

Columbia County Assessors Record of District Boundaries

Wednesday, June 27, 2012

Init Date: 03/19/12

Also See No.:

No.: 2012 . 01

How Initially Received: Email from City of St Helens

Affected District Name: St Helens City

Remarks:

District Ord No: 3154

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: 5-311-2012

Date: 03/22/12

Recording Information:

1) Col. Co. Deed Records:

Comm Journal:

2) Other : Name:

: Number:

Date:

Code Areas Affected or Changed:

Affected Area:

From Code Area: 02-11

Townships

Ranges

Sections

To Code Area: 02-02

4N

1W

08-CB-00501

Date Completed 06/20/12

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

Columbia County Assessors Record of District Boundaries

Wednesday, June 27, 2012

Init Date: 03/19/12

Also See No.: .

No.: 2012 . 01

Legal Description

Beginning at a point that is N 88°15' W 1638.5 feet and N 1°33' W 1582.2 feet from the NW corner of the Posey Williams Donation Land Claim in Section 8, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon;

Thence, S 1°33'54" E a distance of 1093.82 feet to the TRUE POINT OF BEGINNING;

Thence, W along said N line of Millard County Road No. 58;

Thence, W along said N line of Millard Road a distance of 175.6 feet;

Thence, N 1°33' W a distance of 748.18 feet;

Thence, S 89°48'30" a distance of 175.6 feet to the TRUE POINT OF BEGINNING.

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

Notice to Taxing Districts

ORS 308.225

RECEIVED ON

MAR 27 2012

COLUMBIA COUNTY ASSESSOR



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

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

Description and Map Approved
March 22, 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 City of St. Helens

Ordinance No. 3154

has been: ☒ Approved 3/22/2012
 ☐ Disapproved

Notes:

Department of Revenue File Number: 5-311-2012

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

DOR 5-311-2012



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
P.O. Box 278
St. Helens, OR 97051

Description and Map Approved
March 22, 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

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Notes:

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- ☐ Withdrawal of a territory from a district
- ☐ Dissolution of a district
- ☐ Transfer
- ☐ Merge

COLUMBIA County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2011

June 12, 2012 10:19:05 am

Account # 29255
Map # 4N1W08-CB-00501
Code - Tax # 0211-29255

Tax Status NONASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr See Record

Mailing Name ST HELENS COMMUNITY BIBLE CHURCH

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser MIKE SIMPSON

Mailing Address 35031 MILLARD RD
ST HELENS, OR 97051

Prop Class 911 MA SA NH Unit
RMV Class 201 06 61 000 25836-1

| Situs Address(s) | Situs City |
|----------------------|------------|
| ID# 35031 MILLARD RD | ST HELENS |

| Value Summary | | | | | |
|-----------------|----|--------|-----|---------------|-------|
| Code Area | AV | RMV | MAV | RMV Exception | CPR % |
| 0211 Land | 0 | 71,700 | 0 | Land | 0 |
| Impr. | 0 | 8,000 | 0 | Impr. | 0 |
| Code Area Total | 0 | 79,700 | 0 | | 0 |
| Grand Total | 0 | 79,700 | 0 | | 0 |

| Land Breakdown | | | | | | | | | | | Trended RMV |
|----------------|-----|-----|----|-----------|--------------|-----|----|------|------------|-----|-------------|
| Code Area | ID# | RFD | Ex | Plan Zone | Value Source | TD% | LS | Size | Land Class | LUC | |
| 0211 | 1 | R | | CO:CS- | Exempt | 100 | A | 1.00 | | 003 | 49,200 |
| | | | | | | | | | | | |
| 0211 | 2 | R | | CO:CS- | Market | 100 | A | 1.98 | 2H4 | * | 22,500 |
| | | | | | | | | | | | |
| Grand Total | | | | | | | | 2.98 | | | 71,700 |

| Improvement Breakdown | | | | | | | | | | | Trended RMV |
|-----------------------|-----|----------|------------|-------------|-----|---------------|-----|------------|--|--|-------------|
| Code Area | ID# | Yr Built | Stat Class | Description | TD% | Total Sq. Ft. | Ex% | MS Acct # | | | |
| 0211 | 1 | 1972 | 442 | Double wide | 100 | 0 | | R - 429633 | | | 8,000 |
| Grand Total | | | | | | | 0 | | | | 8,000 |

MS Account(s): 0211-R-429633

Appr Maint: 2011 - SIZE CHANGE

Comments: 2011- Part to Road, .04 ac. ms

City of St. Helens
ORDINANCE NO. 3154

**AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF CERTAIN PROPERTY
AT 35031 MILLARD ROAD AND REPEALING ORDINANCE NO. 3142**

WHEREAS, Ordinance 3142 did not include a valid legal description and a new Ordinance is necessary to include such; and

WHEREAS, applicant Juanita Richards for the St. Helens Community Bible Church has requested to annex to the City of St. Helens certain property at 35031 Millard 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 October 20, 2010 on the annexation proposal; and

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

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

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby accepted for annexation to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned Moderate Residential, R7.
4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as Suburban Residential, SR.
5. The land is classified as "Developing" in accordance with Chapter 17.112 of the St. Helens Community Development Code (SHMC Title 17) and OAR 660-08-0005.
6. In support of the above annexation and zoning, the Council hereby adopts the A.1.10 Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated November 17, 2010.
7. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.

8. 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.
9. Ordinance No. 3142 is hereby repealed.

Read the first time: November 16, 2011
Read the second time: December 7, 2011

APPROVED AND ADOPTED this 7th day of December, 2011.

Ayes: Morten, Locke, Martyn, Peterson
Nays: None



Randy Peterson, Mayor

ATTEST:



Kathy Payne, City Recorder

LEGAL DESCRIPTION

Beginning at a point that is N 88° 15' W 1638.5 feet and N 1° 33' W 1582.2 feet from the NW corner of the Posey Williams Donation Land Claim in Section 8, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon;

Thence, S 1° 33' 54" E a distance of 1093.82 feet to the TRUE POINT OF BEGINNING;

Thence, from the TRUE POINT OF BEGINNING continuing S 1° 33' 54" E a distance of 740.44 feet, more or less to the N line of Millard County Road No. 58;

Thence, W along said N line of Millard Road a distance of 175.6 feet;

Thence, N 1° 33' W a distance of 748.18 feet;

Thence, S 89° 48' 30" E a distance of 175.6 feet to the TRUE POINT OF BEGINNING.

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 | ZIP 97051 |
| County name Columbia | Second county name (if applicable) | | |
| Contact person Jacob Graichen | Second contact person (if applicable) | | |
| Telephone (503) 366-8204 | E-mail jacobg@ci.st-helens.or.us | | |
| Ordinance/resolution/order ORD No. 3154 | Planning file number A.1.10 | | |
| Election date May 15, 2012 | Effective date June 14, 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-P2-2011.

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

04 01 08CB
ST. HELENS

N.W. 1/4 S.W. 1/4 SEC. 8 T. 4N. R. 1W. W.M.
COLUMBIA COUNTY

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

Cancelled:

100
200
300
400
500
600



04 01 08CB
ST. HELENS

MILLARD CO. RD.
NO. 58

Map Revised:
10/14/2011

NO. P-58

²
DOR 5-P~~3~~-2011
Preliminary Review



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

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

Date: 10/17/2011

This letter is to inform you that the map and description for your PLANNED Planning File # A.1.10 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: Mike Allen (503) 945-8274

From: "BRUCH Elise A" <elise.a.bruch@state.or.us>
To: Jacob Graichen <jacob@ci.st-helens.or.us>
CC: FLORI Joe <joe.flori@co.columbia.or.us>, MAGNUSON Becky <rebekah.magnuso...>
Date: 10/18/2011 2:37 PM
Subject: RE: DOR file no.---City of St. Helens-- ORD. No. 3142--(City File A.1.10)
Attachments: Preliminary Approval Letter.pdf

Jacob,

Our unit did receive the revised description which was reviewed and approved by Mike Allen. Since there was no DOR file number on the new documents, he didn't know there was a file that I had made.

You will be receiving in the mail a Preliminary Approval with a DOR file number of 5-P3-2011 (see attachment). This number is going to be deleted and we will be using 5-P2-2011.

Please use the 5-P2-2011 file number in future correspondence. Sorry for the confusion, our office is changing some of our procedures.

From: Jacob Graichen [mailto:jacob@ci.st-helens.or.us]
Sent: Tuesday, October 18, 2011 1:43 PM
To: 'BRUCH Elise A'
Subject: RE: DOR file no.---City of St. Helens-- ORD. No. 3142--(City File A.1.10)

I did, but I used a new Notice From Taxing District form, as if starting from scratch.

I did this as the legal desc. and map were changed such that there was a different point of beginning and such.

I sent this e-mail (w/ attachments) on 10/11/2011 which I think was the first day of your vacation.

Jacob A. Graichen, AICP, City Planner
City of St. Helens, Oregon

-----Original Message-----

From: BRUCH Elise A [mailto:elise.a.bruch@state.or.us]
Sent: Tuesday, October 18, 2011 1:14 PM
To: Jacob Graichen
Subject: RE: Revised description---City of St. Helens-- ORD. No. 3142--(City File A.1.10)

Jacob,

FYI--

I have been out of the office for the past week. I don't know if you have tried to send a revised description for this annexation.

From: Jacob Graichen [mailto:jacob@ci.st-helens.or.us]
Sent: Monday, September 26, 2011 11:06 AM
To: BRUCH Elise A
Subject: RE: City of St. Helens-- ORD. No. 3142--(City File A.1.10)--Put in Prelim Reviews db (per MT)

Here is the Ordinance requested.

Jacob A. Graichen, AICP, City Planner
City of St. Helens, Oregon

-----Original Message-----

From: BRUCH Elise A [mailto:elise.a.bruch@dor.state.or.us]
Sent: Monday, September 26, 2011 10:27 AM
To: Jacob Graichen
Subject: FW: City of St. Helens--Preliminary Review (City File A.1.10)

Jacob,

Could you email the Ordinance # 3142 that goes with this boundary change?
Thanks.

From: Boundary Changes
Sent: Monday, September 26, 2011 9:38 AM
To: BRUCH Elise A
Subject: FW: City of St. Helens--Preliminary Review (City File A.1.10)

From: Jacob Graichen [mailto:jacob@ci.st-helens.or.us]
Sent: Friday, September 16, 2011 8:59 AM
To: Boundary Changes
Subject: Preliminary Review (City File A.1.10)

This annexation has gone through the land use process, but not to the voters as required by the City's charter.

An Ordinance has been completed, but it describes the property by address and map/tax lot. This process was already underway during the City's experience with the DOR for six annexations in 2010 when it was explained to the City that the legal description of the ordinance should match that as ok'ed by DOR.

In this case, the City desires preliminary approval to get it right before the election in 2012. But the legal approved by DOR won't match that of the Ordinance in this case, but this should be the last time.

Jacob A. Graichen, AICP
City Planner
City of St. Helens, Oregon

E-mail: jacobg@ci.st-helens.or.us<mailto:jacobg@ci.st-helens.or.us>
Phone: (503) 397-6272
Fax: (503) 397-4016

DOR 5-P2-2011
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.1.10) in Columbia County have been reviewed per your request. They DO NOT MEET the requirements for use with an Order, Ordinance, or Resolution in accordance ORS 308.225.

The city is requesting a prelim review to get a good desc. before sending this annexation to the voters. (see ORD. No. 3142)

Line 2: Should be "NW" corner of the Posey Williams DLC.

Line 5: The bearing and distance of this course are not on the map.(4N1W08BC)

Line 8: The distance "63.19" is not on the map.(4N1W08CB)

Line 9: The bearing "S1°33'E" is not on the map.(4N1W08CB)

Line 9: The map 4N1W08CB has a typo on bearing S89°48'30E".

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

City of St. Helens
ORDINANCE NO. 3154

**AN ORDINANCE TO ANNEX AND DESIGNATE THE ZONE OF CERTAIN PROPERTY
AT 35031 MILLARD ROAD AND REPEALING ORDINANCE NO. 3142**

WHEREAS, Ordinance 3142 did not include a valid legal description and a new Ordinance is necessary to include such; and

WHEREAS, applicant Juanita Richards for the St. Helens Community Bible Church has requested to annex to the City of St. Helens certain property at 35031 Millard 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 October 20, 2010 on the annexation proposal; and

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

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

1. The above recitations are true and correct and are incorporated herein by this reference.
2. The property described above is hereby accepted for annexation to the City of St. Helens.
3. The St. Helens Zoning Ordinance Map is hereby amended to reflect that the property described herein shall be zoned Moderate Residential, R7.
4. The St. Helens Comprehensive Plan Map is hereby amended to reflect that the property described herein shall be designated as Suburban Residential, SR.
5. The land is classified as "Developing" in accordance with Chapter 17.112 of the St. Helens Community Development Code (SHMC Title 17) and OAR 660-08-0005.
6. In support of the above annexation and zoning, the Council hereby adopts the A.1.10 Annexation and Zone Map Amendment Findings of Fact and Conclusions of Law dated November 17, 2010.
7. The City Council does hereby refer the final decision to annex this property to the voters of the City of St. Helens.

8. 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.

9. Ordinance No. 3142 is hereby repealed.

Read the first time: November 16, 2011
Read the second time: December 7, 2011

APPROVED AND ADOPTED this 7th day of December, 2011.

Ayes: Morten, Locke, Martyn, Peterson
Nays: None



Randy Peterson, Mayor

ATTEST:



Kathy Payne, City Recorder

LEGAL DESCRIPTION

Beginning at a point that is N 88° 15' W 1638.5 feet and N 1° 33' W 1582.2 feet from the NW corner of the Posey Williams Donation Land Claim in Section 8, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon;

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Thence, W along said N line of Millard Road a distance of 175.6 feet;

Thence, N 1° 33' W a distance of 748.18 feet;

Thence, S 89° 48' 30" E a distance of 175.6 feet to the TRUE POINT OF BEGINNING.

**CITY OF ST. HELENS PLANNING DEPARTMENT
FINDINGS OF FACT AND CONCLUSIONS OF LAW
Annexation A.1.10**

APPLICANT: Juanita Richards for the St. Helens Community Bible Church
OWNER: St. Helens Community Bible Church
ZONING: Columbia County's Community Service Institutional, CS-I
LOCATION: 4N1W-8CB-501; 35031 Millard Road
PROPOSAL: Annexation of approximately 3.02 acres

The 120-day rule (ORS 227.178) for final action for this land use decision is n/a [Clark v. City of Albany, 142 Or App 207, 921 P2d 406 (1996)].

SITE INFORMATION

The subject property lies on the north side of Millard Road and is developed with a few buildings including a "stick built" church building, a double-wide manufactured building and storage sheds. The property's Millard Road frontage lacks rights-of-way improvements (e.g. sidewalk and curb). The site is rectangular in shape, with more-or-less flat topography and is underdeveloped.

PUBLIC HEARING & NOTICE

Hearing dates are as follows:

September 14, 2010 before the Planning Commission
October 20, 2010 before the City Council

Notice of this proposal was sent to surrounding property owners within 300 feet of the subject property(ies) on August 18, 2010 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 August 25, 2010. Notice was sent to the Oregon Department of Land Conservation and Development on July 12, 2010.

At their September 14, 2010 meeting, the Planning Commission recommended approval of the proposal to the City Council.

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. (Ord. 2875 § 1.020.040, 2003)

Discussion: (a)(i) The Comprehensive Plan designation for the subject property is Rural Suburban Unincorporated Residential, RSUR. Applicable designation and zoning district for annexation are discussed later.

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.

(a)(iii) Other provisions applicable to this proposal are discussed elsewhere herein, except:

Pursuant to SHMC 13.04.020(7): *"All water users in the city whose closest property line is within 160 feet of a city water main shall be connected to the city water system."*

Currently, there is not a City water main within this distance of the subject property.

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

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) Both the City water and sewer systems have the capacity to serve the subject property. The property is within the McNulty Water District and is already served by them. If McNulty Water is incapable of adequately serving the property in the future it may be possible to extend the City's water main from the north (Maple Street) or elsewhere.

Storm water capacity is not an issue as it ultimately ends up in the Columbia River. 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.

With regards to the road system, the closest intersection that the City's Transportation System Plan (TSP) includes is that of Columbia River Highway (Hwy. 30) and Millard Road. Based on the TSP (from June 1997), this intersection has levels of service (LOS) for the 2016 growth forecast under the various scenarios (i.e. no build condition and the TSM, TDM, road system, and combination alternatives) of F, D or C. The only scenario that gets a C—road system alternative—involves more street connections to Millard Road from the north, which is complicated by disparate ownerships and wetlands/stream crossings. LOS of A-C is generally considered adequate. However, though a poor intersection, a recent review for a hospital on this property (County file DR 09-01), did not trigger any intersection or other off-site right-of-way improvements; this included ODOT. The situation is same, whether annexed or not.

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.

The council determined that the zoning be R7 based on lack of pedestrian improvements (sidewalk) in the foreseeable future (see below).

(b) The primary use on the subject property is a church. Generally, the Development Code refers to this type of use as "religious assembly." As explained later, the R10, R7, R5 and AR zones are the possible zoning districts based on the Comprehensive Plan designation of the site. All four of these zoning districts include religious assembly as conditional uses (requiring a Conditional Use Permit).

The existing use is possible given the City's zoning upon annexation.

There does not appear to be any conflicts with the Comprehensive Plan or implementing ordinances.

(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 east side.

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.

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 CS-I and the City zoning option given annexation is R7 or R10, generally.*

Uses permitted in the County CS-I zone are:

- Schools, public or private, and their accompanying sports facilities.
Government office buildings for local, state, or federal, such as a City
- Hall, Courthouse, or other similar type building.
- Public or private cemetery, crematory, or mausoleum.
- Hospital, clinic, or sanitarium.
- Extended care facility.
- Civic auditorium or stadium.
- County fairgrounds.
- Correctional facilities.
- Churches.
- Day care centers and private kindergartens.
- Police stations.
- Fire stations.
- Ranger stations.
- Armory.
- Museum.
- Library.
- Private club, fraternal organization, lodge, or grange.
- Nursing home.
- Other uses found similar by the Commission.

Note: there are no conditionally permitted uses in the County's CS-I zone.

Uses permitted or conditionally permitted in the City's R10 and/or R7 zone are:

- Home child care.
- Home occupation, Types I and II (per Chapter 17.120 SHMC).
- Public facilities, minor.
- Public park after site design review.
- Residential facility. **(R10 only)**
- Residential home.
- Single-dwelling unit, detached.
- *Auxiliary dwelling units.
- *Bed and breakfast, homestay, boarding house. **(R7 only)**
- *Children's day care/day nursery.
- *Cultural exhibits and library services. **(R10 only)**
- *Community recreation including structures. **(R7 only)**
- *Duplex residential units. **(R7 only)**
- *Neighborhood store/plaza. **(R7 only)**
- *Elderly/convalescent home.
- *Private park.
- *Public facilities, major.
- *Public safety facilities.
- *Religious assembly.

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 above uses can 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.

(d) The subject property abuts one street/road: Millard 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.

If sidewalk and related frontage improvements were installed, right-of-way dedication would be necessary. The City's Transportation Systems Plan classifies Millard Road as a Minor Arterial Street, which requires a minimum right-of-way width of 60 feet. There is only about 40' fronting the subject property.

Pursuant to SHMC 17.152.030(9) "...additional rights-of-way shall be provided at the time of land division or development." An annexation is neither.

(e) The subject property is less than 10 acres in size and not designated or zoned residential, thus, showing a need on the part of the city for such land (if designated residential) is not necessary.

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 for the subject property is Rural Suburban Residential, RSUR. Upon annexation, the Comprehensive Plan designation would thus be (incorporated) Suburban Residential, RS. There are two zoning options under that designation: Suburban Residential, R10 or Moderate Residential, R7, except the General Residential, R5 and Apartment Residential, AR zoning districts are possible if the following conditions are found:

- The parcel is vacant and larger than two acres in size.
- The carrying capacity of the public services including but not limited to streets, sewer, and water are sufficient for higher density development.
- The county and city determine, due to the pattern of development in the city and within the urban growth area, that other lands are more appropriate for these designations.

What zone is best? There no specific criteria to determine R7 or R10. So it's best to start by determining whether the R5 or AR zone can be ruled out. Based on the above criteria for the R5 or AR zone:

- The parcel is not vacant, but is underdeveloped; there is about 2+ undeveloped acres on the site.
- The carrying capacity of utilities and public services is possible for higher density (though this could require infrastructure improvements to property serve the parcel).
- There is no pattern in this area, except for single-family dwellings. But this property does abut property zoned Public Lands and a higher density development adjacent to that can be construed as a zoning/land use buffer to surrounding lower density development.

The R5 and AR zoned are not necessarily ruled out. The Planning Commission recommended Apartment Residential, AR. **The Council determined that the potential density would conflict with the lack of pedestrian amenities (sidewalk) into the foreseeable future and decided that R7 was the most appropriate zoning district.**

Finding: The subject property shall be designated Suburban Residential, RS and zoned Moderate Residential, R7 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. (Ord. 2875 § 1.150.020, 2003)

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 will be zoned residential, is privately owned and there are no inventoried natural hazards/resources on the subject property (though a jurisdictional wetland to the east). The property is also underdeveloped (i.e. greater density is possible). As such, the subject property can be classified as a “developing area.”

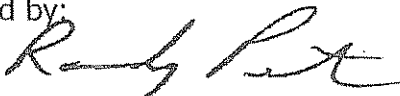
Finding: The subject property should be designated as “developing” in accordance with SHMC 17.112 and OAR 660-008-0005.

CONCLUSION & DECISION

Based upon the facts and findings herein, the Council approves annexation, subject to voter approval, and that upon annexation, the subject property have a Comprehensive Plan designation of Suburban Residential, SR, and be zoned R7, and designated as “Developing,” with the condition that:

The street(s) abutting the subject property shall be brought into compliance with City street standards, *following the appropriate right-of-way dedication* (or) property owner(s) shall sign and record an irrevocable consent to a local improvement district.

Signed by:



Randy Peterson, Mayor

11/17/10

Date

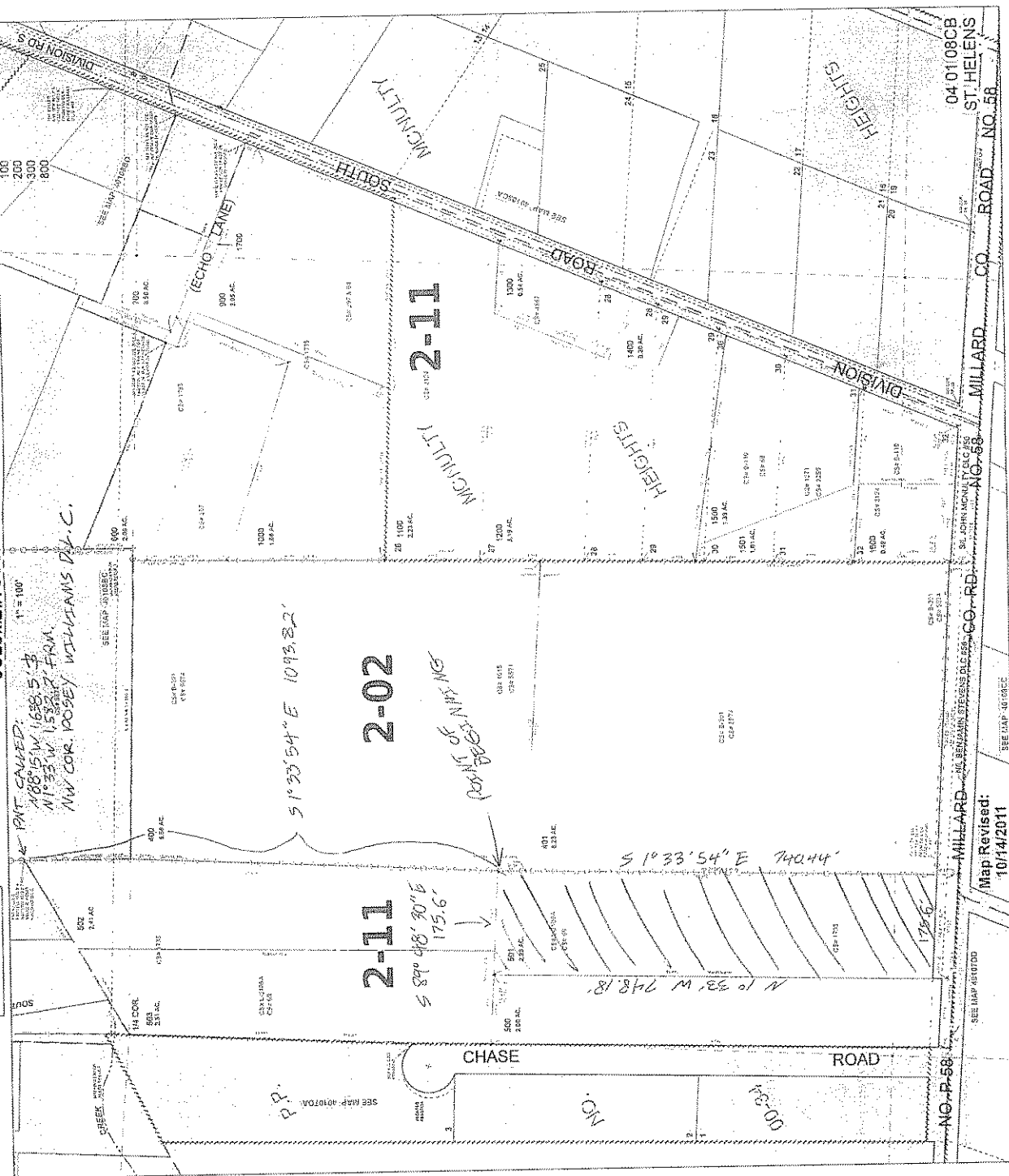
04 01 08CB
ST. HELENS

N.W. 1/4 S.W. 1/4 SEC. 8 T.4N. R.1W. W.M.
COLUMBIA COUNTY

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

1" = 100'

Cancelled:
100
200
300
400



04 01 08CB
ST. HELENS

NO. P-58
MILLARD CO. ROAD

Map Revised:
10/14/2011

SEE MAP 4610700

SEE MAP 4610800

LEGAL DESCRIPTION

Beginning at a point that is N 88° 15' W 1638.5 feet and N 1° 33' W 1582.2 feet from the NW corner of the Posey Williams Donation Land Claim in Section 8, Township 4 N, Range 1 W, Willamette Meridian, Columbia County, Oregon;

Thence, S 1° 33' 54" E a distance of 1093.82 feet to the TRUE POINT OF BEGINNING;

Thence, from the TRUE POINT OF BEGINNING continuing S 1° 33' 54" E a distance of 740.44 feet, more or less to the N line of Millard County Road No. 58;

Thence, W along said N line of Millard Road a distance of 175.6 feet;

Thence, N 1° 33' W a distance of 748.18 feet;

Thence, S 89° 48' 30" E a distance of 175.6 feet to the TRUE 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

COPY

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.

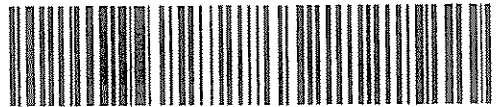
| | |
|---|--------------------------------|
| 35031 Millard Rd. | 4N1W-8CB-501 |
| Street Address of Property (if assigned) | Tax Account Number of Property |
| 1. William T. Craft, Jr. Print Owner Name St. Helens Community Bible Church | WT Craft Signature of Owner |
| 2. _____ Print Owner Name | _____ 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: _____
Contact Telephone: _____

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 14th day of April, 2010, by William T. Craft

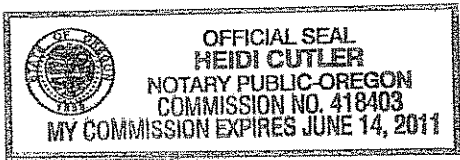
COLUMBIA COUNTY, OREGON 2010-003490
DEED-COX
Cnt=1 Pgs=2 HUSERB 04/22/2010 02:34:57 PM
\$10.00 \$11.00 \$15.00 \$5.00 \$10.00 = \$51.00



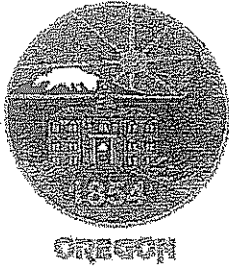
00122395201000034900020020

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

STATE OF OREGON)
County of Columbia) ss.
Notary Public for Oregon Heidi Cutler
My commission expires: 6-14-2011



COLUMBIA COUNTY



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

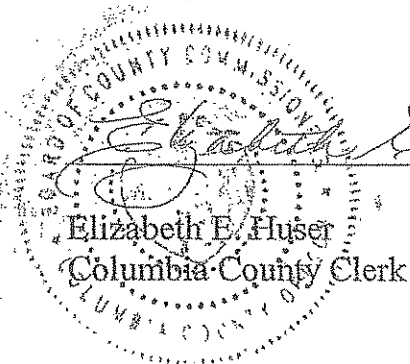
MAY 31 2012

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

WITH 9 OF 9 PRECINCTS REPORTING

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

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

WITH 9 OF 9 PRECINCTS REPORTING

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

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 |