities. A proposed comprehensive plan amendment, zone change or land use regulation change, whether initiated by the city or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060 (the Transportation Planning Rule ("TPR")).
"Significant" means the proposal would:
 - (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (i) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (ii) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or
 - (iii) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- (2) Amendments That Affect Transportation Facilities. Comprehensive plan amendments, zone changes or land use regulations that significantly affect a transportation facility shall ensure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one or a combination of the following:
 - (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of OAR 660-012-0060.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for vehicle travel and meet travel needs through other modes of transportation.
 - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (3) Traffic Impact Analysis. A traffic impact analysis shall be submitted with a plan amendment or zone change application, as applicable, pursuant to Chapter 17.156 SHMC.

Discussion: This section reflects State law regarding the Transportation Planning Rule (TPR): Transportation Planning Rule (TPR), OAR 660, Division 12. The TPR requires that where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures to assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility. *Current zoning of the property is Columbia County's M-1 and the City zoning option given annexation is HI, both of which are heavy industrial.*

Generally, when comparing potential land use impact on transportation facilities, the *reasonable worst case scenario* for the existing and proposed designation/zone are considered. Given the subject property's size and access, none of the possible uses can be specifically ruled out.

The potential land uses are very similar for both the City and County; the City's zoning is no more intense than the County's with regards to the possible intensity of uses allowed and potential vehicular trips generated. Thus, this proposal will not affect an existing or planned transportation facility.

Finding: No transportation facility will be significantly affected by this proposal. No traffic impact analysis is warranted.

SHMC 17.28.030 (1) – Annexation criteria

- (a) Adequate public facilities are available to the area and have sufficient capacity to provide service for the proposed annexation area; and
- (b) Comply with comprehensive plan amendment standards and zoning ordinance amendment standards and not be in conflict with applicable comprehensive plan policies and implementing ordinances; and
- (c) Complies with state laws; and
- (d) Abutting roads must meet city standards or property owner will be required to sign and record an irrevocable consent to local improvement district; and
- (e) Property exceeding 10 acres in gross size must show a need on the part of the city for such land if it is designated residential (e.g., less than five years' supply of like designated lands in current city limits).

Discussion: (a) The City's water system is available and has been used by the subject property prior to the consent to annexation request. The site is served by a 16" diameter pressure line. In addition, the City's current water capacity is 6 million gallons/day and the peak flow, usually in the summer, is 3 to 4 million gallons/day. Additionally, the City has the space for approximately 10 million gallon capacity to meet future demands. Any additional uses that occur on the subject property can be accommodated by the City's municipal water system as infrastructure is in place and there is substantial capacity available.

Connection to the City's sanitary sewer is the catalyst for this annexation. The site is served by a 15" diameter gravity line which leads to a pump station approximately 1,700 feet northbound (from the subject property's northernmost point adjacent to Old Portland Road) along Old Portland Road. From the pump station there is a 6" and 8" diameter pressure line. Only the 6" line is being utilized to deliver waste water to the City's waste water treatment plant and this is sufficient for current development on the subject property. If future development resulted in more discharge than could be handled by existing utilized infrastructure, the pump station could be upgraded and the unused 8" line could be used individually or in conjunction with the 6" line for adequate conveyance. With regards to capacity, the City's waste water treatment plant currently has the capacity (physically and as permitted by DEQ) to handle 50,000 pounds of Biochemical Oxygen Demand (BOD), which is the "loading" or potency of the wastewater received by the plant. The average daily BOD is well below this at only 1,500 pounds. Any potential uses that occur on the subject property can be accommodated by the City's sanitary sewer system as infrastructure is in place or can be upgraded and there is substantial capacity available.

Note: the Port of St. Helens did not extend the public line from where it's at within the Old Portland Road right-of-way. Rather, they connected a private line to serve the subject property (see attached letter dated November 18, 2011 from the Port of St. Helens).

Storm water capacity is not an issue as it ultimately ends up in the Columbia River (Scappoose Bay in this case). If there is any conveyance issue with water, sewer or storm, improvements would be required at the time of development in relation to the intensity and nature of that development.

As described above, this proposal poses no significant affect on a transportation facility.

Finally, with regards to public facilities, as noted under AGENCY REFERRALS & COMMENTS above, service agencies have been notified of the proposal and none responded identifying conflicts with the proposed annexation and their respective provided service.

(b) The predominant land uses currently on the property are of a heavy industrial nature. The majority if not all existing uses on the property are possible given the City's HI zoning upon annexation.

(c) Pursuant to ORS 222.111(1), a City may only annex territory that is not within another City, and the territory must either be contiguous to the annexing City or be separated from the City only by a body of water or public right-of-way. The subject property is not within another City's jurisdiction and City of St. Helens corporate limits is adjacent to it on the north east sides.

Further, ORS Chapter 222 requires that that all property owners of the subject property to be annexed and at least half of the electors residing on the property consent in writing to the annexation. These documents were submitted with the annexation application.

State law is reflected in the statewide planning goals adopted under ORS Chapter 197. The statewide planning goals that technically apply or are related to this proposal are Goal 1, Goal 2, Goal 11 and Goal 12.

- ***Statewide Planning Goal 1: Citizen Involvement.***

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in the statutes and in its acknowledged comprehensive plan and land use regulations.

The City's Development Code is consistent with State law with regards to notification requirements. Pursuant to SHMC 17.20.080 at least one public hearing before the Planning Commission and City Council is required. Legal notice in a newspaper of

general circulation is required too. The City has met these requirements and notified DLCD of the proposal.

- ***Statewide Planning Goal 2: Land Use Planning.***

This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

Generally, Goal 2 requires that actions related to land use be consistent with acknowledged Comprehensive Plans and coordination with affected governments and agencies and be based on an adequate factual base. The City has an adopted Comprehensive Plan, compliance of this proposal which is addressed herein. Moreover, explanation and proof of coordination with affected agencies and factual base are described herein, as well, including inventory, needs, etc.

- ***Statewide Planning Goal 11: Public Facilities and Services.***

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

City water and sewer capacities are adequate to serve the subject property. This is explained above.

- ***Statewide Planning Goal 12: Transportation.***

Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system." This is accomplished through development of Transportation System Plans based on inventories of local, regional and state transportation needs. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ("TPR"). The TPR contains numerous requirements governing transportation planning and project development.

Traffic impacts and the City's provisions that address the TPR are explained above. This proposal will not significantly affect an existing or planned transportation facility.

(d) The subject property abuts one street/road: Old Portland Road, which is improved (asphalt) but lacking frontage improvements such as sidewalk and curb, rather having only a ditch. City standards require such improvements. ***However, this property is not the subject of a current development land use review, which provides the legal nexus and proportionality to require such improvements.*** As such, the only option is for the property

owner to be required to sign and record an irrevocable consent to local improvement district, though, the applicant could improve the frontages if they desired.

(e) The property exceeds 10 acres in size, but is not designated residential. This provision does not apply.

Finding: The annexation approval criteria are met for this proposal, with the condition that the property owner to be required to sign and record an irrevocable consent to local improvement district for street improvements or complete the street improvements (following the appropriate right-of-way dedication) to City standards.

SHMC 17.28.030 (2) – Annexation criteria

The plan designation and the zoning designation placed on the property shall be the city's zoning district which most closely implements the city's comprehensive plan map designation.

Discussion: The Comprehensive Plan Designation is Unincorporated Heavy Industrial, UHI. Upon annexation, the Comprehensive Plan designation would thus be (incorporated) Heavy Industrial, HI. There is only one zoning option under that designation: Heavy Industrial, HI.

Finding: The subject property shall be designated Heavy Industrial, HI and zoned Heavy Industrial, HI upon annexation.

SHMC 17.112.020 – Established & Developed Area Classification criteria

(1) Established Area.

(a) An "established area" is an area where the land is not classified as buildable land under OAR 660-08-0005;

(b) An established area may include some small tracts of vacant land (tracts less than an acre in size) provided the tracts are surrounded by land which is not classified as buildable land; and

(c) An area shown on a zone map or overlay map as an established area.

(2) Developing Area. A "developing area" is an area which is included in the city's buildable land inventory under the provisions of OAR except as provided by subsection (1)(b) of this section.

Discussion: OAR 660-008-0005 generally defines "Buildable Land" as vacant residential property not constrained by natural hazards or resources, and typically not publicly owned. The subject property is not zoned residential, thus, this provision does not apply.

Finding: This provision is not applicable.

CONCLUSION & DECISION

Based upon the facts and findings herein, and the recommendations of the Planning Commission, the City Council approves this Annexation, subject to voter approval, and that upon annexation, the subject property have a Comprehensive Plan designation of Heavy Industrial (incorporated), HI, and be zoned Heavy Industrial, HI, with the condition that:

The street(s) abutting the subject property shall be brought into compliance with City street standards (or) property owner(s) shall sign and record an irrevocable consent to a local improvement district.

Signed by:



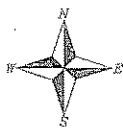
Randy Peterson, Mayor

2/1/12
Date

FOR COR

Record of Survey
For The Port Of St. Helens
Situated In The Posey Williams D.L.C.
In Sections 8, 9, 16 & 17
T.4N., R.1W., W.M.
Columbia County, Oregon
July 22, 2010

REGISTERED
PROFESSIONAL
LAND SURVEYOR
David C. Reynolds
OREGON
JUL 26, 1989
DAVID C. REYNOLDS
2157
RENEWAL DATE: 12-31-2016



Scale: 1"=300'
CF:10018P
SF:10018P1
PB:104

Reynolds
Land Surveying, Inc.
32990 Stone Road
Warren, Oregon 97143
(503) 397-8518

N.E. Corner
Posey Williams D.L.C.
2" IRON PIPE WITH
3 1/2" BRASS DISC
AS NOTED IN BEARING
TREE BOOK "CS", PAGE 376

Legend

- Denotes monument found as noted.
- ⊙ Denotes 3/4" iron rod per "Bay View Estates"
- Denotes 5/8"x3/16" iron rod with yellow plastic cap marked "REYNOLDS LAND SURVEYING INC" est. Drove a 1/2"x5/8" galvanized iron conduit along side set monuments.
- Denotes calculated position.
- 1/1 Denotes record data per County Survey No. 217 (Van Orshoven, November 1925)
- 2/1 Denotes record data per County Survey No. 788 (Van Orshoven, November 1925)
- 3/1 Denotes record data per County Survey No. 939 & 3299 (Survey not noted, May 1955)
- 4/1 Denotes record data per County Survey No. 3168 (Sellers for Robert E. Meyers Consultants, October 1979)
- 5/1 Denotes record data per County Survey No. 3228 (Dewey, December 1980)
- 6/1 Denotes record data per Instrument No. 95-5530.

Narrative

The purpose of this survey is to monument the outer boundary of the tract of land described in Instrument No. 95-5530, Columbia County Clerk's Records.

Basis of bearings is C.S. No. 217 between monuments found at points B and E. I held monuments found at points A, B and C to define the East line. The monument found at point C fits the deed distance (900.00') from the monument found at point D within 0.15'. I held the monuments found at points F and G per C.S. No. 3228. For Lines L-1 through L-4 and Curve C-1, I offset the as-traveled centerline of Old Portland Road 30' Southerly. I held the monument found at point O. C.S. No. 217 calls for a 3/4" iron bar. I find an old 1/2" iron pipe inside a 2" iron pipe. The distance from the monument found at point R fits C.S. No. 217 within 0.08'. I held the monuments found at points R and H per C.S. No. 217. I found no evidence of the "bolt with nut" called for on C.S. No. 217 at point L. I set point L on a line parallel with line R-H 30' from the as-traveled centerline of Old Portland Road. I found no evidence of the 2" iron pipe called for on C.S. No. 217 at point U. I projected line Q-R Southerly 822.45' (per C.S. No. 217) to set point U. Parcel 2, 3 and 5 are tidelands described in Instrument No. 95-5530. Reynolds Land Surveying, Inc. makes no warranties as to the ownership of land below the ordinary high water line of Scappoose Bay.

Line Table

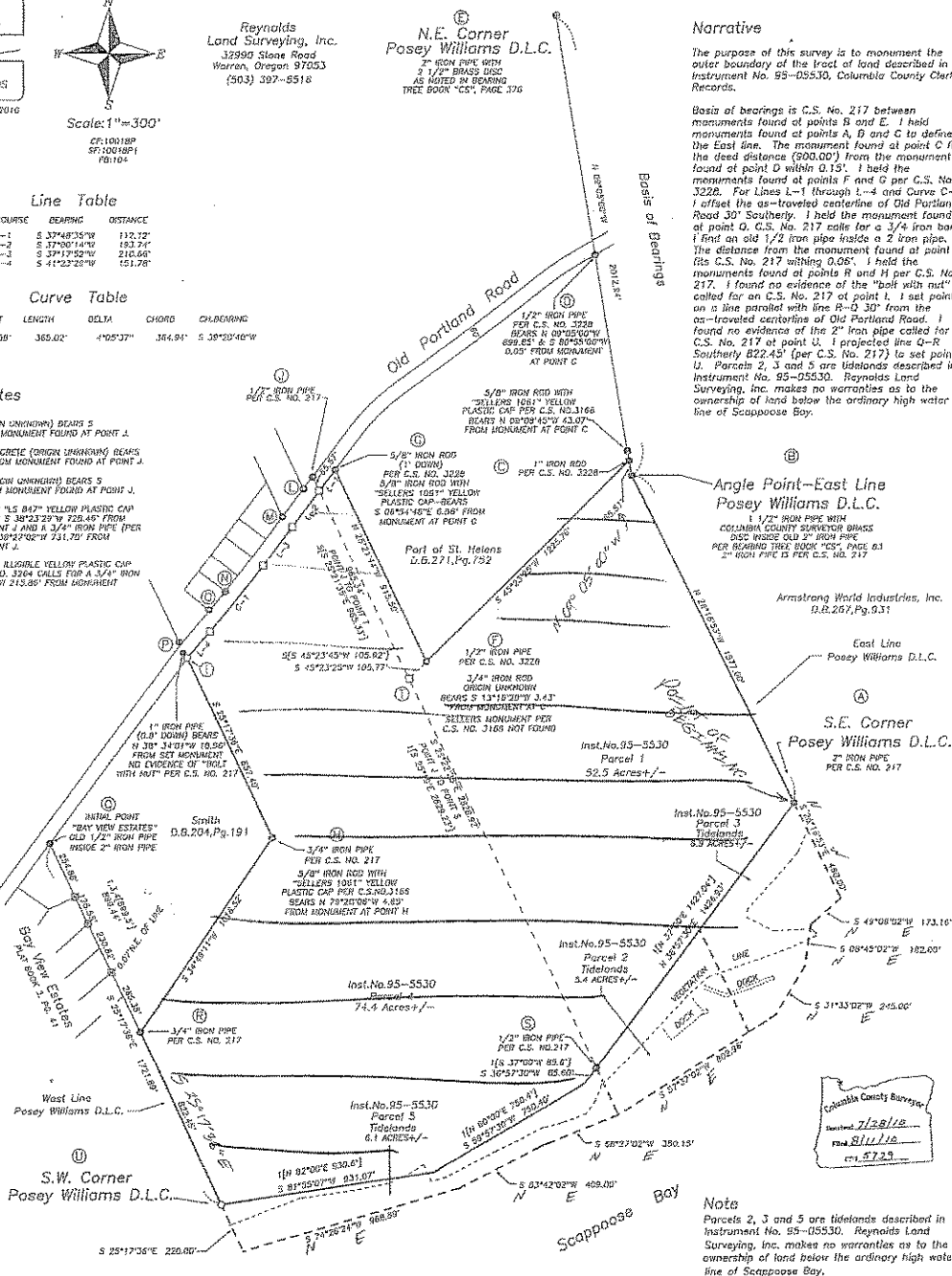
COURSE	BEARING	DISTANCE
L-1	S 37°48'35"W	112.72'
L-2	S 17°01'14"W	153.74'
L-3	S 37°17'52"W	216.66'
L-4	S 41°23'25"W	151.78'

Curve Table

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CHORD BEARING
C-1	5108.95'	192.98'	365.02'	4°05'37"	364.94'	S 38°20'40"W

Monument Notes

- L - 1" IRON PIPE (ORIGIN UNKNOWN) BEARS S 37°48'42"W 64.00' FROM MONUMENT FOUND AT POINT J.
- M - 1" IRON ROD IN CONCRETE (ORIGIN UNKNOWN) BEARS S 37°32'30"W 215.96' FROM MONUMENT FOUND AT POINT J.
- N - 1/2" IRON PIPE (ORIGIN UNKNOWN) BEARS S 37°34'44"W 621.52' FROM MONUMENT FOUND AT POINT J.
- O - 5/8" IRON ROD WITH 1/2" YELLOW PLASTIC CAP (ORIGIN UNKNOWN) BEARS S 38°23'32"W 225.46' FROM MONUMENT FOUND AT POINT J AND A 3/4" IRON PIPE (PER C.S. NO. 3284) BEARS S 30°42'02"W 731.70' FROM MONUMENT FOUND AT POINT J.
- P - 5/8" IRON ROD WITH ILLEGIBLE YELLOW PLASTIC CAP (ORIGIN UNKNOWN)-C.S. NO. 3284 CALLS FOR A 3/4" IRON PIPE BEARS S 37°51'39"W 213.80' FROM MONUMENT FOUND AT POINT J.



Note

Parcels 2, 3 and 5 are tidelands described in Instrument No. 95-5530. Reynolds Land Surveying, Inc. makes no warranties as to the ownership of land below the ordinary high water line of Scappoose Bay.

SUBJECT PROPERTY - HAS A HEAVY INDUSTRIAL DISPOSITION

- ALL AREA WITHIN CITY ON THIS MAP DESIGNATED HEAVY INDUSTRIAL

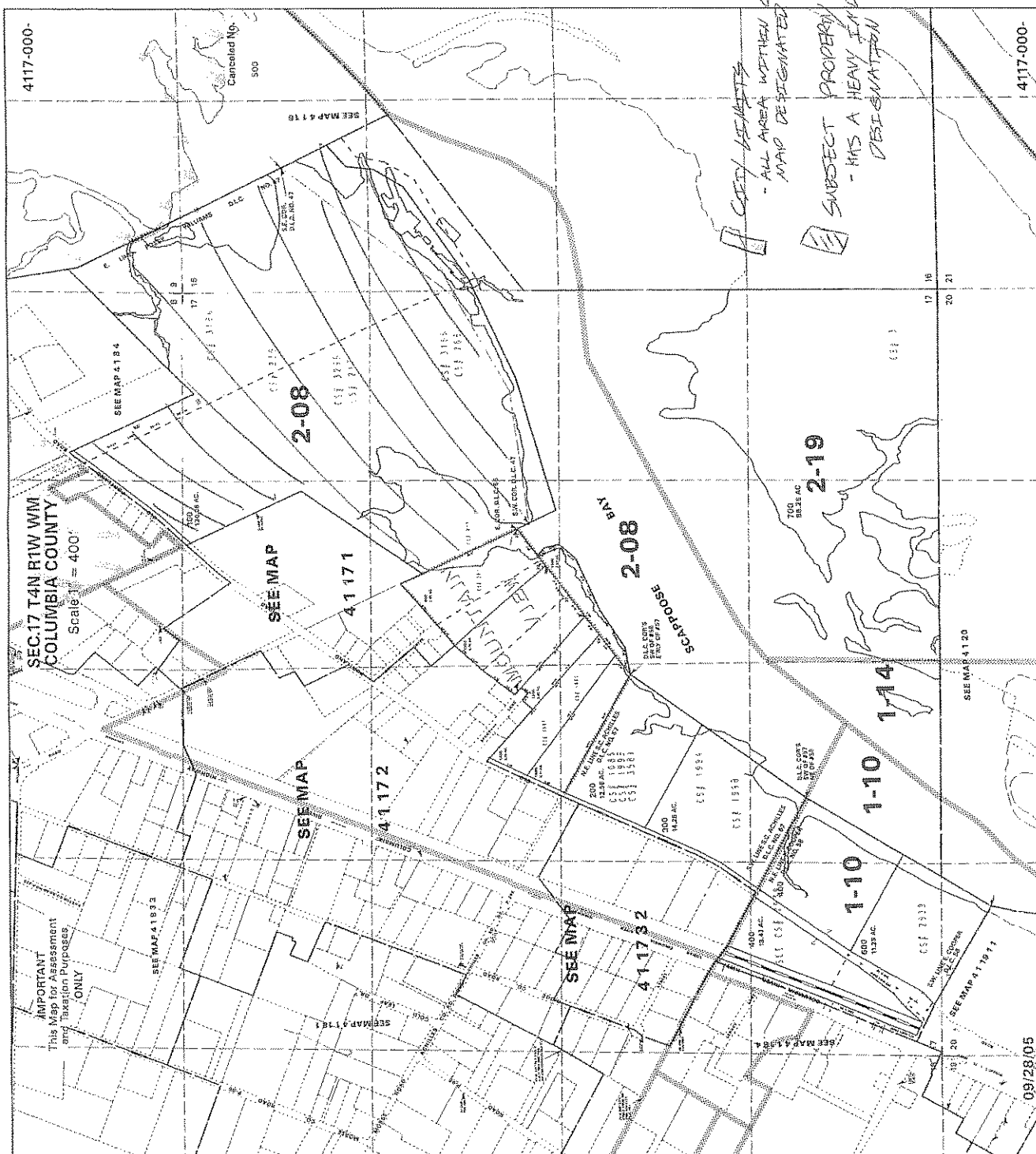


EXHIBIT A
LEGAL DESCRIPTION

Beginning at the SE corner of the Posey Williams Donation Land Claim, in Section 16, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon, said corner being the TRUE POINT OF BEGINNING;

Thence, along the E line of the Posey Williams Donation Land Claim N 26° 16' 53" W a distance of 1577.00 feet to an angle point of the east line of said Donation Land Claim;

Thence, N 09° 05' 00" W a distance of 65.51 feet;

Thence, S 45° 23' 25" W a distance of 1225.76 feet;

Thence, N 25° 21' 44" W a distance of 915.50 feet to a point on the S side of the Old Portland Road right-of-way;

Thence, along said right-of-way line, S 37° 48' 35" W a distance of 112.12 feet; Thence S 37° 00' 14" W a distance of 193.74 feet; Thence S 37° 17' 52" W a distance of 210.66 feet; Thence along a 5,108.96 foot radius curve (chord bearing S 39° 20' 40" W a distance of 364.94 feet) a curve distance of 365.02 feet; Thence S 41° 23' 29" W a distance of 151.78 feet;

Thence, S 25° 17' 36" E a distance of 857.40 feet;

Thence, S 34° 49' 11" W a distance of 1,016.52 feet to a point on the W line of the Posey Williams Donation Land Claim;

Thence, along the W line of the Posey Williams Donation Land Claim S 25° 17' 36" E a distance of 822.45 feet to the SW corner of said Donation Land Claim;

Thence, S 25° 17' 36" E a distance of 220.00 feet;

Thence, N 74° 26' 24" E a distance of 968.69 feet;

Thence, N 63° 42' 02" E a distance of 409.00 feet;

Thence, N 68° 27' 02" E a distance of 350.15 feet;

Thence, N 57° 37' 02" E a distance of 802.96 feet;

Thence, N 31° 33' 02" E a distance of 245.00 feet;

Thence, N 08° 45' 02" E a distance of 182.00 feet;

Thence, N 49° 09' 02" E a distance of 173.16 feet;

Thence, N 26° 16' 53" W a distance of 460.00 feet to the point of beginning.

After recording return to:
City of St. Helens
PO Box 278
St. Helens, OR 97051

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.

58144 Old Portland Road
Street Address of Property (if assigned)

4NW-17-100

15111

Tax Account Number of Property

1. Robert Keyser
Print Owner Name

Robert Keyser
Signature of Owner

2. _____
Print Owner Name

Signature of Owner

3. _____
Print Owner Name

Signature of Owner

4. _____
Print Owner Name

Signature of Owner

Please send all correspondence to:

Name: _____

Mailing Address: _____

City, State, Zip: Columbia City OR 97018

Contact Telephone: 503-397-2888

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 26 day of January, 2011, by Robert Keyser

COLUMBIA COUNTY, OREGON 2011-003498
DEED-COX
Cnt=1 Pgs=4 HUSERB 05/06/2011 03:00:53 PM
\$20.00 \$11.00 \$15.00 \$5.00 \$10.00 = \$61.00



00140126201100034980040044

I, Elizabeth E. Huser, County Clerk for Columbia County, Oregon
certify that the instrument identified herein was recorded in the Clerk
records.

Elizabeth E. Huser - County Clerk

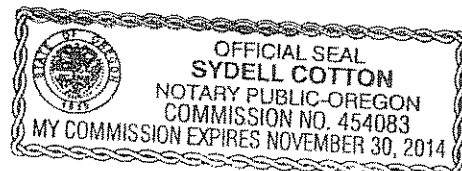
STATE OF OREGON

County of Columbia

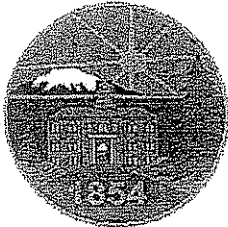
Notary Public for Oregon

My commission expires:

Sydeell Cotton
11-30-2014



COLUMBIA COUNTY



OREGON

ELIZABETH E. HUSER
County Clerk of Columbia County
Courthouse, 230 Strand St., St. Helens, Oregon 97051-2041
Telephone: (503) 397-3796
(503) 397-7214 - Elections

Recording, Dog Control, Elections, Board of Equalization

RECEIVED

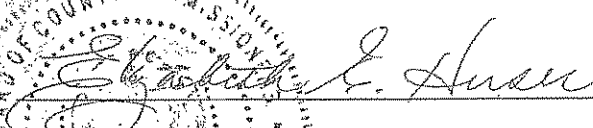
MAY 31 2012

CITY OF ST. HELENS

I certify that the votes recorded on the following abstract correctly
summarize the tally of votes cast at the Primary Election held on
Tuesday, May 15, 2012.

Dated this 29th day of May, 2012.

COUNCIL ACCEPTED
Date: 6/6/12 K.P.


Elizabeth E. Huser
Columbia County Clerk

Official Canvass

RUN DATE:05/30/12 10:17 AM

Columbia County, Oregon
Primary Election
May 15, 2012

REPORT-EL52 PAGE 0034

5-226 CITY OF ST. HELENS

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

1,424 74.99
475 25.01

WITH 9 OF 9 PRECINCTS REPORTING

03 = OVER VOTES
04 = UNDER VOTES

VOTES PERCENT

2
134

	01	02	03	04
0021 St. Helens 1	100	32	0	8
0022 St. Helens 2	130	36	0	9
0023 St. Helens 3	171	56	0	17
0024 St. Helens 4	92	45	0	5
0025 St. Helens 5	80	32	0	10
0026 St. Helens 6	482	137	1	52
0027 St. Helens 7	98	48	1	15
0028 St. Helens 8	134	43	0	10
0029 St. Helens 9	137	46	0	8

Official Canvass

RUN DATE:05/30/12 10:17 AM

Columbia County, Oregon
Primary Election
May 15, 2012

REPORT-EL52 PAGE 0035

5-227 CITY OF ST. HELENS

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

1,423 75.69
457 24.31

WITH 9 OF 9 PRECINCTS REPORTING

03 = OVER VOTES
04 = UNDER VOTES

VOTES PERCENT

1
154

	01	02	03	04
0021 St. Helens 1	94	33	0	13
0022 St. Helens 2	128	32	0	15
0023 St. Helens 3	171	51	0	22
0024 St. Helens 4	94	41	0	7
0025 St. Helens 5	74	38	0	10
0026 St. Helens 6	496	124	1	51
0027 St. Helens 7	94	55	0	13
0028 St. Helens 8	134	41	0	12
0029 St. Helens 9	138	42	0	11