



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Coastal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

May 31, 2006



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 006-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: June 13, 2006

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

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

<paa> ya/

FORM 2

DEPT OF

MAY 24 2006

D L C D 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

LAND CONSERVATION AND DEVELOPMENT

(See reverse side for submittal requirements)

Jurisdiction: City of Hood River Local File No.: 2006.26
(If no number, use none)

Date of Adoption: 5.23.06 Date Mailed: 5.23.06
(Must be filled in) (Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: 3.17.06

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Remove ~~4.34~~ 4.34 acre tract from City of Hood River Urban Growth (UGA) and annex this tract into the City limits. Zoning will remain the same General Commercial (C-2)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A."

SAME

Plan Map Changed from: NA to _____

Zone Map Changed from: NA to _____

Location: 3N 10E 27D #1500 Acres Involved: 4.34 acres

Specify Density: Previous: NA New: _____

Applicable Statewide Planning Goals: 10

Was an Exception Adopted? Yes: _____ No:

DLCD File No.: 006-06
(15095)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: Hood River County, Westside Fire District, Ice Fountain Water District, Farmers Irrigation

Local Contact: Jennifer Donnelly Area Code + Phone Number: (541) 387-5224

Address: P.O. Box 27 City: Hood River

Zip Code+4: 97031 Email Address: jennifer@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 (2) Copies 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. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.

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 copy this form on to 8-1/2x11 green paper only; or 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.

ORDINANCE NO. 1898

(An ordinance proclaiming the annexation of certain contiguous territory located within the Urban Growth Boundary—Gill Annexation.)

WHEREAS, the owners of certain property contiguous to the City limits located in the Urban Growth Area have applied for connection to the City's water and 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 (Tax Lot 1500 Map 3N 10E 27D) (the "Property");

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 shall be considered a written consent to annexation;

WHEREAS, all of the Property owners provided their written consent to this annexation. There are no electors on the property. This annexation was processed pursuant to ORS 222.170(2) or, alternatively, pursuant to ORS 222.125;

WHEREAS, the Property is located within the Westside Rural Fire Protection 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 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 from the Westside Rural Fire Protection District and Ice Fountain Water District as part of the proposed 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 current tax rate applicable to properties in the City includes a levy for the local option (Measure 14-8, Funding for Purchase for Ladder and a Pumper Truck) passed by the electors of the City in 1997;

WHEREAS, territories that did not have the opportunity to vote on the local option should not be required to pay the levy attributable to the local option;

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 (3 May 2006 and 8 May 2006, respectively) to consider the annexation of the Property into the City of Hood River and withdrawal of the Property from the affected special districts;

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

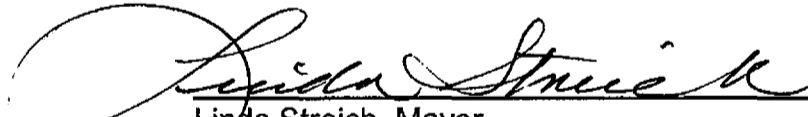
WHEREAS, the City Council adopts the Planning Commission's findings of fact and conclusions of law set forth in the staff report signed 4 May 2006 attached to this Ordinance and incorporated by reference as if fully set forth herein;

NOW, THEREFORE, the City of Hood River ordains as follows:


1. The Property described above plus the right of ways adjacent to the Property is hereby proclaimed to be annexed to the City of Hood River.
2. The Property described above is hereby withdrawn from the Westside Rural Fire Protection District and the Ice Fountain Water District, and not withdrawn from Farmers Irrigation District.
3. The effective date of the annexation is the date of filing within the Secretary of State.
4. The effective date for the withdrawal of the territory from the Ice Fountain Water District is July 1, 2007.
5. The effective date for the withdrawal of the territory from the Westside Rural Fire Protection District is the date the annexation is effective.
6. To the extent applicable, the tax rate for the Property shall not include a levy attributable to Measure 14-8: Funding for Purchase for Ladder Truck and a Pumper Truck approved by the voters in 1997.

Read for the first time: 8 May 2006.

Read for the second time and passed: 22 May 2006, to become effective thirty (30) days hence.


Linda Streich, Mayor

ATTEST:


Jean M. Hadley, City Recorder

FRANCIS
1944.00

File # _____
Fee _____
Date Rec'd _____
Page 1 of 2

**CITY OF HOOD RIVER
APPLICATION
ANNEXATION REQUEST and REQUEST for CONNECTION to CITY of
HOOD RIVER SEWER and/or WATER SERVICE**

Submit the completed application WITH TWELVE (12) ADDITIONAL COMPLETE COPIES and appropriate fees to the City of Hood River Planning Department, 301 Oak Ave. (P.O. Box 27), Hood River, OR 97031. Please note the review criteria attached to this application. If you have any questions, please contact the Planning Department at (541) 387-5210.

APPLICANT:

Name: W. ILLIS GILL & ELIZABETH GILL
Address: 4170 S.W Dogwood Lane
(physical) Portland OR 97225
(mailing) _____
(email) _____

Telephone: 503 297-4060 (H) Bus. Cell Phone: 503 665 6144
Signature: Willis Gill Elizabeth Gill

PARCEL OWNER: (if different than applicant)

Name: Glen Taylor
Address: P.O. Box 657
(mailing) Hood River, OR 97031
Telephone: 386-7900 Cell Phone: _____
Signature: Glen P Taylor Resident
**Authorization of parcel owner required.*

PARCEL INFORMATION:

Township T-3N Range R 10E Section 27D Tax Lot(s) ~~1500~~ & 1500
Current Zoning: C Parcel Size: 4. 3.58
Property Location (cross streets or address): 3540 CASCADE AV. Hood River
Existing Water Service, if any: _____
Farmer's Irrigation: YES NO Septic: N/A YES NO
Is this a health hazard request for sewer connection? YES NO
If yes, Explain: _____

ADDITIONAL PARCEL INFORMATION

Please submit the following information with your completed application:

1. Assessor map (tax lot map) showing the location of your parcel.
2. For contiguous parcels, a copy of the most recent deed to your property with complete legal description.
3. Addresses of all dwellings and/or businesses located on the parcel and names, addresses, and ages of all residents and whether they are registered voters.

REQUEST

Sewer Service X

Water Service X

In connection with this request to hook up to and receive water and/or sewer service from the City of Hood River, I/we hereby petition the Honorable Mayor and City Council of Hood River for annexation of the above-described property. I/we further desire that by this petition, the above-described property be annexed to and included within the corporate limits of the city of Hood river, Oregon, a municipal corporation, and I/we do hereby consent to such annexation without the necessity of any election being called within the area above described or a public hearing being held pursuant to ORS 222.125, and I/we do hereby consent to the City of Hood River taking such steps a necessary to determine whether or not the above-described property shall be annexed.

If the City determines that the above-described property is to be annexed, at least 51% of the electors residing on the property will be required to sign a Consent to Annexation in order to complete the annexation process.

If the City determines that the above-described property will not be annexed at this time, the property owner(s) will be required to execute and record a Consent to Annexation prior to connection to city water and/or sewer.

Signature

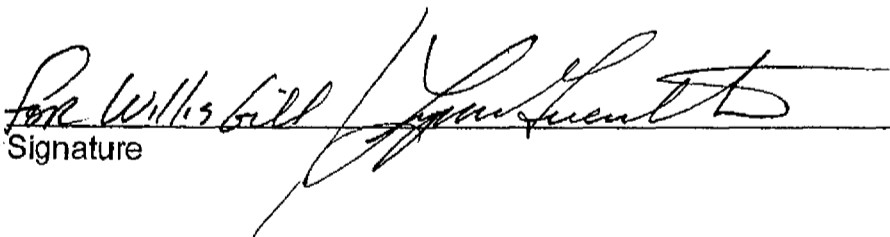


EXHIBIT "A"

Lots 15 through 34, inclusive, in Block 9, and Lots 7 through 43, inclusive, in Block 8, all in ERWIN AND WATSON'S SECOND ADDITION to the City of Hood River, EXCEPTING, HOWEVER, a strip 20 feet in width off the West end of Lots 38 to 43, inclusive, in said Block 8, ALSO RESERVING the full width of Pine Avenue vacated opposite Lots 35, 36 and 37 in said Block 8, EXCEPTING THEREFROM that portion thereof within the boundaries of Old Columbia River Highway.

ALSO EXCEPTING THEREFROM:

A parcel of land located in ERWIN & WATSON'S SECOND ADDITION to the City of Hood River in the Southeast Quarter of Section 27, in Township 3 North, Range 10 East, Willamette Meridian in the County of Hood River, and State of Oregon, being more particularly described as follows.

Beginning at the Southeast corner of Lot 14 of Block 9 of ERWIN & WATSON'S SECOND ADDITION. Thence North 0 degrees 32' 48" East along the East line of said Block 9 a distance of 74.74 feet to the Northwest corner of that portion of Pine Avenue vacated opposite Lots 35, 36 and 37 in Block 8 of said ERWIN & WATSON'S SECOND ADDITION; Thence South 88 degrees 54' 46" East along the North line of said vacated Pine Avenue a distance of 56.70 feet; Thence South 37 degrees 55' 44" West a distance of 93.39 feet to the point of beginning.

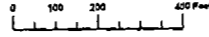
ALSO TOGETHER WITH:

A parcel of land located in ERWIN & WATSON'S SECOND ADDITION to the City of Hood River in the Southeast Quarter of Section 27, in Township 3 North, Range 10 East, Willamette Meridian in the County of Hood River, and State of Oregon, being more particularly described as follows.

Commencing at the Southeast corner of Lot 14 of Block 9 of ERWIN & WATSON'S SECOND ADDITION. Thence North 0 degrees 32' 48" East along the East line of said Block 9 a distance of 74.74 feet to the Northwest corner of that portion of Pine Avenue vacated opposite Lots 35, 36 and 37 in Block 8 of said ERWIN & WATSON'S SECOND ADDITION; Thence South 88 degrees 54' 46" East along the North line of said vacated Pine Avenue a distance of 56.70 feet to the point of beginning of the following described parcel.

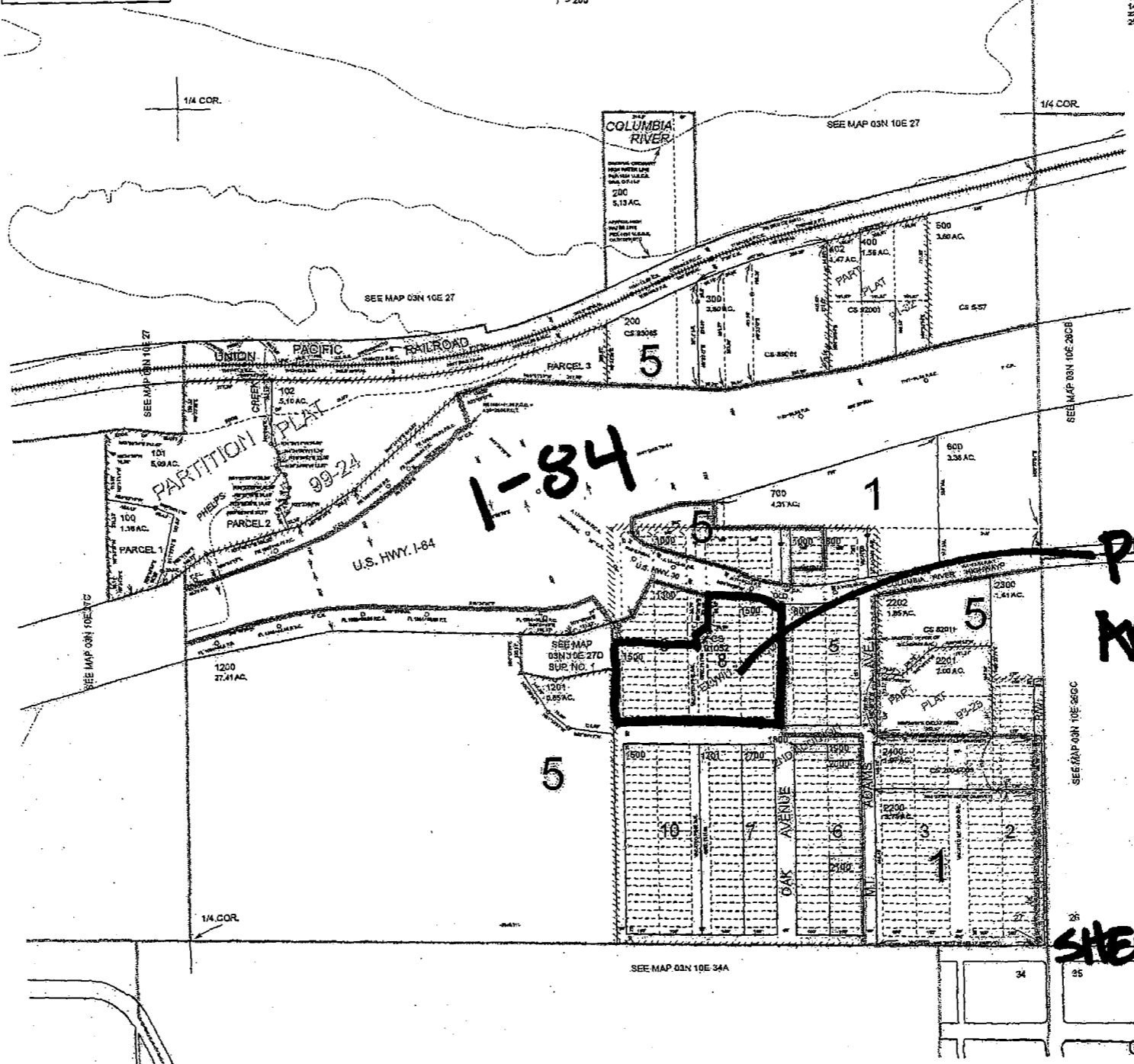
Thence North 6 degrees 28' 18" East a distance of 82.31 feet to the South right of way line of the relocated Columbia River Highway and described in Warranty Deed to the Oregon State Highway Commission in Deed Book 68 at page 755. Recorded June 28, 1965, Hood River County Deed records; Thence North 89 degrees 15' 15" East along said right of way a distance of 15.00 feet to a point 20.00 feet East of the West line of Block 8 of said ERWIN & WATSON'S ADDITION; Thence South 0 degrees 32' 35" West parallel to and 20.00 feet from said West Block line a distance of 82.43 feet to the North line of Lot 37 of said Block 8; Thence North 88 degrees 54' 42" West along the North line of said Lot 37 and the North line of said vacated Pine Avenue a distance of 23.50 feet to the point of beginning.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



SE 1/4 SECTION 27 T.03N. R.10E. W.M.
HOOD RIVER COUNTY
1" = 200'

03N 10E 27D
CANCELLED NO.
400
800
1200
1600
2000
2400




1-84

PROPOSED AREA


SHEPHERD

DECISION: Councilor Anne Frodel moved and Councilor Carrie Nelson seconded the first motion to approve the annexation application based on the above findings of fact and subject to the conditions of approval. Councilor Anne Frodel and Councilor Laurent Picard second motion to withdrawal this area from Westside Fire District and Ice Fountain water district. Both motions passed with a 5-0 vote.

APPROVED BY THE CITY COUNCIL the 8th day of May 2006.


Linda Streich, Mayor

ATTEST:


Jean M. Hadley, City Recorder