



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

July 7, 2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Hood River Plan Amendment
DLCD File Number 001-08



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 18, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Gary Fish, DLCD Regional Representative
Kevin Leburdy, City of Hood River

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Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

In person electronic mailed

DATE STAMP

DEPT OF

JUN 30 2008

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **City of Hood River**

Local file number: **2008-11**

Date of Adoption: **6/23/2008**

Date Mailed: **6/27/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **3/24/2008**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Annex one 2.08-acre parcel into the City limits of Hood River.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **U-R-1 (UGA)**

to: **R-1**

Location: **3895 May Dr. (3N 10E 34A #1804)**

Acres Involved: **2.08**

Specify Density: Previous: **7,000-s.f. min. lot**

New: **7,000-s.f. min. lot**

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 001-08 (16799)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

West Side Rural Fire District, Ice Fountain Water District, Farmers Irrigation District, Hood River County

Local Contact: Kevin Liburdy

Phone: (541) 387-5224 Extension:

Address: P.O. Box 27

Fax Number: 541-387-5289

City: Hood River

Zip: 97031-

E-mail Address: kevin@ci.hood-river.or.us

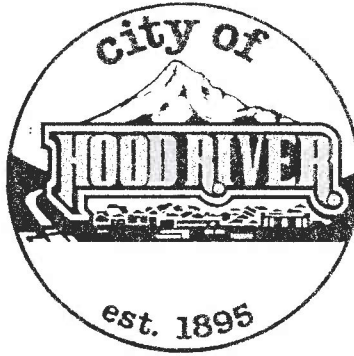
ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

Mayor
Linda Streich
Councilors:
President: Paul Cummings
Carrie Nelson
Paul Blackburn
Ann Frodel
Martin Campos/Davis
Laurent Picard



June 27, 2008

NOTICE OF CITY COUNCIL DECISION

TO: All Participating Parties
FROM: Cindy Walbridge, Planning Director
SUBJECT: Elan Holdings, LLC Annexation (File #2008-11) – Ordinance 1953

Applicant: Pathfinder Development Group, Inc.

Owner: Elan Holdings, LLC (Rael & Adelle Isacowitz)

Proposal: An application for annexation of a 2.08-acre parcel to the City of Hood River including water and sanitary sewer services, as well as withdrawal from the Westside Rural Fire Protection District and Ice Fountain Water District.

Location: On the south side of May Street, east of Frankton Road. Legal Description: 3N 10E 34A#1804.

Description of Action: The City Council **approved** the annexation request at a public hearing on **Monday, June 9, 2008**, including withdrawal of the property from the Westside Rural Fire Protection District and Ice Fountain Water District. The ordinance was signed on **June 23, 2008**.

Appeal: The decision of the City Council shall be final unless the decision is appealed to the Land Use Board of Appeals in accordance with the appeal procedures in ORS 197.830 to 197.869.

A copy of the Findings and Conclusions as well as a copy of all documents and evidence in the record on which the decision is based, are available for inspection at no cost and copies are available at the cost of \$.37 per page at the City Planning Department, 301 Oak Street, between the hours of 8 a.m. through 5 p.m., Monday through Friday.

If you have any questions, please call (541) 387-5210.

Sincerely,

Cindy Walbridge
Planning Director

ORDINANCE NO. 1953

(An ordinance proclaiming the annexation of certain contiguous territory located within the Urban Growth Boundary—Elan Holdings, LLC.)

WHEREAS, the owner of certain property contiguous to the City limits located in the Urban Growth Area has applied for connection to the City's sewer system, a copy of which application is attached as Exhibit A;

WHEREAS, the property is legally described as set forth in the application and is located in Hood River County, State of Oregon (3N 10E 34A#1804);

WHEREAS, pursuant to HRMC Chapter 12.09, a request for connection to City water and/or sewer service for property located contiguous to City limits is considered a written consent to annexation;

WHEREAS, all of the Property owners provided their written consent to this annexation. There is one elector on the property who also provided written consent. This annexation was processed pursuant to ORS 222.125;

WHEREAS, the Property is located within the Westside Rural Fire Protection District, Farmers Irrigation District, and the Ice Fountain Water District and ORS Chapter 222 provides for the withdrawal of territories from districts such as the Westside Rural Fire Protection District, Farmers Irrigation District, and Ice Fountain Water District upon annexation;

WHEREAS, notice of the public hearing on the questions of annexation and withdrawal was published and posted as provided in ORS Chapter 222;

WHEREAS, the Council concluded that the territory sought to be annexed should be annexed and withdrawn only from the Westside Rural Fire Protection District and Ice Fountain Water District as part of the proposed annexation;

WHEREAS, the Council concluded that the territory sought to be annexed should remain within the Farmers Irrigation District upon annexation;

WHEREAS, the City has the authority, within constitutional and statutory limits, to set the property tax rate at which annexed territories should be taxed;

WHEREAS, the Planning Commission and the City Council have, in accordance with the procedures set forth in Chapter 17.15 of the Hood River Municipal Code, held public hearings (May 19, 2008, and June 9, 2008, respectively) to consider the annexation of the Property into the City of Hood River and withdrawal of the Property from West Side Fire District;

WHEREAS, the City Council considered the Planning Commission's record and recommendation, the Planning Department's Staff Report, and testimony presented, if any;

SUBJECT PARCEL
3N 10E
31A
1804



CITY OF HOOD RIVER
P.O. BOX 27
HOOD RIVER, OR 97031



DLCD
Plan Amendment Specialist
635 Capitol St. NE Suite 150
Salem, OR 97301

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