

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

04/05/00

INIT DATE:11/18/1999

NO.:2000.12

HOW INITIALLY RECEIVED:LETTER FROM CITY  
AFFECTED DISTRICT NAME:CITY OF ST HELENS  
DISTRICT ORD. #:2799 EFFECTIVE DATE:11/17/1999  
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.:5-200-1999 DATE:11/22/1999

CODE AREAS AFFECTED OR CHANGED:

FROM:02-08  
TO:02-01  
FROM:  
TO:

TOWNSHIPS:	AFFECTED AREA: RANGES:	SECTIONS:
4	1	6-3 3300

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

\*\*\*\*\* DATE COMPLETED:04/07/2000 \*\*\*\*\*

REMARKS:VOTE ON 11/2/99 PASSED

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

02/10/00

NO:2000.12 PAGE 1

DISTRICT NAME: **CITY OF ST HELENS**

TYPE OF ACTION : **ANNEXATION**

EFFECTIVE DATE: **11/17/1999**

DIST. ORD. #: **2799**

RECORDED:

----- LEGAL DESCRIPTION -----

ORDINANCE NO. 2799

AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF CERTAIN PROPERTY ON SYKES ROAD TO THE CITY OF ST. HELENS.

WHEREAS, applicant Joyce Heller has submitted a request to annex to the City of St. Helens that certain property described as follows, to-wit:

Beginning at a point on the North line of the Southeast quarter of the Southwest quarter of Section 6, Township 4 North, Range 1 West of the Willamette Meridian, Columbia County, Oregon, which is 1237.5 feet East of the Northwest corner of said Southeast quarter of the Southwest quarter, said point of beginning being the Northeast corner of that property of Edwin Morton recorded in Book 94, page 23, Deed Records, described as follows: "beginning at a point on the North line of the Southeast Quarter of the Southwest Quarter of Section 6, Township 4 North of Range 1 West of the Willamette Meridian, Columbia County, Oregon, which is 50 rods East of the Northwest corner of said subdivision, and which point of beginning is the Northeast corner of that tract of land this day conveyed to Arthur Morten and Yvonne A. Morten, husband and wife; thence from said point of beginning South on the East line of said tract so conveyed to the South line of said subdivision; thence continuing South to a point on the South line of the Northeast Quarter of the Northwest Quarter of Section 7, Township 4 North of Range 1, West of the Willamette Meridian, which is 30 rods West of the Southeast corner of said Northeast Quarter of the Northwest Quarter of said Section 7; thence running East on said South line 25 rods to a point; thence running North to a point on the North line of the Southeast Quarter of the Southwest Quarter of said Section 6, which is 25 rods East of the point of beginning; thence West 25 rods to the place of beginning"; thence East a distance of 82.5 feet to the Northeast corner of the Southeast quarter of the Southwest quarter; thence along the North line of the Southwest quarter of the Southeast quarter South 88°53' East a distance of 144.87 feet; thence South 0°05.5' West a distance of 1322.42 feet to the South line of Section 6; thence North 88°49' West a distance of 144.87 feet to the South quarter corner of Section 6; thence continuing along the South line of said Section 6 West a distance of 82.5 feet to a point on the East line of that property of Edwin Morten described in Book 94, page

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

02/10/00

NO:2000.12 PAGE 2

DISTRICT NAME: CITY OF ST HELENS

TYPE OF ACTION : ANNEXATION

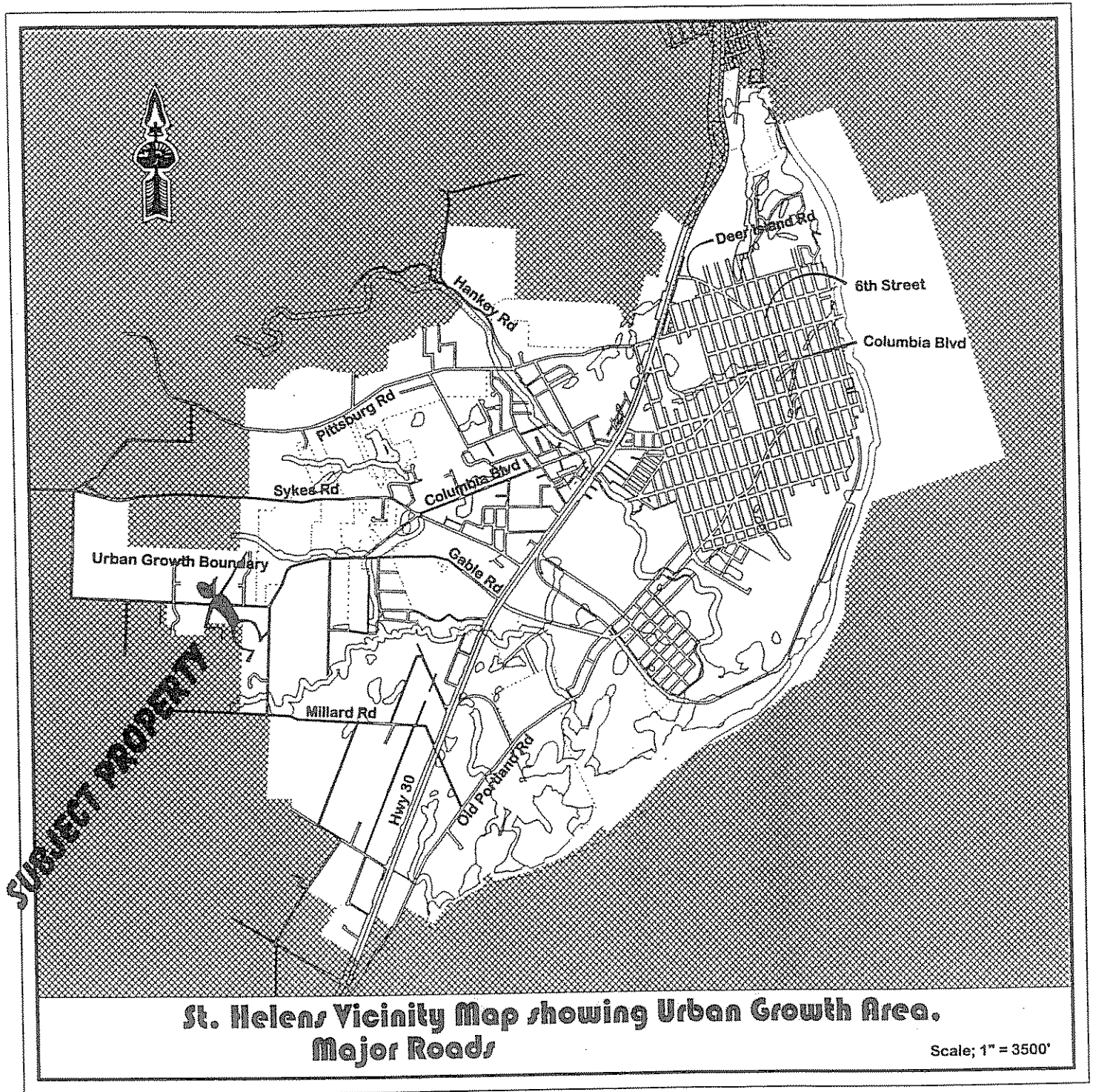
EFFECTIVE DATE: 11/17/1999

DIST. ORD. #: 2799

RECORDED:

----- LEGAL DESCRIPTION -----

23, described as follows: "beginning at a point on the North line of the Southeast Quarter of the Southwest Quarter of Section 6, Township 4 North of Range 1 West of the Willamette Meridian, Columbia County, Oregon, which is 50 rods East of the Northwest corner of said subdivision, and which point of beginning is the Northeast corner of that tract of land this day conveyed to Arthur Morten and Yvonne A. Morten, husband and wife; thence from said point of beginning South on the East line of said tract so conveyed to the South line of said subdivision; thence continuing South to a point on the South line of the Northeast Quarter of the Northwest Quarter of Section 7, Township 4 North of Range 1, West of the Willamette Meridian, which is 30 rods West of the Southeast corner of said Northeast Quarter of the Northwest Quarter of said Section 7; thence running East on said South line 25 rods to a point; thence running North to a point on the North line of the Southeast Quarter of the Southwest Quarter of said Section 6, which is 25 rods East of the point of beginning; thence West 25 rods to the place of beginning"; thence North  $0^{\circ}5.5'$  East a distance of 1322.25 feet to the point of beginning.



Heller Annex.

THIS MAP HAS BEEN APPROVED FOR ASSESSMENT PURPOSES  
Score 1 = 100 Current Harmon Code 0 2 2  
SEE MAP 4 1 6 7

map  
4106-042

P. P. 91-11

4106-030

**SUBJECT PROPERTY**

3200  
377 Ac.

LINE

2-11

Heller Annex

MEAD:DW

**Notice to Taxing Districts**

ORS 308.225



Cartographic Unit  
 955 Center St. NE  
 Salem, OR 97310  
 (503) 945-8297, fax 945-8737

RECEIVED ON

NOV 30 1999

COLUMBIA COUNTY ASSessor

City of St. Helens  
 Finance Director  
 265 Strand St.  
 St. Helens, OR 97051

Description and Map Approved

**November 22, 1999****As Per ORS 308.225**

☒ Description    ☒ Map received from: CITY  
 On: 11/19/99

11/17/99

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

ANNEX TO THE CITY OF ST. HELENS

ORD. #2799

has been: ☒ Approved    11/22/99  
                   ☐ Disapproved

Notes:

Department of Revenue File Number: 5-200-1999

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

# City of St. Helens

P.O. BOX 278

PHONE (503) 397-6272

St. Helens, Oregon

97051

November 18, 1999

Columbia County Assessor  
Columbia County Courthouse  
St. Helens, OR 97051

Re: Recent Annexations to the City of St. Helens

Gentlemen:

Enclosed please find a copy of Ordinance Nos. 2799, an ordinance to annex and designate the zone of certain property on Sykes Road to the City of St. Helens (Joyce Heller); 2801, an ordinance to annex and designate the zone of certain property abutting Pittsburg Road to the City of St. Helens (Edith Tusten); 2802, annex and designate the zone of certain property abutting Columbia Boulevard to the City of St. Helens (Velma Nicholas); and 2803, annex and designate the zone of certain property abutting Pittsburg Road to the City of St. Helens (Gary and Hong Zweigart). Maps are attached to the ordinances which became effective on November 17, 1999.

If you have any questions or if I can be of any further assistance, please call.

Sincerely yours,



Brian Little  
City Administrator

BL jb  
Enclosures

vote: 11/2/99  
passed: P.

## ORDINANCE NO. 2799

2-08 4-1-6-3-  
3300

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thence East a distance of 82.5 feet to the Northeast corner of the Southeast quarter of the Southwest quarter; thence along the North line of the Southwest quarter of the Southeast quarter South  $88^{\circ}53'$  East a distance of 144.87 feet; thence South  $0^{\circ}05.5'$  West a distance of 1322.42 feet to the South line of Section 6; thence North  $88^{\circ}49'$  West a distance of 144.87 feet to the South quarter corner of Section 6; thence continuing along the South line of said Section 6 West a distance of 82.5 feet to a point on the East line of that property of Edwin Morten described in Book 94, page 23, described as follows:

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thence North  $0^{\circ}5.5'$  East a distance of 1322.25 feet to the point of beginning.



## ORDINANCE NO. 2799

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1322.25 feet to the point of beginning.

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 designate the zoning for the property upon annexation; and

WHEREAS, appropriate notice has been given and a public hearing was held May 19, 1999 on the annexation proposal; and

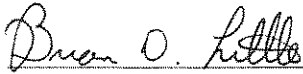
WHEREAS, the Council has considered findings of compliance with criteria and law applicable to the proposal.

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

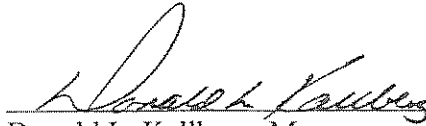
1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby annexed to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect the following:
4. The property described on Page One of this Ordinance: R-7, Moderate Residential.
5. In support of the above annexation and zoning, the Council hereby adopts the Heller Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated July 21, 1999.
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:	July 7, 1999
Read the second time:	July 7, 1999
Read the third time:	July 21, 1999
Approved by the Mayor	July 21, 1999

Attested by:



Brian D. Little, City Recorder



Donald L. Kallberg, Mayor

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
Heller Annexation and Zone Map Amendment

REQUEST:

Joyce Heller has requested that her property be annexed into the City of St. Helens, Oregon. She has not given any reason for this request.

PUBLIC HEARING:

A Public Hearing was held on May 19, 1999 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 April 11, 1999 by first class mail. Notice was published in The Chronicle April 21, 24 May 5 & 12, 1999. Notice was also sent to the Department of Land Conservation and Development on April 6, 1999.

LOCATION:

The property is located on Sykes Road at the north end of the property and nearly touching Morton Lane on the south end. The site is also known as Columbia County Tax Assessor tax lot 3300 on map 4106030. There is no street address as the lot is vacant.

UTILITIES:

There are road, sewer and water facilities that can adequately serve the site.

SITE INFORMATION:

The site is about 6.69 acres in size with access to Sykes Road.

REFERRALS: Sent to the following:

1. St Helens Police, Public Works, Parks, Building Official, and Public Works Manager.
2. Columbia County Land Development Services, 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
9. U.S. West Communications

There are no adverse comments on the replies.

#### CRITERIA:

The principle criteria for annexation are:

1. The site is contiguous to the City Limits.
2. The annexation process is in compliance with applicable Oregon Revised Statutes.

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 proposed change must comply with the comprehensive plan.
2. The proposed change must comply with local ordinances.
3. A public need must exist for the proposed change.
4. The public need is best met by this specific change.

#### EVALUATION:

##### Annexation Criteria

1. **The site is contiguous to the City Limits. -**

##### Finding:

The site abuts the City Limits on the northeast corner with a small section being just across the Sykes Road/right-of-way.

##### Finding:

State law allows for contiguous lands to be separated by right-of-ways, streams, lakes and such and still be considered contiguous.

**2. The annexation process is in compliance with applicable Oregon Revised Statutes. -**

Finding:

All of the owners of the site have petitioned the City for annexation. There are no other references to annexation in the ORS that appear to be applicable.

Zoning Designation Criteria

**1. The proposed change must comply with the comprehensive plan.**

Finding:

All of the site is located in RS/UR, Rural Suburban/Unincorporated Residential category .

Finding:

Policies for the RS/UR category state that lands within will be zoned either R-10 or R-7 upon annexation.

**2. The proposed change complies with local ordinances.**

The Zoning Ordinance and the Urban Growth Management Agreement (UGMA) with Columbia County are the only two local "ordinances" directly mentioning annexations. Section 2.030 requires that the City zone the property upon annexation. The UGMA states that annexations of sites within the City of St Helens Urban Growth Area shall be in accordance with relevant annexation procedures contained in the Oregon Revised Statutes, Oregon Case Law, and St Helens City Ordinances and shall not occur until such sites become contiguous to the City of St. Helens.

Finding:

The owner of this proposed annexation site has filed a duly notarized petition with the City for this annexation. A search of case law did not show any that are relevant. There are no other ordinances of St. Helens that directly pertain to this annexation. The proposed site abuts the City Limits to the northeast.

Finding:

There is one road involved that is a County Road and since it is normally included in the annexation it must meet the UGMA requirement that it either be improved to City Standards or an irrevocable consent to participate in a Local Improvement District or

other form of financing district by all affected property owners be made.

**3. A public need must exist for the proposed change.**

Finding:

The need to change the zoning is directed by the Zoning Ordinance.

Finding:

The Comprehensive Plan calls for lands designated as RS/UR to be zoned R-10 or R-7 upon annexation.

Finding:

This site abuts R-7 property only on the side to the northeast. It abuts rural, one acre land to the east, west, and south.

Finding:

The current ratio of all R-7 zoned land to R-10 land is 79.28% for R-7. The Comprehensive Plan indicates the desired ratio should be 83% for R-7.

Finding:

If the Heller site is zoned R-7, then this results in a ratio of 81% to 19.% for R-10

**4. The public need is best met by this specific change.**

Finding:

Currently the only way to comply with the requirement to zone land at the time it is annexed is accomplished by the process contained within.

Finding:

Testimony was received from the applicant and from opponents. No one challenged the criteria with evidence or testimony that refuted the facts except for the information on the annexation ratios since 1991.

Finding:

The City Council received testimony from all interested parties, staff reports and then

closed the hearing and deliberated.

Finding:

The Council found in favor of the applicant and decided that the request meets all the applicable criteria for annexation and for a zone map amendment.

CONCLUSIONS:

1. The site is contiguous to the City Limits because it abuts City Limits on at least one side.
2. The annexation process is in compliance with applicable Oregon Revised Statutes because the petition is in order.
3. The proposed change complies with the Comprehensive Plan because the proposed zoning is as stipulated in the Plan.
4. The proposed change complies with local ordinances because it is being zoned at the time of annexation.
5. A public need exists for the proposed zone change as it is being zoned upon annexation.
6. The current ratio of R-7 to R-10 is skewed towards R-10.
7. The public need for a zone change is best met by this specific change as it complies with the Zoning Ordinance.

Based upon the contiguous zoning, the imbalance of zoning in favor of R-10 and the recommended ratios in the Comprehensive Plan the City Council approves the annexation and zone change to R-7 with the following conditions:

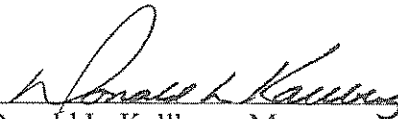
1. Owners of the property proposed to be annexed shall give an irrevocable consent to participate in a Local Improvement District for the property abutting Sykes Road and any other form of financing district formed by affected property owners.



Brian D. Little, City Administrator

7/21/99

Date



Donald L. Kallberg, Mayor

7/21/99

Date