

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

04/04/00

INIT DATE:11/18/1999

NO.:2000.13

HOW INITIALLY RECEIVED:LETTER FROM CITY  
AFFECTED DISTRICT NAME:CITY OF ST HELENS  
DISTRICT ORD. #:2801 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.:5-201-1999 DATE:11/22/1999

CODE AREAS AFFECTED OR CHANGED:

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

TOWNSHIPS:	AFFECTED AREA: RANGES:	SECTIONS:
4	1	5 101

LIST UTILITY, PERS. PROP. MH & BUSINESS ACCT #'S, IF NONE, STATE NONE: NO  
NONE

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

REMARKS:VOTE 11/2/99 PASSED

COLUMBIA COUNTY ASSESSORS  
RECORD OF DISTRICT BOUNDARIES

01/31/00

NO:2000.13 PAGE 1

DISTRICT NAME:CITY OF ST HELENS

TYPE OF ACTION :ANNEXATION

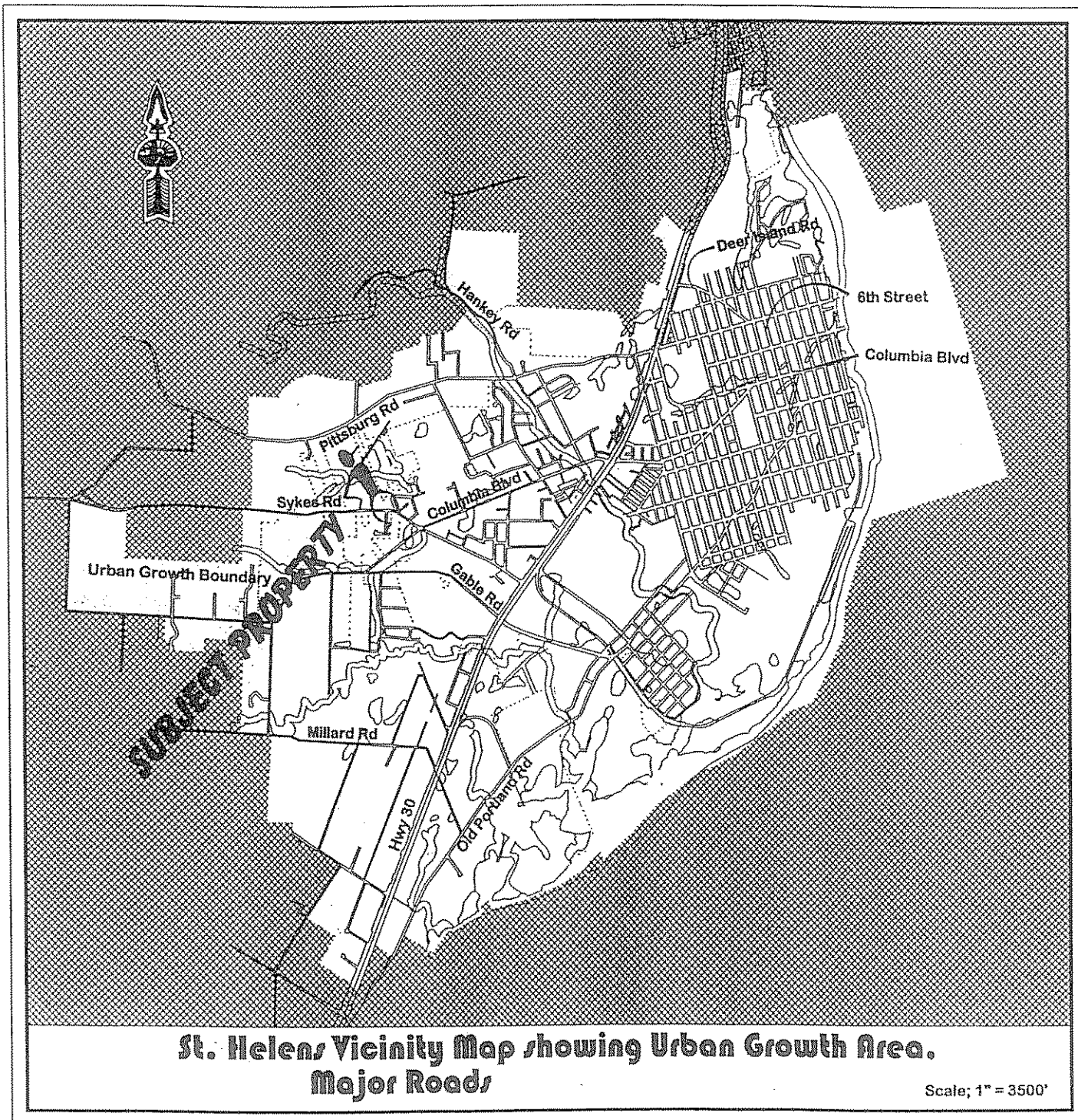
EFFECTIVE DATE:11/17/1999

DIST. ORD. #:2801

RECORDED:

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

Parcel 2 of PARTITION PLAT NO. 1991-14, Columbia Co., OR



Tusten Annex

4

2-08

RC

4052

**SUBJECT PROPERTY**

TRANSMISSION

Tasten Annex  
3-31-99

# Notice to Taxing Districts

ORS 308.225



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

RECEIVED ON

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

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

ANNEX TO THE CITY OF ST. HELENS

ORD. #2801

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

Notes:

vote 11/2/99  
 passed - Y

Department of Revenue File Number: 5-201-1999

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

13  
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

11/2/99  
passed: y

## ORDINANCE NO. 2801

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

WHEREAS, applicant Edith Tusten has requested to annex to the City of St. Helens that certain property described as follows, to-wit: Parcel 2 of Partition Plat No. 1991-14

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 August 4, 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:
  - a. The property described herein shall be zoned R-7, Moderate Residential.
5. In support of the above annexation and zoning, the Council hereby adopts the Tusten Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated September 1, 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:	August 18, 1999
Read the second time:	August 18, 1999
Read the third time:	September 1, 1999
Approved by the Mayor	September 1, 1999

Attested by:

  
\_\_\_\_\_  
Brian D. Little, City Recorder

  
\_\_\_\_\_  
Donald L. Kallberg, Mayor



# City of St. Helens

P.O. BOX 278

PHONE (503) 397-6272

St. Helens, Oregon  
97051

## FINDINGS OF FACT AND CONCLUSIONS OF LAW Tusten Annexation and Zone Amendment

### REQUEST:

Edith Tusten 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 August 4, 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 July 14, 1999 by first class mail. Notice was published in The Chronicle July 21 & 28, 1999. Notice was also sent to the Department of Land Conservation and Development on April 15, 1999.

### LOCATION:

The property is located on Pittsburg Road at 35102 Pittsburg Road and is just south of Oliver Heights Lane. The site is also known as Columbia County Tax Assessor tax lot 101 on map 4105000.

### UTILITIES:

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

### SITE INFORMATION:

The site is about 10.69 acres in size with access to both Pittsburg and North Vernonia Roads.

### 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 at least on the south side.

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

Finding: All of the owners and electors 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 normally 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 are two roads involved, one that is a County road and one that is a City road. Since abutting roads are normally included in the annexation they must meet the UGMA requirement that the road be either 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 south. It abuts rural land to the east, west, and north.

Finding: The current ratio of all R-7 zoned land to R-10 land is 81.14% for R-7. The Comprehensive Plan indicates the desired ratio should be 83% for R-7.

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

Finding: The total ratio of R-7 to all residential lands in the City Limits is 47.95% and the desired is 25%.

**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.

**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 currently County zoned and needs to be City 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.

The Planning Commission held a public hearing, received reports, evidence and testimony into the record, closed the record and deliberated.

The commission found the following:

1. They voted to recommend annexation.
2. They voted to recommend the zone be changed to R-7, Moderate Residential with one condition that the owner of the property proposed to be annexed shall give an irrevocable consent to participate in a Local Improvement District for the property abutting Pittsburg and North Vernonia

Roads and any other form of financing district formed by affected property owners.

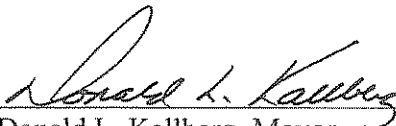
The City Council held a public hearing, received reports, evidence and testimony into the record and closed the record.

During the regular meeting, the City Council deliberated and concluded based upon the record that the request for annexation meets the criteria and the recommendation that the annexed property be zoned R-7, Moderate Residential is also acceptable. Thus the City Council approved the request from Edith Tusten for annexation and for zoning of the property described in the request to R-7, Moderate Residential.

The council also agreed to refer this annexation request to the voters.

  
\_\_\_\_\_  
Brian D. Little, City Administrator

9/1/99  
Date

  
\_\_\_\_\_  
Donald L. Kallberg, Mayor

9/1/99  
Date