ORDINANCE NO. 472

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH PLAINS, OREGON, ANNEXING ONE PROPERTY AND ONE PIECE OF RIGHT-OF-WAY AND AMENDING THE ZONING MAP

WHEREAS, the City received a complete petition from Portland General Electric (PGE), the property owner of a certain tract of land, described in Exhibit “A” attached to this Ordinance, requesting that the property be annexed into the City Limits of North Plains; and

WHEREAS, the petition represented 100 percent of the property owners of, and not less than 50 percent of the electors residing in, the territory requesting to be annexed into the City of North Plains, as required by ORS 222.125; and

WHEREAS, the tract of land lies within the City’s Urban Growth Boundary and the Tualatin Valley Fire & Rescue (TVF&R) Service Area; and

WHEREAS, the tract of land can be served by City services; and

WHEREAS, the tract of land is currently zoned FD-10 (Washington County Future Development), and upon annexation to the City of North Plains will be zoned Institutional and Public Use (IPU), amending the City’s Zoning Map; and

WHEREAS, the City initiated annexation of the NW North Avenue right-of-way described in Exhibit “B” and attached to this Ordinance; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing, and reviewed the proposed annexations and zoning map amendment and staff report at its meeting on August 12, 2020, and forwarded a recommendation to the City Council; and

WHEREAS, the City Council conducted a duly-noticed public hearing, and reviewed the proposed annexations and zoning map amendment, Planning Commission recommendation and staff report at its meeting on September 8, 2020; and

WHEREAS, the City Council considered the application, the evidence in the record and the applicable criteria for annexations and zoning map amendments).

Now, therefore:

THE CITY OF NORTH PLAINS ORDAINS AS FOLLOWS:

Section 1. The tract of land, described in Exhibit “A”, is hereby proclaimed and declared to be annexed to the City of North Plains, Oregon.

Section 2. The tract of land described in Exhibit “A” is hereby assigned the zoning designation of
Institutional and Public Use (IPU).

Section 3. The area of right-of-way described in Exhibit “B” is hereby proclaimed and declared to be annexed to the City of North Plains, Oregon.

Section 4. Pursuant to ORS 199.510(c), the areas described in Exhibit “A” and Exhibit “B” are also hereby annexed into the district boundary of Clean Water Services for the provision of sanitary sewer, storm and surface water management.

Section 5. The areas described in Exhibit “A” and Exhibit “B” are also hereby annexed into the district boundary of Tualatin Valley Fire & Rescue for the provision of emergency services.

Section 6. In support of its decision, the City Council adopts the findings within the Planning Commission Recommendation for File No. 20-026, dated August 12, 2020 and signed August 19, 2020, attached hereto as Exhibit “C”.

Section 7. This Ordinance shall become effective on the 30th day after its adoption.

INTRODUCED on the 8th day of September, 2020, ADOPTED on the 21st day of September, and EFFECTIVE on the 21st day of October, 2020.

CITY OF NORTH PLAINS, OREGON

By: ___________________________
   Teri Lenahan, Mayor

ATTEST: ___________________________

By: ___________________________
   Lori Lesmeister, City Recorder
LEGAL DESCRIPTION

A parcel of land in Section 1, T. 1 N., R. 3 W., Willamette Meridian, Washington County, Oregon, said parcel also being a portion of Lots 1 and 2 of Paine Tract, a duly recorded plat of Washington County, Oregon, on file in the office of the Recorder of Conveyances for said county, said parcel being more particularly described as follows:

Beginning at the Intersection of the north line of North Avenue and the west line of First Avenue (also known as Glencoe and Shady Brook Road) as shown on the aforesaid plat of Paine Tract;

THENCE, N 77° 08’ W, tracing the north line of aforesaid North Avenue, a distance of 275 feet;

THENCE, N 12° 35’ E a distance of 179.81 feet;

THENCE, S 77° 08’ E, parallel to the north line of said North Avenue, a distance of 319.39 feet to the West line of First Street, aforesaid;

THENCE, S 26° 28’ W, tracing the west line of said First Street, a distance of 185 feet to the place of beginning.

Contains 1.23 acres.

ANNEXATION CERTIFIED

BY

MAY 27 2020

WASHINGTON COUNTY A & T CARTOGRAPHY
May 18, 2020

LEGAL DESCRIPTION

Annexation to City of North Plains

Public Right-of-Way in the Northwest Quarter of Section 1, Township 1 North, Range 3 West, Willamette Meridian, City of North Plains, Washington County, State of Oregon, more particularly described as follows:

BEGINNING at the Southwest corner of “Adjusted Tax Lot 300”, Document No. 2016-042304, Washington County Deed Records;

thence along the northerly Right-of-Way line of NW North Avenue (County Road No. A-10), North 76°13’ 28” West, a distance of 1335.34 feet to a point on the centerline of NW Mountaintdale Road (County Road No. 1017);

thence along said centerline and the centerline of NW Gordon Road (County Road No. A-10 & 14), South 14°44’ 34” West, a distance of 68.15 feet;

thence along the southerly Right-of-Way line of said NW North Avenue and its extension, South 76°25’ 52” East, a distance of 315.04 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 76°12’ 06” East, a distance of 203.14 feet to an angle point;

thence continuing along said southerly Right-of-Way line, North 08°05’ 45” East, a distance of 3.94 feet to an angle point;

thence continuing along said southerly Right-of-Way line, South 76°09’ 02” East, a distance of 818.76 feet;

thence leaving said southerly Right-of-Way line, North 13°42’ 55” East, a distance of 64.21 feet to the POINT OF BEGINNING.

Containing 1.997 acres, more or less.

Basis of bearings being the southerly Right-of-Way line of NW North Avenue (County Road No. A-10), per plat of “North Meadows”, Washington County Plat Records.
Section 1, Township 1 North, Range 3 West
Willamette Meridian, Washington County, Oregon

Ordinance 472
Exhibit B – Page 1 of 2

DOCUMENT NO. 2016-042304
"ADJUSTED TAX LOT 400"

DOCUMENT NO. 2016-042304
"ADJUSTED TAX LOT 300"

Point of beginning

Lot 20
Block 1
North Plains

Exhibit A
Annexation to City of North Plains

Drawn by: FAA Date: 5/18/20
Reviewed by: TCJ Date: 5/18/20
Project No.: 113-008
Scale: 1" = 200'

Pacific Community Design
12564 SW Main St
Tigard, OR 97223
[T] 503-941-9484
[F] 503-941-9485
Before the Planning Commission of the City of North Plains

In the matter of an application for annexation and a Comprehensive Plan Map Amendment by City of North Plains and Portland General Electric (PGE), APPLICANTS

RECOMMENDATION TO CITY COUNCIL 20-026
Annexation and Comprehensive Plan Map Amendment
PC Hearing Date: August 12, 2020

Whereas, Portland General Electric (PGE) initiated an update to the Zoning Map to rezone 1.23 acres (Tax Lot 1N301AD06100) from FD-10 (Washington County Zoning) to IPU (Institutional and Public Use) and annex the property into the City limits; and

Whereas, the City of North Plains initiated annexation of a portion of NW North Avenue into the City limits; and

Whereas, the Planning Commission conducted a duly-noticed public hearing, and reviewed the proposed zoning map amendment and annexation requests at its meeting on August 12, 2020; and

Whereas, the Planning Commission considered the submitted staff report and reviewed the proposed map amendment and annexation requests for compliance with the North Plains Comprehensive Plan, which incorporates the Statewide Planning Goals, and thereafter closed the hearing; and

Whereas, the Planning Commission accepted the findings in the staff report date August 10, 2020, with the revision of the following findings:

16.205.005.C- The portion of NW North Avenue proposed for annexation is not within the Urban Growth Boundary but is being annexed for road reconstruction and for the placement of utilities. This standard is met.

16.205.010.D-The proposed annexation represents a logical direction for City expansion as the PGE site is one of a limited number of properties outside the City limits but within the UGB. The portion of NW North Avenue is orderly in that the annexation will help complete the process for transferring the road’s jurisdiction to the City.

16.205.035- The Planning Commission will conduct a public hearing to evaluate the proposed annexation and determine appropriate zoning of the PGE site. The zoning of NW North Avenue is not explicitly determined as it is right-of-way and not a legal lot of record; however, the provisions of 16.10.005 remain applicable. The Planning Commission’s recommendation will include findings of fact and conclusions of law specifying how the proposal complies with the applicable laws and regulations. This standard will be met with the Planning Commission’s recommendation to the City Council; and

Whereas, having considered the application and the evidence in the record, the Planning Commission adopted a motion to recommend approval to the City Council of file 20-026 Zoning Map Amendment and instructed staff to prepare findings and conclusions in a written recommendation.

Now therefore, it is hereby recommended by the North Plains Planning Commission:

The Planning Commission recommends approval to the City Council of the proposed Zoning Map Amendment and Annexations, based on the findings and conclusions contained in
Exhibit A (attached) which the Planning Commission hereby adopts as its findings, and determines to be reasonable.

Stewart King
Chairperson

8/19/2020
Date
General Findings

1. **Finding:** Applications for annexation and zoning map amendments require Type IV quasi-judicial reviews and decisions. The Planning Commission conducts a public hearing on the matter and forwards a recommendation to the City Council. The City Council is the City’s decision-making body.

2. **Finding:** Public notice was mailed, published in a newspaper of general circulation, was included in the City Newsletter and was posted on the PGE site.

3. **Finding:** The Zoning Map Amendment complies with Section 16.200 of the North Plains Zoning Ordinance, and the Annexations comply with Section 16.205, as addressed in the staff report to Planning Commission dated August 10, 2020 and identified in the findings below. The proposed map amendment and annexations comply with the North Plains Comprehensive Plan and Statewide Planning Goals.

4. **Finding:** Procedures: In accordance with ZDO Chapter 16.170 Application Review and Procedures, on August 12, 2020, the Planning Commission conducted a public hearing to discuss and make a recommendation regarding this application.

Specific Findings based on North Plains Municipal Code (NPMC)

(Code text is **Bold.** All findings are from the Staff Report to Planning Commission)

**COMPLIANCE WITH CITY OF NORTH PLAINS MUNICIPAL CODE**

16.200 COMPREHENSIVE PLAN & ZONING AMENDMENTS

16.200.015 Review Criteria

B. Map Amendment

An amendment to the Comprehensive Plan Map or Official Zoning Map may be authorized, provided that the proposal satisfies all applicable requirements of this Ordinance, and provided that the applicant demonstrates the following:

1. That the proposed amendment is consistent with the goals and policies of the Comprehensive Plan;

**Finding:** The Comprehensive Plan is structured to reflect Oregon’s 19 Statewide Planning Goals. Each of these goals are addressed below. Though several of the goals are not applicable to the proposed zoning map amendment, those that are applicable are responded to in detail. The comprehensive plan map amendment provisions are applicable only to the zoning map amendment of the PGE site. Annexation criteria for
both the PGE site and the NW North Avenue right-of-way is found later in this report in 16.205- Annexations.

**Goal 1 Citizen Involvement**
The proposed annexation and change to the Zoning Map does not specifically address citizen involvement.
This land use application is subject to a City of North Plains Type IV land use review, which includes a significant citizen involvement component. This process has been established by the city and determined to be consistent with this goal. The mandatory public notice of the action and decision, and the hearings on this case before the Planning Commission and City Council are all avenues of citizen participation.

**Goal 2 Land Use Planning**
This statewide goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan.
The process identified above was utilized in the drafting of this proposed Annexation and Zoning Map Amendment. Alternatives have been limited due to the fact that the property is developed with the PGE electric power substation. However, incorporation of this property into the city and the IPU zoning designation are consistent with the Comprehensive Plan.

**Goal 3 Agricultural Lands**
This goal does not apply because the City does not include area designated for agricultural use.

**Goal 4 Forest Lands**
This goal does not apply because the City does not include area designated for forest use.

**Goal 5 Open Spaces, Scenic and Historic Areas, and Natural Resources**
There are no proposed changes to text regarding Goal 5 open spaces, scenic and historic areas and natural resources. Therefore, the intent of this goal remains satisfied by the policies of the Comprehensive Plan and implementation in the Zoning Ordinance.

**Goal 6 Air, Water and Land Resources Quality**
There are no proposed changes to text regarding air, water, or land resources. Therefore, the intent of this goal remains satisfied by the policies of the Comprehensive Plan and implementation in the Zoning Ordinance.

**Goal 7 Areas Subject to Natural Hazards**
There are no proposed changes to text regarding areas subject to natural hazards. Therefore, the intent of this goal remains satisfied by the policies of the Comprehensive Plan and implementation in the Zoning Ordinance.

**Goal 8 Recreational Needs**
There are no proposed changes to text regarding recreational needs. Therefore, the intent of this goal is satisfied by the policies of the Comprehensive Plan and implementation in the Zoning Map Amendment.
Goal 9 Economic Development
There are no proposed changes to text regarding economic development. Therefore, the intent of this goal remains satisfied by the policies of the Comprehensive Plan and implementation in the Zoning Ordinance.

Goal 10 Housing
There are no proposed changes to text that directly affect housing. Therefore, the intent of this goal remains satisfied by the policies of the Comprehensive Plan and implementation in the Zoning Ordinance.

Goal 11 Public Facilities and Services
There are no proposed changes to text regarding public facilities and services. However, inclusion of this utility into the City’s limits does support the Comprehensive Plan goals of providing public facilities and services to residents and business owners. Therefore, the proposed annexation and comprehensive plan map amendment further the policies of the Comprehensive Plan and implementation in the Zoning Ordinance.

Goal 12 Transportation
The Transportation Planning Rule (TPR), OAR 600-012.0060, requires that, where an amendment to a comprehensive plan or zoning regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures that assure that allowed land uses are consistent with the function, capacity, and performance standards of the facility. The proposed annexation and zoning map change from FD-10 to IPU would not affect the transportation system as the site is fully developed as an electric utility. No measures are necessary to assure that the site will affect the function, capacity and performance of the street network.

Goal 13 Energy Conservation
There are no identifiable energy consequences of this land use action. The proposed annexation and map amendment will not result in any appreciable difference in waste production or recycling compared with existing development.

Goal 14 Urbanization
There are no identifiable impacts to the urbanization factors in the statewide planning goals, so this proposal is consistent.

Goal 15 Willamette River Greenway
Goal 16 Estuarine Resources
Goal 17 Coastal Shorelands
Goal 18 Beaches and Dunes
Goal 19 Ocean Resources

The City is not within the plan boundary for the Willamette River Greenway, does not have any estuarine resources, and is not on the Oregon Coast, so goals 15 through 19 do not apply.

As discussed above, the proposed map amendment is generally consistent with the Statewide Planning Goals.

2. The purpose statement of the proposed zone can be met and the uses
permitted in the proposed zone can be accommodated on the proposed site without exceeding its physical capacity. Allowed uses in the proposed zone can be established in compliance with the development requirements of the Code;

Finding: The purpose statement of the IPU zone states:
The IPU zoning district serves the need for the designation of areas for necessary institutional uses such as schools and churches, and public and semipublic uses such as parks, a local government center and other governmental and public service uses. This district may be located at any place throughout the City, based on a determination by the City that such areas are required.
The development of this site as an electric utility meets the purpose statement of the IPU zone. If this site were to redevelop in the future, some or all uses permitted in the IPU zone can be accommodated on this site and developed to City standards. This criterion is met.

3. That the proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve the proposed uses or other potential uses in the proposed zoning district; and

Finding: The proposed amendment is timely. This site is surrounded on three sides by the City of North Plains. The inclusion of this site into the City will allow the City to support PGE in providing electrical services to the residents and businesses within the city. This criterion is met.

4. That the amendment conforms to the Transportation Planning Rule provisions under this chapter 16.200.015 subsection 5.

Finding: As stated above, the Transportation Planning Rule (TPR), OAR 600-012.0060, requires that, where an amendment to a comprehensive plan or zoning regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures that assure that allowed land uses are consistent with the function, capacity, and performance standards of the facility. The proposed zoning map amendment from FD-10 to IPU will not have an impact on the transportation system. The use is established and is not anticipated to change. If the site were to redevelop in the future, the IPU zoning district is typically a low-yield traffic generating zone and impact to the transportation system is not likely. No changes are proposed to street or transportation network standards. This criterion is met.

16.200.020 Findings

Findings justifying a decision on an application shall be made in writing, and shall be provided to the applicant.

Finding: The City Council's final decision will include written findings, which will be provided to the applicant. This standard is met.

16.200.025 Conditions
The granting of an approval of any land use action under Chapter 16.200 may be subject to such conditions as are reasonably necessary to protect the public health, safety or general welfare from potentially damaging effects resulting from approval of the permit, or to fulfill the public need for service demands created by approval of the request.

**Finding:** Staff does not find it necessary to subject the Comprehensive Plan Map Amendment to any conditions of approval. This standard is met.

16.205 ANNEXATIONS

16.205.005 Conditions for Annexation.

The following conditions must be met prior to or concurrent with City processing of any annexation request:

A. The subject property must be located within the North Plains Urban Growth Boundary.

**Finding:** The PGE property is within the North Plains Urban Growth Boundary. This standard is met.

B. The subject property must be contiguous to the existing City limits or separated from it only by a public right of way or a stream, bay, lake or other body of water, per ORS 221.111(1).

**Finding:** The PGE property is contiguous to the existing City limits on 3 sides. This standard is met.

C. Right-of-way that is not within the Urban Growth Boundary may be annexed for road reconstruction or modification or for the placement of utilities.

**Finding:** The portion of NW North Avenue proposed for annexation is not within the Urban Growth Boundary but is being annexed for road reconstruction and for the placement of utilities. This standard is met.

16.205.010 Criteria The following criteria shall apply to all annexation requests:

A. The proposed use for the site complies with the North Plains Comprehensive Plan and with the designation(s) thereon. If a re-designation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Comprehensive Plan.

**Finding:** The PGE site is an existing utility use complies with the North Plains Comprehensive Plan and the application of the IPU zone is appropriate for this use. This standard is met.
B. An adequate level of urban services and infrastructure must be available or made available in a specified time period determined by Council. An adequate level of urban services is defined as:

1. Municipal sanitary sewer, storm drainage and water service meeting the requirements enumerated in the Comprehensive Plan for provision of those services.
2. Rights of way with adequate design capacity for the proposed use and projected future uses.
3. Where construction of improvements necessary for delivery of the urban services identified in subsection (1) above or the rights-of-way identified in subsection (2) above are not thought to be immediately necessary, the applicant shall note the methods that are proposed to be used for providing and/or financing those services/improvements including (but not limited to): dedication of right-of-way, granting waiver(s) of remonstrance against possible future local improvement districts created or other approaches/devices to pay for improvement costs.

**Finding:** The PGE site is fully developed and operational. NW North Avenue is part of a master plan development that will be built to City standards. No additional urban services are necessary to serve this site. This standard is met.

C. Findings documenting the availability of police, fire, parks, school facilities and all related services shall be made allowing for conclusive findings either for or against the proposed annexation. The adequacy of each of these services shall be considered in relation to each annexation proposal.

**Finding:** The proposed annexation of an existing PGE utility site and an existing right-of-way will not affect availability of police, fire, parks, school facilities or related services. This standard is met.

D. The proposed annexation represents a logical direction for City expansion, promotes an orderly, reasonable and economically feasible expansion of the City boundaries and, in the judgement of the City, serves the present and future interests of the City.

**Finding:** The proposed annexation represents a logical direction for City expansion as the PGE site is one of a limited number of properties outside the City limits but within the UGB. The portion of NW North Avenue is orderly in that the annexation will help complete the process for transferring the road's jurisdiction to the City.

E. The burden of providing evidence supporting the findings for Section 16.205.070 A-C is upon the applicant. Improvements for needed infrastructure may be secured by a funding mechanism that will place the primary economic burden on the territory proposed for annexation and not on the City of North Plains generally.

**Finding:** There are no improvements for needed infrastructure that accompany this annexation. The PGE site is fully developed and operational and requires no additional transportation or utility services. The right-of-way of NW North Avenue will be
developed with future projects to the north of the road. There is no economic burden to be placed on the site or the City. This standard is met.

16.205.030 Review Criteria. Annexation shall be reviewed to assure consistency with the purposes of this Chapter, the Comprehensive Plan and other applicable policies and standards adopted by either the City and the State. In addition, a finding shall be made that the City is capable of providing services to the subject property(ies) commensurate with the needs of existing property(ies) and any proposed increases.

**Finding:** The proposed annexation is consistent with the purposes of the Annexation Chapter of the Zoning and Development Code, the Comprehensive Plan and all other applicable policies and standards of the City and State. The City is capable of providing services to the subject property commensurate with the needs of the existing property. No increase in need of urban services is proposed. This standard is met.

16.205.035 Action By The Planning Commission.

The Planning Commission shall conduct a public hearing consistent with the Application Review section of this chapter to evaluate the proposed annexation and determine the appropriate zoning classification that should apply upon annexation of the territory. The Planning Commission shall conduct its hearing at the next available meeting that complies with the notice requirements of Section 16.205.015.

Following the close of the public hearing, the Planning Commission shall designate the development district(s) that will apply to the area proposed to be annexed and forward that recommendation to the City Council. The Commission’s recommendation shall include Findings of Fact and Conclusions of Law specifying how the proposal has or has not complied with the Application Requirements and Review Criteria. The Planning Commission shall specify such consideration as in its findings and conclusions of law.

**Finding:** The Planning Commission will conduct a public hearing to evaluate the proposed annexation and determine appropriate zoning of the PGE site. The zoning of NW North Avenue is not explicitly determined as it is right-of-way and not a legal lot of record; however, the provisions of 16.10.005 remain applicable. The Planning Commission’s recommendation will include findings of fact and conclusions of law specifying how the proposal complies with the applicable laws and regulations. This standard will be met with the Planning Commission’s recommendation to the City Council;

16.205.040 Annexation Declaration.

A. The City Council shall by ordinance declare annexation only after determining that all State requirements have been met, all requirements of this ordinance have been met, and all applicable fees have been paid and, for all annexations subject to voter approval, that the annexation request has been approved by a majority of those voting.
B. The Ordinance declaring the annexation shall include the following language:
   1. "Pursuant to ORS 199.510(c), the property is also being annexed into the
      boundaries of Clean Water Services for the provision of sanitary sewer, storm
      and surface water management."
   2. "The property is also being annexed into the boundaries of Tualatin Valley
      Fire & Rescue for the provision of emergency services."

   **Finding:** Staff will draft the Ordinance declaring the annexation at the appropriate time
   and including the required language. This standard is met.

16.205.045 Health Hazard Annexation.

The City Council shall annex those areas constituting a health hazard in accordance
with Oregon Revised Statutes, taking into consideration the ability of the City to
provide necessary services. Annexation of areas constituting a health hazard is not
subject to voter approval.

   **Finding:** The PGE site does not constitute a health hazard. Nor does the portion of NW
   North Avenue. This standard is not applicable.

16.205.050 Island Annexation. The City shall not allow islands or enclaves of
unincorporated territory surrounded by or within the city limits.

   **Finding:** Annexation of the PGE site and the NW North Avenue right-of-way will not
   result in an island or enclave of unincorporated territory surrounded by or within the
city limits. This standard is met.

16.205.055 Coordination. All annexation requests shall be coordinated with affected
public and private agencies, including, but not limited to Washington County,
Portland General Electric, Northwest Natural Gas, Hillsboro School District, Tualatin
Valley Fire & Rescue, Clean Water Services and, where appropriate, state agencies.
Coordination shall be made by referral of annexation request to all appropriate
entities sufficiently in advance of proposed final City action to allow for review by
those entities and incorporation of their recommendation(s) into the City's records.

   **Finding:** The City sent notice to all agencies prior to the drafting of the staff report for
   the initial public hearing. The City is working closely with Portland General Electric as
   they own and operate Tax Lot 6100. This standard is met.

16.205.060 Effective Date of Zoning District Designation.

A. The decision of the City regarding establishment of the zoning district designation
shall become effective upon expiration of the appeal period unless an appeal has been
filed in accordance with the Application Review section of this chapter.

B. Properties annexed to the City shall be assigned City zoning designations pursuant
to Section 16.010.010. 1
**Finding:** Section 16.010.010.1 of the Code does not clearly assign a zone to the PGE property as the Comprehensive Plan Map does not include a designation for this site. However, the application includes a Comprehensive Plan Map Amendment to apply the IPU (Institutional and Public Use) zone upon annexation. This standard is met.

6.205.065 Action by City Council.

A. The recommendations of the Planning Commission on an annexation proposal will be set for a public hearing before the City Council pursuant to the Application Review section of his chapter. The Council shall review the Planning Commission's recommendation(s) on all annexation proposals. For proposed annexations subject to voter approval, review by the City Council shall occur prior to the proposal(s) being referred for a vote of the electors by the Council. The Council shall refer annexation proposals only in those instances where voter approval is authorized under State law, where the annexation proposal complies with the criteria established Section 16.205.010 and where the requirements of this Chapter have otherwise been satisfied.

B. The decision of the City Council shall be supported by written Findings of Fact and Conclusions of Law, including a Finding that the proposed annexation is in the best interests of the City and its residents considering the timing of and extent to which municipal services and infrastructure can be provided, represents a logical direction for City expansion, promotes an orderly, reasonable and economically feasible expansion of the City boundary and serves the present and future interests of the City.

**Finding:** As discussed in previous findings, this annexation is in the best interests of the City and its residents. No new or revised municipal services or infrastructure are needed to support this annexation. This annexation represents a logical direction for City expansion and promotes an orderly, reasonable and economically feasible expansion of the City boundary and serves the present and future interests of the City.

This proposed annexation is not subject to voter approval. The City Council will conduct a public hearing after the Planning Commission forwards a recommendation on the annexation and zoning map amendment. The City Council's decision will be supported by written findings of fact and conclusions of law. This standard is met.
January 8, 2021

City of North Plains
Recorder
31360 NW Commercial St
North Plains, Oregon 97133

Dear Recorder:

Please be advised that we have received and filed, as of January 8, 2021 the following records annexing territory to the following:

Ordinance/Resolution Number(s)  Our File Number
ORD # 472  AN 2021-0001
   (PGE parcel & Por. North Ave)  SD 2021-0002

For your records please verify the effective date through the Applicable ORS.

Our assigned file number(s) are included in the above information.

Sincerely,

Dani Morley
Oregon State Archives
Official Public Documents
Cc: Department of Revenue
   Population Research Center
January 8, 2021

Dani Morley
Oregon State Archives
Official Documents
800 NE Summer St
Salem, Oregon 97301
dani.morley@oregon.gov

RE: Ordinance No. 472

Dear Ms. Morley,

This letter confirms that North Plains Ordinance No. 472 has been certified as correct and is now ready to be processed.

Thank you for your immediate attention to this matter.

Sincerely,

Lori Lesmeister
City Recorder
City of North Plains