

**ORDINANCE NO. 701**

AN ORDINANCE ANNEXING CERTAIN PROPERTY IN SECTION 24, TOWNSHIP 1N, RANGE 3E, WILLAMETTE MERIDIAN, TO THE CITY OF TROUTDALE AND AMENDING THE CITY'S COMPREHENSIVE PLAN MAP TO ASSIGN THE INDUSTRIAL DESIGNATION AND AMENDING THE CITY'S ZONING MAP TO ASSIGN THE GENERAL INDUSTRIAL ZONING DESIGNATION TO THE PROPERTY UPON ANNEXATION AND REPEALING ORDINANCE NO. 694.

**The Troutdale City Council finds as follows:**

1. On April 10, 2000 James E. Galloway, City of Troutdale Public Works Director, submitted an application (File no. 00-020) on behalf of the City of Troutdale for annexation of City of Troutdale-owned property at 1820 NW Graham Road.
2. The property being annexed lies within the City's Urban Planning Area boundary.
3. The proposed City Comprehensive Plan Map designation and Zoning District Map designation are consistent with Resolution 1430, whereby the City Council recommended to the Multnomah County Board of Commissioners specific zoning and land use designations for land within the northern portion of Troutdale's Urban Planning Area.
4. The Metro Code at 3.09.050(d)(4) calls for consistency between the Council decision and any "specific directly applicable standards or criteria for boundary changes contained in... Regional Framework Plan or any functional plan..." There are no directly applicable criteria in Metro's only adopted functional plan, the Urban Growth Management Functional Plan. All other elements of the Regional Framework Plan were examined and found not to contain any directly applicable standards and criteria for boundary changes.
5. The Metro Code at 3.09.050(d)(3) calls for consistency between the Council decision and any "specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facilities plans..." The Council has reviewed the applicable comprehensive plan which is the County Comprehensive Plan and finds approval of this annexation to be consistent with the plan.

While the Troutdale Comprehensive Plan does not cover areas outside of the existing City, Goal #14 of the City's Plan has some relevance to the annexation. A Policy of that goal is to "Annex those areas within the City's planning area when services are requested." The applicant is requesting to extend City services in this instance and the Council therefore finds the annexation to be consistent with the City's Plan in this regard.

6. The Metro Code calls for consideration of any directly applicable standards or criteria to be found in urban planning area agreements. This area is covered by an urban planning area

**ORDINANCE NO. 701**

1

agreement between the City of Troutdale and Multnomah County. The Urban Planning Area Agreement was reviewed and found not to contain any provisions directly applicable to annexations. Thus, the Council concludes there are no directly applicable criteria or standards that apply to this proposed boundary change to be found within the applicable agreement.

7. The Metro Code also requires that these conclusions address consistency between this decision and any urban service agreements under ORS 195. There are no ORS 195 agreements in place in this area. Therefore the Council addresses this criteria by finding that there are no agreements and that its decision is not out of compliance with any such agreements.
8. Metro Code 3.09.050(d)(5) states that another criteria to be addressed is "Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services." The Council finds that the City can provide the majority of necessary urban services to this site and that the annexation will enhance the ability of the property owner to acquire these services in an efficient and economical manner.
9. The Planning Commission held a public hearing on June 21, 2000, and reviewed the request and forwarded to the City Council a recommendation for approval. In addition to the findings and conclusions listed herein, the findings of fact contained in the Planning Commission Recommendation are adopted by reference herein.
10. The City Council held public hearings on July 25, 2000 and August 22, 2000 to provide opportunity for public comment.
11. As noted in the staff report prepared for the Planning Commission, the City obtains fire protection via a contract with the City of Gresham while the territory to be annexed lies within Multnomah County R.F.P.D. #10. ORS 222.111(4) and 222.120(5) provide that the City may withdraw the territory from the District as a part of the annexation action.
12. On August 22, 2000, the City Council adopted Ordinance 694 annexing 12.87 acres of property to the City of Troutdale. The Oregon Department of Revenue (ODR) subsequently informed the Community Development Department that the property description contained in that ordinance included a small portion of property that was already within the city limits. The ODR further informed the Community Development Department that a revised ordinance reflecting the actual boundaries of the annexed property would be required by the ODR before the state of Oregon would recognize the annexation.
13. The City Council held public hearings on the corrected ordinance on October 10, 2000 and on October 24, 2000.
14. The City Council is now satisfied that this matter has been adequately considered;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE:**

**Section 1:**

Annexation. Based on these findings, the property in Section 24, Township 1N, Range 3E, Willamette Meridian, described in Exhibit A and depicted in Exhibit B, is hereby annexed into the corporate limits of the City of Troutdale. The property is also hereby withdrawn from Multnomah County R.F.P.D. #10 on the effective date of the annexation.

**Section 2:**

Amendment to the City of Troutdale Comprehensive Plan Map. Based on these findings, the Troutdale Comprehensive Plan Map is hereby amended to designate the annexed property as Industrial.

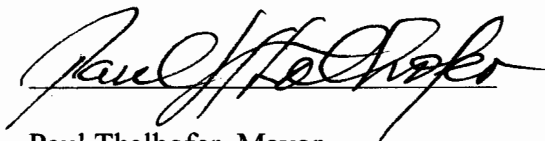
**Section 3:**

Amendment to the City of Troutdale Zoning District Map. Based on these findings, the Troutdale Zoning District Map is hereby amended to designate the annexed property as General Industrial.

**Section 4:**

Repeal of Ordinance No. 694. Ordinance No. 694, adopted August 22, 2000, is hereby repealed.

YEA:	<u>6</u>
NAYS:	<u>0</u>
ABSTAINED:	<u>0</u>



Paul Thalhofer, Mayor

Date: 10-25-00



Debbie Stickney, City Recorder

Adopted: October 24, 2000

**ORDINANCE NO. 701**

## EXHIBIT A

---

### Description of Property to be Annexed

All that portion of the southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, lying partially in the Lewis Marr Donation Land Claim No. 45, the Calvin Reed Donation Land Claim No. 60, and Government Lot 4 of said Section 24, being more particularly described as follows:

BEGINNING at a point on the north line of Parcel II, of the Warranty Deed recorded October 31, 1990, in Book 2358, Page 846, Multnomah County Records, said point also being on the east right-of-way line of relocated N.W. Graham Road, a 60-foot-wide strip of land;

thence, along said east line, North 01° 15' 36" East, 126.95 feet to the north line of said right-of-way;

thence, along said north line, North 88° 44' 43" West, 60.00 feet to the intersection with the northerly prolongation of the west right-of-way line of said relocated N.W. Graham Road;

thence, along said prolongation, North 01° 15' 36" East, 497.29 feet;

thence North 89° 59' 45" East, 943.45 feet to the west line of a 100-foot-wide drainage easement in favor of the Sandy Drainage District recorded in October, 1940, in Book 572, Page 280, Multnomah County Records;

thence, along said drainage easement, along a 820.00-foot-radius curve to the right, through a central angle of 37° 01' 16", an arc distance of 529.83 feet, subtended by a chord of South 19° 48' 04" West, 520.66 feet;

thence, continuing along said easement, South 38° 19' 01" West, 189.94 feet to the north line of said Parcel II;

thence, along the north line of said Parcel II, North 88° 43' 27" West, 603.20 feet to the point of beginning.

Containing an area of 12.20 acres, more or less.

This legal description along with the basis of bearing thereof, is established from a record of survey recorded under Survey Number 53899, Multnomah County Survey Records.

EXHIBIT B

02-OCT-2000

ANNEX-PLAT.DGN

N 89° 59' 45" E 943.45'

RADIUS- 820.00'  
DELTA- 37° 01' 16"  
LENGTH- 529.83'  
CHORD- S 19° 48' 04" W  
520.66'

ANNEXATION AREA  
12.20 ACRES

N 01° 15' 36" E 497.29'

N 88° 44' 43" W

60.00'

N 01° 15' 36" E

126.95'

N 88° 43' 27" W

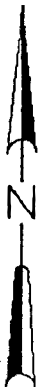
603.20'

60' GRAHAM ROAD  
RIGHT-OF-WAY

189.94'  
S 38° 19' 01" W  
100' SANDY DRAINAGE DISTRICT  
EASEMENT BK 572 PG 280

SANDY RIVER

PARCEL II, BK 2358, PG 846



1" = 200'

CH2MH11

Final Documents

For

Annexation to the  
City of Troutdale


MU0600  
DOR 26-642-2000  
Ordinance #701

Final to 4

Signature:

Date of

Mailing:

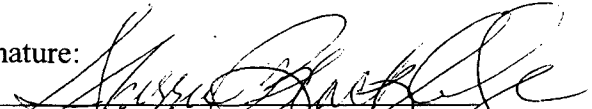
  
11/16/00

Final to Others:

Signature:

Date of

Mailing:

  
12/7/00

Franchise Clerk, Treasury  
NW Natural Gas  
220 NW Second Ave  
Portland,OR 97209-3943

Robert Baumgartner  
NW Regional Office  
Water Quality Section  
2020 SW 4th Ave #400  
Portland,OR 97201-4959

Jennifer Dudley  
Mapping Assessment Div.  
Oregon Department of Revenue  
955 Center St NE  
Salem,OR 97310-2551

Sheriff Noelle  
Multnomah County  
12240 NE Glisan Street  
Portland,OR 97230-2117

Vicky Ervin  
Director  
Multnomah County Elections  
1040 SE Morrison St  
Portland,OR 97214-2417

Debbie Stickney  
City Recorder  
City of Troutdale  
104 SE Kibling Ave  
Troutdale,OR 97060-2099

Greg Peden  
US West Communications  
421 SW Oak Street 810  
Portland,OR 97204-1817

Property Services  
PGE  
121 SW Salmon 1WTC-0401  
Portland,OR 97204-2991

Land Development  
Tri-Met  
710 NE Holladay St.  
Portland,OR 97232-2168

Rita F. Mathews  
Oregon State Archives  
Oregon Secretary of State  
800 Sumner St  
Salem,OR 97310-1347

Suzanne E. Hannam  
BOEC  
City of Portland  
9911 SE Bush St  
Portland,OR 97266-2562

Mark Turpel  
Metro  
600 NE Grand Ave  
Portland,OR 97232-2799

District Manager  
Multnomah Co. RFPD #10  
PO Box 30418  
Portland,OR 97230-3418

Jason A. Seivers  
Associate Planner  
City of Troutdale  
104 SE Kibling Avenue  
Troutdale,OR 97060-2099

Pittmon Maps  
Oregon Blueprint Co.  
732 SE Hawthorne Blvd  
Portland,OR 97214-3516

Port of Portland  
PO Box 3529  
Portland,OR 97208-3529

Kathy Buse  
Director  
Multnomah County Planning & Devp.  
1600 SE 190th Ave  
Portland,OR 97233-5910

Kathy Tuneberg  
Assessment & Taxation Mgr.  
Multnomah County  
421 SW Sixth Ave #200  
Portland,OR 97204-1658

Ken Martin  
Metro  
600 NE Grand Ave  
Portland,OR 97232-2799

Jeanne Benecke  
TCI of Oregon  
3500 SW Bond Ave  
Portland,OR 97201-4506

# Notice to Taxing Districts

ORS 308.225



OREGON  
DEPARTMENT  
OF REVENUE  
Cartographic Unit  
PO Box 14380  
Salem, OR 97309-5075  
(503) 945-8297, fax 945-8737

City of Troutdale  
Finance Director  
104 SE Kibling St.  
Troutdale, OR 97060

**Description and Map Approved**  
**November 22, 2000**  
**As Per ORS 308.225**

Description     Map received from: METRO  
On: 9/22/00, 11/20/00

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

**ANNEX TO THE CITY OF TROUTDALE & WITHDRAWAL FROM MULTNOMAH  
COUNTY RFPD #10**

ORD. #694 & #701

has been:     Approved            11/22/00  
                   Disapproved

Notes:

Department of Revenue File Number: 26-642-2000

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