

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

04/05/00

INIT DATE:08/04/1999

NO.:2000.06

HOW INITIALLY RECEIVED:LETTER FROM CITY  
AFFECTED DISTRICT NAME:CITY OF ST HELENS  
DISTRICT ORD. #:2800 EFFECTIVE DATE:08/20/1999  
NAME OF APPROVING JURISDICTION:SELF  
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.:5-195-1999 DATE:08/09/1999

CODE AREAS AFFECTED OR CHANGED:

FROM:02-08

TO:02-01

FROM:

TO:

TOWNSHIPS:

4

AFFECTED AREA:

RANGES:

1

SECTIONS:

6.4.1

PT 5800

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

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

REMARKS:

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

02/09/00

NO:2000.06 PAGE 1

DISTRICT NAME: CITY OF ST HELENS

TYPE OF ACTION : ANNEXATION

EFFECTIVE DATE: 08/20/1999

DIST. ORD. #: 2800

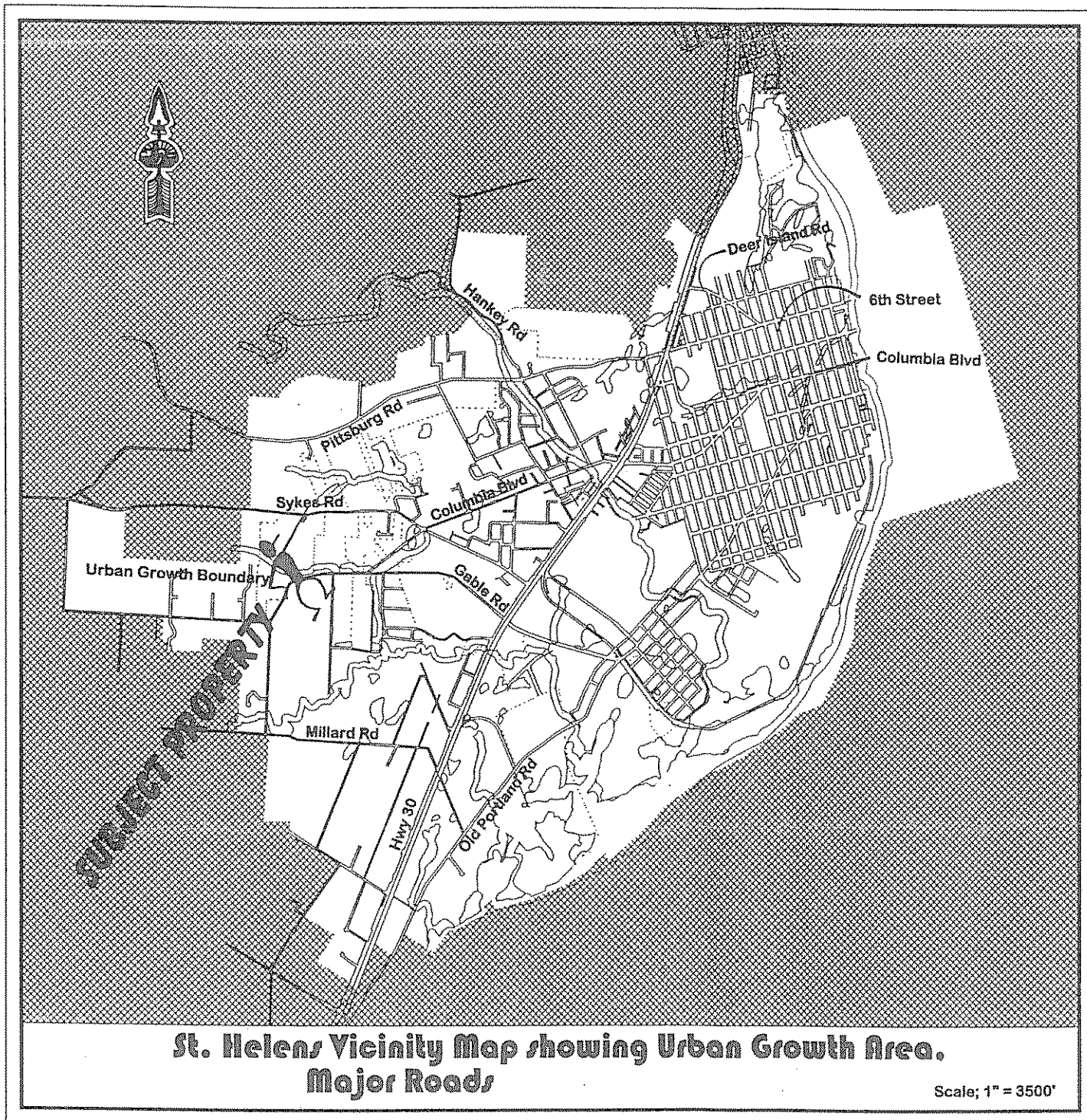
RECORDED:

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

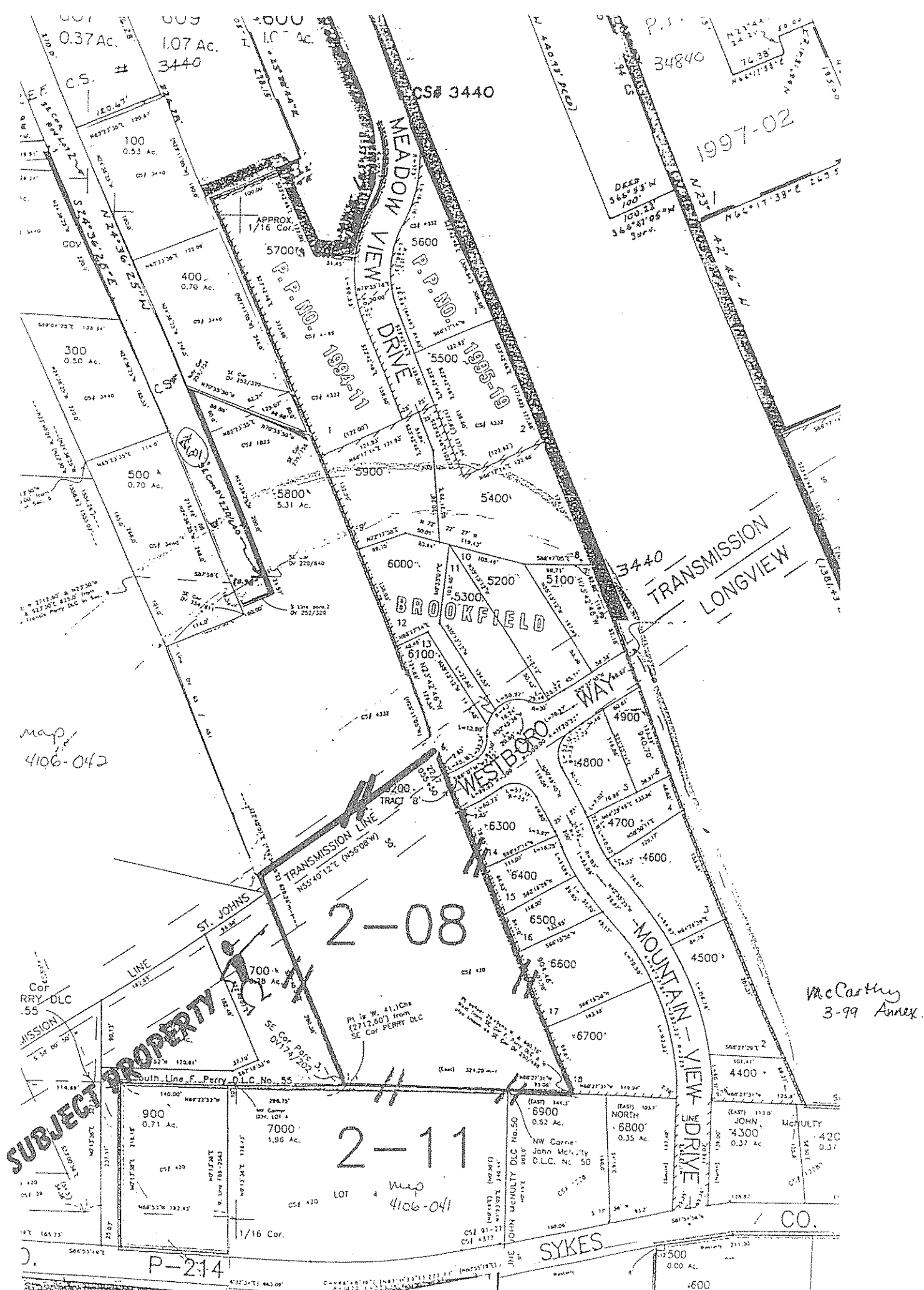
ORDINANCE NO. 2800

AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF CERTAIN PROPERTY ABUTTING WESTBORO ROAD TO THE CITY OF ST. HELENS. WHEREAS, applicants Jim and Michelle McCarthy have requested to annex to the City of St. Helens that certain property described as follows, to-wit:

Beginning at a point on the South line of the Francis Perry Donation Land Claim in Section 6, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon that is 26.49 chains West of the Southeast corner of said Claim, said point being the Southeast corner of the Hallie Comstock tract as described in Deed Book 65, Page 451, Deed Records of Columbia County, Oregon; thence West along the South line of said Francis Perry Donation Land Claim a distance of 660.76 feet to the Southeast corner of the Douglas Comstock tract as described in Book 250, Page 498, Deed Records of Columbia County, Oregon; and the true point of beginning of the following described tract, said point also being the Southeast corner of Parcel 1 of the James G. McCarthy and Michele J. McCarthy tract as described in Instrument No. 93-5992, Clerk's Records, Columbia County, Oregon; thence North 25° 11 '05" West, along the East line of said Douglas Comstock tract and along the East line of said Parcel I of the McCarthy tract a distance of 490.00 feet more or less to a point which is 30.00 feet Northerly (when measured at right angles) from the Centerline of the St. Johns - Longview Bonneville Power Administration Transmission Line; thence South 56°08'00" West, 30.00 feet Northerly from and parallel to said Centerline, a distance of 295.00 feet more or less to a point on the West line of said Hallie Comstock tract said point also being on the West line of said Parcel 1 of the McCarthy tract; thence South 24°36'25" East, along said West line a distance of 300.00 feet more or less to the South line of said Francis Perry Donation Land Claim; thence East, along said South line a distance of 324.28 feet to the true point of beginning.



McCarthy Annex 3-99



**Notice to Taxing Districts**

ORS 308.225



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

RECEIVED ON  
 AUG 11 1999  
 COLUMBIA COUNTY ASSESSOR

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

**Description and Map Approved**  
**August 9, 1999**  
**As Per ORS 308.225**

☒ Description    ☒ Map received from: CITY  
 On: 8/6/99

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

ANNEX TO THE CITY OF ST. HELENS

ORD. #2800

has been: ☒ Approved    8/9/99  
               ☐ Disapproved

Notes:

Department of Revenue File Number: 5-195-1999

Prepared by: Jennifer Dudley, 503-945-8666

Boundary:    ☒ Change    ☐ Proposed Change    ☐ Planned 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

August 2, 1999

RECEIVED ON

AUG 04 1999

COLUMBIA COUNTY ASSESSOR

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

Re: Recent Annexation to the City of St. Helens

Gentlemen:

Enclosed please find a copy of Ordinance No. 2800, an ordinance to annex and designate the zone of certain property abutting Westboro Road to the City of St. Helens. A map is attached to the ordinance which becomes effective on August 20, 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

## ORDINANCE NO. 2800

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

WHEREAS, applicants Jim and Michelle McCarthy have requested to annex to the City of St. Helens that certain property described as follows, to-wit:

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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 June

16, 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 McCarthy Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated July 21, 1999.


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  
McCarthy Annexation and Zone Map Amendment

REQUEST:

Jim and Michele McCarthy have requested that their property be annexed into the City of St. Helens, Oregon. They have not given any reason for this request.

PUBLIC HEARING:

A Public Hearing was held on May 19 and continued to June 16, 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 27, 1999 by first class mail. Notice was published in The Chronicle May 5 & 12, 1999. Notice was also sent to the Department of Land Conservation and Development on March 15, 1999.

LOCATION:

The property, generally known as part of Columbia County Tax Assessor Lot 5800 on map 4106-041 and is located on 59401 Yarmer Lane. The property abuts a local road to the east, named Westboro Way.

UTILITIES:

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

SITE INFORMATION:

The site is about 2.65 acres in size with access to Yarmer Lane. The site is slightly sloping to the southeast. The property has a residence on it presently but this section is not included in the annexation request.

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 south, west and east sides.

- 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 (zone) 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 (zone) 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 owners of this proposed annexation site have 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 is contiguous to the City Limits.

**Finding:**

There is one road involved that is a local City street and since it meets all the standard.

**3. A public need must exist for the proposed (zone) 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 on three sides.

Finding:

The current ratio of all R-7 zoned land to R-10 land is 79.18% for R-7. The Comprehensive Plan indicates the desired ratio should be 83% for R-7.

Finding:

If the McCarthy annexation results in zoning of R-7, then this results in a ratio of 79.28% to 20.72% for R-10

**4. The public need is best met by this specific (zone) 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:

The Planning Commission received testimony and then closed the hearing.

Finding:

The Planning Commission deliberated and voted to recommend annexation and zoning change to R-7, Moderate Residential.

Finding:

The City Council held a public hearing, received testimony from the applicant and closed the hearing.

Finding:

The Council deliberated and found in favor of the applicant, in as much as the applicant has

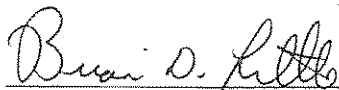
met the applicable criteria for annexation and for zone amendment.

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 petitions are in order.
3. The proposed (zone) change complies with the Comprehensive Plan because the proposed zoning is as stipulated in the Plan.
4. The proposed (zone) 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.

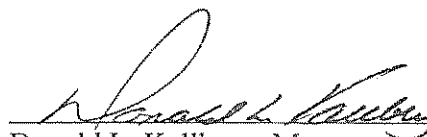
Based upon the contiguous zoning, the imbalance of zoning in favor of R-10 and the recommended ratios in the Comprehensive Plan the City Council approves the annexation request and zone change to R-7 with the following conditions:

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 any public street 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