

ORDINANCE NO. 13-1012

**AN ORDINANCE ANNEXING CERTAIN PROPERTY TO THE CITY OF OREGON
CITY AND APPROVING THE ELECTION RESULTS FOR AN 12-03**

OREGON CITY MAKES THE FOLLOWING FINDINGS:

WHEREAS, The City of Oregon City proposed that certain property, more fully identified in Exhibit 'A' to this Ordinance, be annexed to the City; and

WHEREAS, the City found that the proposal complied with all applicable legal requirements, as detailed in the findings attached hereto and made a part of this ordinance as Exhibit 'B'; and

WHEREAS, Chapter I, section 3 of the Oregon City Charter of 1982 requires voter approval for annexations such as the one proposed; and

WHEREAS, the annexation of the identified property was submitted to the voters of the City of Oregon City at a special election held on November 6th, 2012; and

WHEREAS, the Clackamas County Clerk has returned the official figures indicating the results of the election held on November 6th, 2012; and

WHEREAS, the official figures returned by the Clackamas County Clerk indicate that a majority of the voters of the City of Oregon City voted to approve the annexation of the identified property; and

WHEREAS, the identified property is currently within Clackamas County Fire District # 1; and will remain in said District upon annexation to the City of Oregon City; and

WHEREAS, the identified property is currently within the Clackamas County Service District for Enhanced Law Enforcement; and upon annexation the Oregon City Police Department will be responsible for police services to the identified property;

WHEREAS, the identified property is currently within and served by the Clackamas River Water (CRW) District service area; and

WHEREAS, with approval of the annexation, the property will be withdrawn from Clackamas River Water (CRW) District and future development will be connected to the Oregon City water distribution system; and

WHEREAS, the identified property is not currently within the Tri-City Service District and must petition for annexation into said District with the concurrence of the City; and

WHEREAS, the City Commission concurs that the Tri-City Service District can annex the identified property into their sewer district; and

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

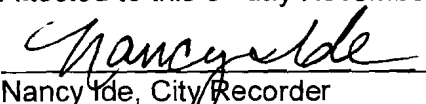
- Section 1. That the area further identified in the legal description attached hereto as Exhibit "A", is hereby annexed to and made a part of the City of Oregon City.
- Section 2. That the territory identified in Exhibit "A" shall hereby remain within Clackamas County Fire District # 1.
- Section 3. That the territory identified in Exhibit "A" is hereby withdrawn from Clackamas County Service District for Enhanced Law Enforcement, and henceforth, the Oregon City Police Department will be responsible for police services to the identified property.
- Section 4. That the territory identified in Exhibit "A" shall be withdrawn from the Clackamas River Water (CRW) District if any future water lines are constructed to serve the property by Oregon City.
- Section 5. The City hereby concurs with and approves the annexing of the territory identified in Exhibit "A" into the Tri-City Service District by the Clackamas County Board of Commissioners, to the extent allowed by law.
- Section 6. That the territory identified in Exhibit "A" is designated as Industrial on the Oregon City Comprehensive Plan land use map and in accordance with the findings in Exhibit "B" is hereby zoned Campus Industrial (CI) on the Oregon City Zoning map.
- Section 7. That the effective date for this annexation is the date this ordinance is submitted to the Secretary of State, as provided in ORS 222.180.

Read for the first time at a regular meeting of the City Commission held on the 16th day of October 2013, and the foregoing ordinance was finally enacted by the City Commission this 6th day of November 2013.



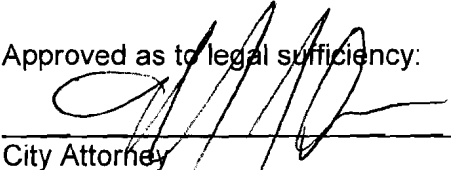
DOUG NEELEY, Mayor

Attested to this 6th day November 2013:



Nancy Ide, City Recorder

Approved as to legal sufficiency:



City Attorney

Notice to Taxing Districts

ORS 308.225

DOR 3-1969-2013



OREGON
DEPARTMENT
OF REVENUE

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

City of Oregon City
Community Development Dept.
221 Mollala Ave, Suite 200
Oregon City, OR 97045

Description and Map Approved

March 31, 2013

As Per ORS 308.225

☒ Description ☒ Map received from: Nick White
On: 3/28/2013

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

Annexation to the City of Oregon City AN 12-03

Resolution No 12-25

has been: ☒ Approved 3/31/2013
 ☐ Disapproved

Notes:

Department of Revenue File Number: 3-1969-2013

Prepared by: Robert Ayers 503-983-3032

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

**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
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Fax: (503) 925-8969



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EXHIBIT A

Legal Description
Annexation Parcel

A tract of land located in the Northeast One-Quarter of Section 9, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwesterly corner of Parcel 1 of the Partition Plat 1996-042; thence along the westerly line of said Parcel 1 South 00°00'00" East 538.30 feet to the northeasterly corner of Document Number 2006-063192 and the City of Oregon City city limits; thence along the northerly line of said Document Number, Document Number 76-34765 and said City of Oregon City city limits line South 86°23'54" West 1342.54 feet to a point on the northeasterly right-of-way line of Beaver Creek Road (30.00 feet from centerline); thence along said northeasterly right-of-way line North 40°35'00" West 181.89 feet to the southwesterly corner of Document Number 2006-055907; thence along the southerly line of said Document Number North 90°00'00" East 710.08 feet to the southeasterly corner of said Document Number; thence along the easterly line of said Document Number and Document Number 97-005819 North 00°00'00" East 484.50 feet to the southwesterly corner of Document Number 89-52002; thence leaving said City of Oregon City city limits line and along the southerly line of said Document Number and Document Number 90-16190 North 90°00'00" East 748.14 feet to the Point of Beginning.

The above described tract of land contains 11.46 acres, more or less.

3/12/2013

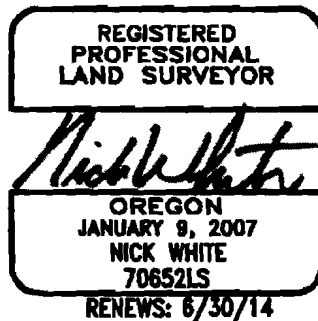
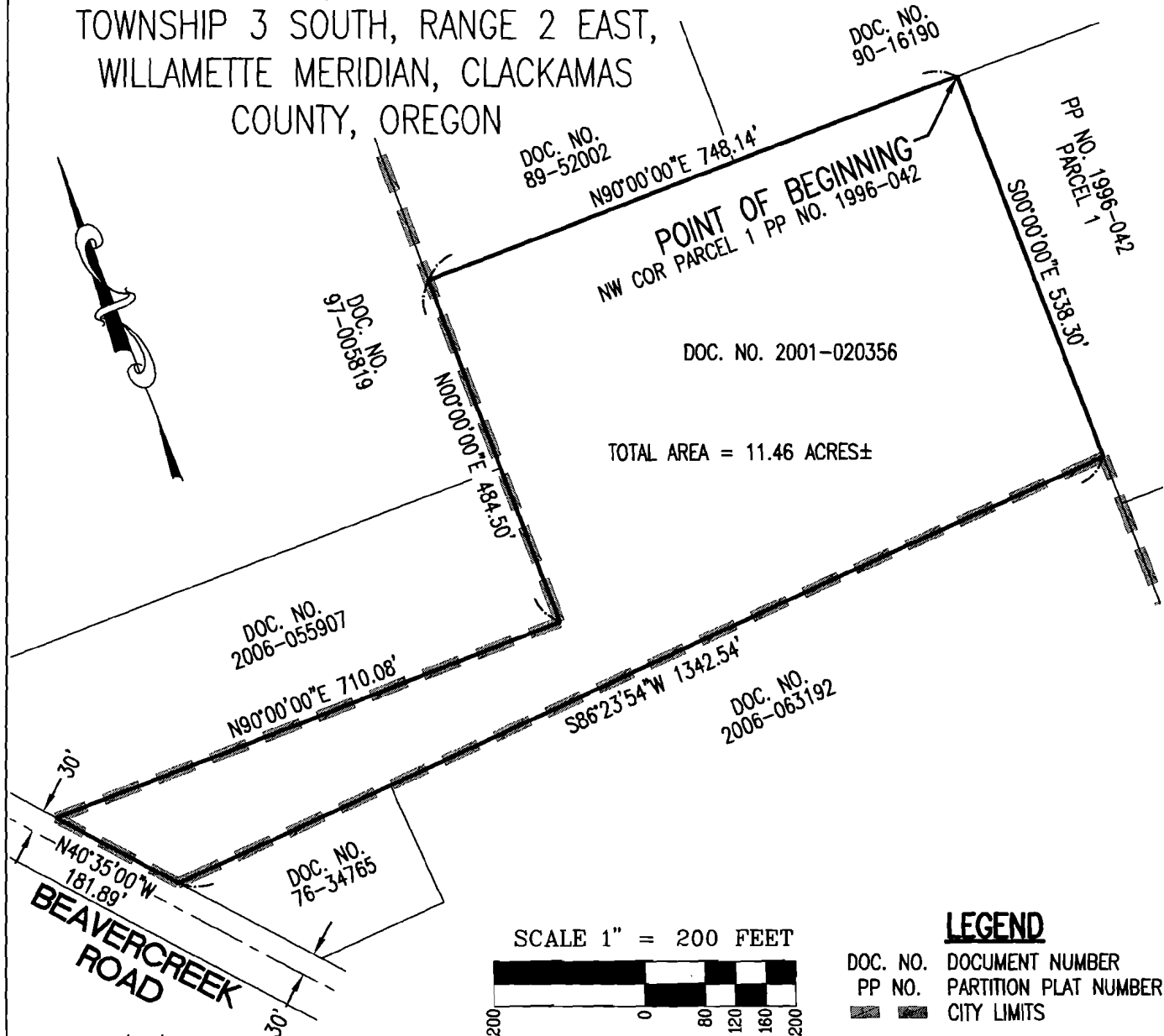


EXHIBIT B

A TRACT OF LAND LOCATED IN THE
NORTHEAST 1/4 OF SECTION 9,
TOWNSHIP 3 SOUTH, RANGE 2 EAST,
WILLAMETTE MERIDIAN, CLACKAMAS
COUNTY, OREGON

PREPARED FOR

CITY OF OREGON CITY
221 MOLALLA AVENUE, SUITE 200
OREGON CITY, OR 97045



3/12/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

CITY OF OREGON
JOB NAME: CITY ANNEXATIONS

JOB NUMBER: 3062

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: 022113 AN 12-3

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LICENSED IN OR & WA

13910 SW GALBREATH
DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

$$I'' = 200'$$

CANCELLED TL'S

400	890	503
401	500	504
100	904	1600
200	905	1300
201	301	
300	302	

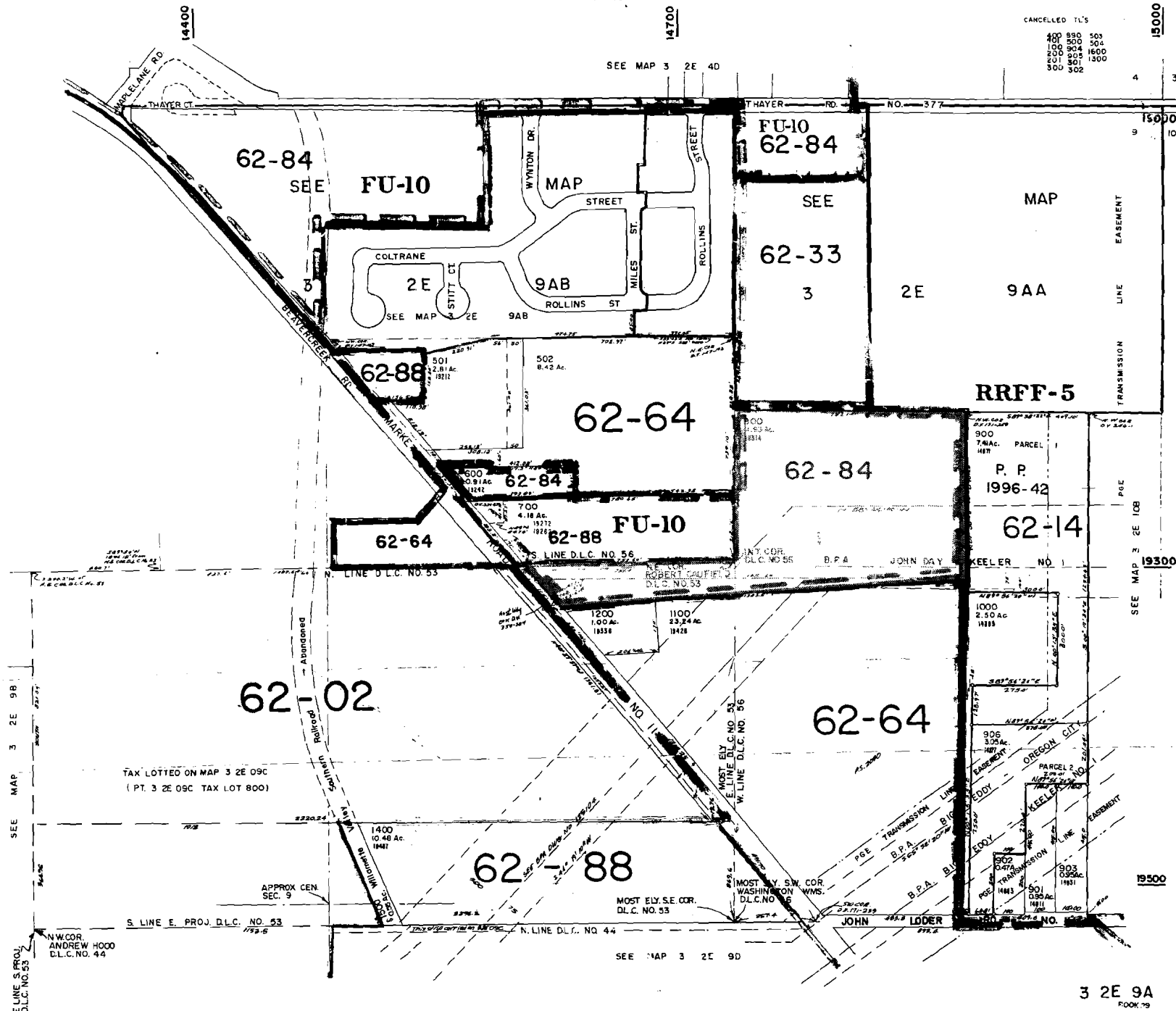
SEE MAP 3 2E 40

4 | 3

9	10
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AP 19300

19500



ATTACHMENT "B" TO EXHIBIT "1": ORD. NO. 13-1012

AN 12-03: 19314 Beaver Creek Road

FINDINGS

As approved by City Commission on August 1, 2012

1. The Metro Code calls for consistency of the annexation with the Regional Framework Plan or any functional plan. The Commission concludes the annexation is not inconsistent with this criterion because there were no directly applicable criteria for boundary changes found in the Regional Framework Plan, the Urban Growth Management Function Plan, or the Regional Transportation Plan.
2. Metro Code 3.09.050(d)(1) requires the Commission's findings to address consistency with applicable provisions of urban service agreements or annexation plans adopted pursuant to ORS 195. The Commission finds that there are no inconsistencies between these plans/agreements and this annexation.
3. The Metro Code, at 3.09.050(d)(3), requires the City's decision to be consistent with any "directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans." The Clackamas County Comprehensive Plan also says annexation which converts Future Urban lands to Immediate Urban lands should ensure the "orderly, economic provision of public facilities and services." The property owner has demonstrated that the City can provide all necessary urban services. Nothing in the County Plan speaks directly to criteria for annexation. Therefore the Commission finds this proposal is consistent with the applicable plan as required Metro Code 3.09.050 (d)(3).
4. The Commission concludes that the annexation is consistent with the Oregon City Comprehensive Plan that calls for a full range of urban services to be available to accommodate new development as noted in the Findings above. The City operates and provides a full range of urban services.
5. The Commission notes that the Metro Code also calls for consistency of the annexation with urban planning area agreements. As stated in the Findings, the Oregon City-Clackamas County Urban Growth Management Agreement (UGMA) specifically provides for annexations by the City.
6. Metro Code 3.09.050(d)(5) states that another criterion to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly, and economic provision of public facilities and services." Based on the evidence in the Findings, the Commission concludes that the annexation will not interfere with the timely, orderly, and economic provision of services.

7. The Oregon City Code contains provisions on annexation processing. Section 6 of the ordinance requires that the City Commission consider seven factors if they are relevant. These factors are covered in the Staff Report Findings and on balance the Commission believes they are adequately addressed to justify approval of this annexation.
8. The City Commission concurs with Tri-City Service District's annexation of the subject property in the enacting City ordinance upon voter approval of the city annexation. Prior to the City approving a final zoning designation for the property, the applicant shall provide documentation that the property has been annexed into the Tri-City Service District.
9. The Commission determines that the property should be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement as allowed by statute since the City will provide police services upon annexation.
10. The City Commission recognizes that the applicant has adequately addressed compliance with the Oregon Statewide Transportation Planning Rule OAR 660-012-0060.
11. The City Commission concurs with that the property be served by the City and withdrawn from the Clackamas River Water (CRW) service district if any future water lines are constructed to serve the property by Oregon City.
12. The City Commission recognizes that the Applicant shall provide all necessary mapping and legal property descriptions for approval by the Oregon Department of Revenue to ensure completion of the annexation.
13. The City Commission recommends not withdrawing the property from the Clackamas Fire District # 1.
14. The City Commission concurs that the property should be rezoned to CI – Campus Industrial Zoning upon approval of the annexation by the Voters of Oregon City.