

ORDINANCE NO. 2021

(An ordinance proclaiming the annexation of certain contiguous territory located within the Urban Growth Boundary — Laura and Richard Starrett)

WHEREAS, the owners of certain property (3N10E35DB Tax Lot 802) contiguous to the City limits and located in the Urban Growth Area, Laura and Richard Starrett, applied for annexation in order to connect to the City's sewer and water systems;

WHEREAS, the subject property is legally described as set forth in the annexation application and is located in Hood River County, State of Oregon;

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, the property owners provided their written consent to this annexation. There are no electors registered to vote at the property. 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WHEREAS, the Council concluded that the territory sought to be annexed should be annexed and withdrawn only from the Westside Rural Fire Protection District and Ice Fountain Water District as part of the proposed annexation;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 (April 18, 2016 and May 9, 2016, respectively) to consider the annexation of the property into the City of Hood River and withdrawal of the property from the Westside Rural Fire Protection District and the Ice Fountain Water District;

WHEREAS, the City Council considered the Planning Commission's record and recommendation, the Planning Department's Staff 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 decision signed April 20, 2016, attached to this Ordinance as Exhibit A and incorporated by reference as if fully set forth herein;

WHEREAS, the legal description for the property to be annexed including the subject property and a portion of the adjacent Avalon Way (also known as Avalon Drive) right-of-way is described in Exhibit B.

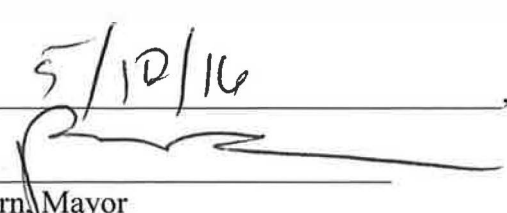
NOW, THEREFORE, the City of Hood River ordains as follows:

1. The Property described above (3N10E35DB Tax Lot 802 and adjacent Avalon Way right-of-way, Exhibit B) is hereby proclaimed to be annexed to the City of Hood River, subject to the decision signed on April 20, 2016, adopted herein.
2. The Property described above is hereby withdrawn from the Westside Rural Fire Protection District and from the Ice Fountain Water District.
3. The effective date of the annexation is the date of filing with the Secretary of State.
4. The effective date for the withdrawal of the territory from the Westside Rural Fire Protection District is the date the annexation is effective.
5. The effective date for the withdrawal of the territory from the Ice Fountain Water District will be July 1, 2017 (ORS 222.465).


Read for the first time: May 9, 2016.

Read for the second time and passed: May 9, 2016 to become effective thirty (30) days hence.

Signed: 5/10/16, 2016.


Paul Blackburn, Mayor

ATTEST:


Jennifer Gray, City Recorder

CITY COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: May 9, 2016

Subject: Ordinance No. 2021, annexation by Laura and Richard Starrett.

Background: Annexation into the city limits of one parcel totaling approximately 0.24 acre (3N 10E 35DB Tax Lot 802) including a portion of the adjacent Avalon Way right-of-way. The property owner is initiating annexation in order to obtain city sanitary sewer and water services, and intends to construct a single family dwelling (Planning Dept. File No. 2016-09).

The Planning Commission held a public hearing on April 18, 2016 and recommends approval of the annexation including withdrawal of the subject property from West Side Rural Fire Protection District and Ice Fountain Water District.

Staff Recommendation: At the conclusion of the public hearing determine that the property should be annexed into the city and withdrawn from both the West Side Rural Fire Protection District and the Ice Fountain Water District, but remain in the Farmers Irrigation District. Read ordinance for the first and second time by title only if there is a full Council.

Suggested Motions:

(1) I move that the subject property is annexed into the city and withdrawn from the West Side Rural Fire Protection District and Ice Fountain Water District consistent with the Planning Commission's recommendation.

(2) I move that we read Ordinance No. 2021 for the first (and second) time by title only.

Alternatives: Do not annex, do not withdraw from the West Side Fire District or Ice Fountain Water District.

Fiscal Impact: In favor of the city as addressed in the planning commission's findings and decision.

Environmental Impact: Annexation of contiguous lands facilitates efficient urban development which may lead to a reduction in energy consumption and GHG emissions when compared to a sprawling development pattern.

**BEFORE THE CITY OF HOOD RIVER PLANNING COMMISSION
HOOD RIVER, OREGON**

In the matter of annexation by)
Laura and Richard Starrett)
of one parcel totaling approx.)
0.24 acre, File No. 2016-09)

FINDINGS AND DECISION

I. BACKGROUND:

- A. **REQUEST:** Annexation of one vacant parcel in order to connect to City of Hood River sanitary sewer and water facilities. *(See Attachments "A.1" - "A.3".)*
- B. **APPLICANTS/OWNERS:** Laura and Richard Starrett
- C. **PROPERTY LOCATION:** The subject property is located on the east side of Avalon Way/Drive, south of Avalon Court and north of Rebecca Avenue. Legal Description: 3N10E35DB Tax Lot 802. *(See Attachment "B", Location Map.)*
- D. **PROPERTY SIZE:** Approximately 0.24 acre
- E. **SITE ZONING:** The subject property currently is zoned Urban Low Density Residential (Urban Growth Area, U-R-1) and it will remain Urban Low Density Residential (R-1) following annexation.
- F. **CURRENT LAND USE:** Vacant
- G. **SURROUNDING ZONING AND LAND USES:**
North: U-R-2, single-family dwellings
South: U-R-1, single-family dwellings
East: U-R-1, single-family dwelling
West: U-R-1 and R-3, single-family dwelling and condominiums
- H. **APPLICABLE CRITERIA:**
- Hood River Municipal Code (HRMC) Section 17.09.040 – Quasi-Judicial Actions
 - HRMC Chapter 17.15 – Annexation Policy
 - Oregon Revised Statute (ORS) Sections 222.111 through 222.183 Annexation of Contiguous Territory
- I. **AGENCY COMMENTS:** Affected agencies were notified of this request. The following comments were submitted in response to the notice prior to the public hearing:
1. Ice Fountain Water District: See attached email dated March 14, 2016 (Attachment "C")
 2. Farmer's Irrigation District: See attached email dated March 29, 2016 (Attachment "D")
 3. Westside Fire Protection District: See attached email dated April 6, 2016 (Attachment "E")
 4. City Engineering Department: See attached email dated March 31, 2016 (Attachment "F")
- J. **ADJACENT PROPERTY OWNERS COMMENTS:** Property owners within 250 feet of the subject site were notified of this request. No comments were submitted by adjacent property owners or other interested parties prior to completion of the staff report or during the planning commission's hearing.

**EXHIBIT A
ORDINANCE NO. 2021**

K. HISTORY:

1. Application submitted March 3, 2016
2. Special districts IGA meeting invitation emailed March 10, 2016
3. Application deemed complete March 24, 2016
4. Notice of Planning Commission & City Council hearings mailed March 25, 2016
5. Referrals to City departments and agencies mailed and emailed March 25, 2016
6. Newspaper notice to be published April 27 and May 4, 2016
7. Planning Commission hearing held April 18, 2016
8. City Council hearing to be held May 9, 2016

L. ATTACHMENTS:

- Attachment "A.1" – Application for sanitary sewer and water services
- Attachment "A.2" – Aerial photo of the site and surrounding properties
- Attachment "A.3" – City of Hood River zoning map and legend
- Attachment "B" – Location Map
- Attachment "C" – Ice Fountain Water District comments, 3/14/2016
- Attachment "D" – Farmer's Irrigation District comments, 3/29, 2016
- Attachment "E" – Westside Fire Protection District comments, 4/06/2016
- Attachment "F" – City Engineering Department comments, 3/31/2016
- Attachment "G" – Estimate for compensation to West Side Rural Fire Protection District

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW:

A. CHAPTER 17.15 - ANNEXATION

17.15.010 Introduction. It is the policy of the City of Hood River to promote orderly, efficient, and fiscally responsible annexation of territories in conjunction with urban growth or expected or desired urban growth within the urban growth area. Accordingly, the City shall annex property where:

1. The proposed annexation represents the natural extension of the existing City boundary consistent with urban growth;
2. The proposed annexation would not, when developed or as developed, unreasonably limit the ability of the City to provide a level of services to City residents consistent with community needs and the financial capabilities of the City, as determined by the City;
3. The proposed annexation would not cause the City to pledge extension of services beyond its resources so as to result in a deficit operation of the service;
4. The proposed annexation would serve the interests of the entire community and not solely the interests or convenience of those within the territory proposed to be annexed.

FINDINGS: Annexation of the subject property, as well as the portion of the Avalon Way/Drive right-of-way between the City Limits boundary and the subject property's westernmost property line, is a natural extension of the City boundary consistent with urban growth. Following annexation, the subject property will be surrounded by unincorporated properties on the north, south and east which can present challenges to emergency service providers including the City Police Department and County Sheriff's Office, and the City Fire Department and West Side Fire District. However, existing mutual-aid agreements facilitate coordination between these emergency service providers in such circumstances.

The proposed annexation is associated with provision of City sewer and water facilities to the subject property in anticipation of construction of a single-family dwelling on the site. The City will provide

water, sanitary sewer, fire- and police services to the annexed property. The proposed annexation will not, when developed with a single-family dwelling, unreasonably limit the ability of the City to provide levels of services to City residents consistent with community needs and the financial capabilities of the City. And, the proposed annexation will not cause the City to pledge extension of services beyond its resources so as to result in a deficit operation of the service.

Pursuant to the City's Intergovernmental Agreements (IGA) with affected special districts (i.e. West Side Rural Fire Protection District, Ice Fountain Water District, Farmer's Irrigation District), the districts were invited to a meeting to discuss the annexation. Representatives of the districts determined that a meeting was not necessary and instead submitted written comments. Comments from the special districts are incorporated herein by reference (Attachments "C," "D," "E").

The subject property will be withdrawn from both the Ice Fountain Water District (IFWD) and the West Side Rural Fire Protection District (WSFD) in association with this annexation. As addressed below in this report, the applicants will be responsible for compensation to WSFD for five years of lost revenue consistent with their IGA with the City. The site will remain in the Farmer's Irrigation District.

The proposed annexation will serve the interests of the entire community and not solely the interests or convenience of those within the territory proposed to be annexed because it will generate property taxes that help pay for services already demanded such as fire- and police protection (based on mutual aid agreements) and maintenance of City streets and stormwater facilities.

17.15.020 Application and Process. An annexation may be proposed by the City of Hood River, landowners, or a group of residents and shall include the following elements:

1. Preliminary plans and specifications, drawn to scale, showing the actual shape and dimensions of the property to be annexed and the existing and proposed land uses and residential density. City and County zoning in the proposed territory, as shown on a vicinity map, and contiguous lands must also be indicated.
2. Comprehensive statement of reasons in support of the annexation addressing the applicable annexation criteria.
3. Completed certifications of property ownership, registered voter status, map, and legal description.

FINDINGS: The annexation application includes the required information (Attachments "A.1"- "A.3"). City policies typically require property to be annexed into the City Limits in order to obtain sewer and water services. In some cases the City has allowed property owners to record a "consent-to-annexation" agreement if the property is not contiguous to the City Limits. In this case, the City determined that annexation is required to obtain City services. As such, the owners applied for annexation in order to construct a single-family dwelling and connect to the City's sewer and water systems. There are no registered voters residing on the subject property.

17.15.030 Filing Fees. Fees for filing for annexation requests shall be set by City Council resolution.

FINDINGS: The applicants submitted a filing fee as set by City Council resolution.

17.15.040 Planning Commission Review. The Planning Commission shall review the application in a public hearing and forward a recommendation with findings to the City Council who will conduct a public hearing according to the *Quasi-Judicial Hearing Procedures* or *Legislative Hearing Procedures* (Chapter 17.09), whichever is applicable.

FINDINGS: The Planning Commission reviewed the request for annexation and is making a recommendation with findings to the City Council. The City Council will conduct a Quasi-Judicial public hearing and will make a decision on the annexation application.

17.15.050 Evaluation Criteria – Developed Land. Prior to approving a proposed annexation of developed land, affirmative findings shall be made relative to the following criteria:

FINDINGS: The property is vacant and not considered developed land at this time. As such, these criteria are not applicable.

17.15.060 Evaluation Criteria – Undeveloped Land.

1. The territory is contiguous to the city limits and within the Urban Growth Area;

FINDINGS: The subject property is located within the Urban Growth Area. As depicted on the City of Hood River Zoning Map, the City Limits boundary is in the Avalon Way/Drive right-of-way immediately west of the subject property, and land on the west side of the City Limits boundary is inside the City (Attachment “A.3”). The subject property is on the east side of the City Limits boundary, separated from it only by a portion of Avalon Way/Drive right-of-way, and is considered contiguous to the City Limits based on an intergovernmental agreement between the City and the Ice Fountain Water District. As such, the proposal is consistent with this criterion.

2. The annexation represents the natural extension of the existing City boundary to accommodate urban growth;

FINDINGS: The subject property was designated for location inside the Urban Growth Area in 1980 when the City-Westside Comprehensive Plan was adopted by the County Board of Commissioners (Ordinance #102). The City was required by the State of Oregon Land Conservation and Development Commission (LCDC) to designate sufficient amounts of urbanizable land to accommodate future expansion. The Urban Growth Boundary was adopted by the City Council and LCDC in 1983 and zoned for future urban uses. The subject site is adjacent to property that is inside the City limits. As such, the proposal is consistent with this criterion.

3. The annexation of the territory is compatible and consistent with the rational and logical extension of utilities and roads to the surrounding area;

FINDINGS: The subject property abuts Avalon Way/Drive along its westernmost property line. No new roads are proposed to serve the site. City sanitary sewer serves homes surrounding the subject property and city water is available to serve the site. As such, the proposal is consistent with this criterion.

4. The City is capable of providing and maintaining its full range of urban services to the territory without negatively impacting the City's ability to adequately serve all areas within the existing city limits;

FINDINGS: Annexation and connection to the City's sanitary sewer and water facilities will result in additional demand on City services including maintenance of sanitary sewer and water lines. The City Wastewater Treatment Plant is designed to accommodate the Urban Growth Area. The City Public Works Department determined that sanitary sewer and water facilities are adequate to serve

the site (Attachment "F") without negatively impacting the City's ability to adequately serve all areas within the existing City Limits.

The annexation will result in no direct impact to City streets but Transportation System Development Charges will be required, and frontage improvements may be required, in association with any future development of the property.

Annexation and future development may result in increased demand for service by the City's Fire- and Police Departments, however, these departments already provide service inside the City Limits immediately west of the subject property. In addition, the City's Fire- and Police Departments have mutual aid agreements with the West Side Rural Fire Protection District and the Hood River County Sheriff's Office to ensure adequate service in the Urban Growth Area. As such, the proposal is consistent with this criterion.

5. The fiscal impact of the annexation is favorable, as determined by the City of Hood River, either upon approval or because of a commitment to a proposed development, unless the City determines that a public need outweighs the increase;

FINDINGS: The permanent tax rate for the City of Hood River is \$2.8112 per thousand dollars of assessed valuation. As such, the City will receive approximately \$281.12 in annual general fund revenue for each \$100,000 of property valuation. If this annexation is approved, property taxes due to the City based on its tax rate are anticipated beginning on November 15, 2017.

Pursuant to the City's IGA with West Side Rural Fire Protection District (WSFD), the City is required to compensate the District for five years of lost property tax revenue when property is withdrawn from WSFD. And, pursuant to the City's IGA with Ice Fountain Water District (IFWD), the City is required to compensate the District for three years of lost revenue, user fees, infrastructure and debt service when applicable in association with withdrawal of property from IFWD. However, pursuant to resolution of the City Council (Resolutions 2005-12 and 2008-18), the applicants will be required to reimburse the City for any such costs as a condition of approval. As such there will be no negative impact to the City associated with the costs of compensating WSFD or IFWD for withdrawal of the subject property from these special districts.

The subject property is located in the IFWD but currently is not served by the IFWD. As such no compensation is required for lost revenue, infrastructure or debt service in association with withdrawal of the subject property from the IFWD (Attachment "C").

Costs associate with withdrawal from the WSFD are estimated to be a total of approximately \$176 for five years of lost property tax revenue (Attachment "G") consistent with their IGA with the City.

As such, conditions of approval are recommended that the property owners and their heirs, successors and assigns shall compensate the City of Hood River for the costs associated with the withdrawal of the subject property from the West Side Rural Fire Protection District (WSFD) pursuant to the intergovernmental agreement between WSFD and the City. The City will send a bill to the applicant and payment shall be made to the City of Hood River by the due date specified by the bill.

Annexing the property will result in City collection of franchise fees from Pacificorp, Northwest Natural Gas, Charter Cable, Hood River Electric Co-op, and/or Hood River Garbage Service. Franchise fees go into the City's general fund. If franchise fees for the property total approximately \$150 per month and if the City receives 4% of these fees, the City will collect

approximately \$72 per year from franchise utilities ($[\$150 \times 12] \times 4\% = \72) after development of a single-family dwelling.

The following comparison estimates the fiscal impact if the property is annexed and one single-family dwelling is constructed versus remaining in the UGA under the County's jurisdiction:

Estimated fiscal impact if <u>annexed</u>	Estimated fiscal impact if <u>not annexed</u>
Sanitary sewer SDC & connection (\$1,821/unit) = \$1,821	\$1,821
Annual sanitary sewer fees (\$48 x 12) = \$576.....	(\$60 x 12) = \$720
Stormwater SDC (\$650/unit) = \$650.....	None
Annual storm sewer fees (\$8.75 x 12) = \$105.....	None
Water SDC & connection (\$5,123/unit) = \$5,123.....	None
Annual water fees (\$32.19 base x 12) = \$386.28.....	None
Transportation SDC (\$1,802/unit) = \$1,802.....	None
Annual franchise fee estimate (\$72/unit) = \$72.....	None
<ul style="list-style-type: none"> • Total one time SDCs collected by the City if annexed and developed as anticipated = \$9,396. • Total annual fees collected by the City if annexed and developed as anticipated = approximately \$1,139.28. • Excludes property tax collections. Estimated annual property tax for existing land only (based upon 2016 Assessed Value of \$24,470) = \$68.79. • Excludes Hood River Valley Park District SDC and Hood River County School District construction excise tax. 	<ul style="list-style-type: none"> • Total one time SDCs collected by the City if not annexed but developed as anticipated = \$1,821. • Total annual fees collected by the City if annexed and developed as anticipated = approximately \$720 for sanitary sewer only.

As such, the fiscal impact of the annexation is favorable and the proposal is consistent with this criterion.

- The annexation meets the City's urban growth needs, and it is to the City's advantage to control the growth and development plans for the territory; i.e., to be able to address the issues of traffic, density, land use, and the level and timing of necessary facilities and services;

FINDINGS: The proposed annexation was initiated by the owners who anticipate construction of a single-family dwelling. As such the annexation is associated with meeting the City's urban growth needs. The Hood River County Community Development Department coordinates with the City of Hood River for development activity inside the Urban Growth Area and generally implements the City's development standards. However, the City has made updates to its Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance that are not yet codified in the County's UGA ordinance (Hood River County Zoning Ordinance Article 17). As such it remains to the City's advantage to control the growth and development of the subject property because it will have a direct impact on City sewer, water, stormwater and transportation infrastructure. In addition, it is to the City's fiscal advantage to control future development on the subject property because it will generate additional revenue through collection of System Development Charges and utility fees. As such, the proposal is consistent with this criterion.

- If the criteria in 17.15.060 (6) does not apply, the annexation provides a solution for existing problems resulting from insufficient sanitation, water service, needed routes for utility or transportation networks, or other service-related problems;

FINDINGS: As addressed above, the criterion in HRMC 17.15.060(6) does apply. As such this criterion does not apply.

8. The proposed annexation does not negatively impact nearby properties, whether located within the city limits or the urban growth area; and

FINDINGS: The criteria detailed above address the growth of the City, extension of City services, financial impact, and ability to continue to provide services to existing residents. Other issues associated with annexation include potential future uses of the property and how those uses might affect nearby properties.

The subject property has been located inside the City's Urban Growth Area (UGA) since 1983 and has been zoned for future urban uses since that time. Annexation of property in the UGA is consistent with the City's Comprehensive Plan. The subject site is adjacent to property that is developed at relatively low density levels for residential uses in the City Limits and Urban Growth Area. Because the zoning designation of the property following annexation (R-1) will remain consistent with the existing County zoning designation (U-R-1), nearby properties are not expected to be negatively affected by the annexation. As such, the proposal is consistent with this criterion.

9. The annexation conforms to the Comprehensive Plan.

FINDINGS: Generally, the City's Comprehensive Plan does not contain approval standards. Therefore compliance with the Comprehensive Plan is achieved through compliance with the City's ordinances. However, the following findings address the Goals that are included in the City's Comprehensive Plan:

Goal 1: Citizen Involvement

This Goal is satisfied through provisions in the acknowledged Comprehensive Plan and Zoning Ordinance that provide for citizen participation including public hearings. This application has been processed pursuant to those provisions. Notices have been mailed to property owners and agencies, posted in appropriate locations and included in the legal notices of the Hood River News. Public hearings are held before the Planning Commission and City Council before a decision is reached.

Goal 2: Land Use Planning

The Comprehensive Plan and Zoning Ordinance provide a land use planning process and policy framework as the basis for all decision and actions relating to the use of land. This Goal is satisfied by following the Zoning Ordinance including applicable procedures for processing this application and conducting public hearings related to the application.

Goal 3: Agricultural Land

This goal is not applicable as the property is located within the City's Urban Growth Area and is not considered agricultural land.

Goal 4: Forest Land

This goal is not applicable as the property is located within the City's Urban Growth Area and has been "excepted" from the County's resource base.

Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources

The County has adopted the City's ordinances for use in the UGA but has not adopted the City's Goal 5 Ordinance (Ord Nos. 1863, 1874, 1913, 1938). According to the City's Local Wetland

Inventory there are no known wetlands on the subject property. And, as depicted on the City's Zoning Map there are no known riparian corridors on the subject property.

Goal 6: Air, Water and Land Resources Quality

Annexation does not increase or decrease the air, water and land resource qualities of the area because it does not directly result in any additional development. Development of the subject property for use consistent with the R-1 Zoning designation is not expected to result in degradation of air, water or land resources beyond what typically occurs with residential development in urban areas.

Goal 7: Natural Disasters

The subject property is not in a floodplain, does not include slopes greater than 25%, does not contain any environmental protection "EP" zones and has no designated geologic hazard "GH" combining zone within its boundaries.

Goal 8: Recreational Needs

Goal 8, Policy 6 states: "As parcels of land are annexed from the UGA into the City, some land will be designated Open Space/Public Land for the development of new parks and public facilities, including access ways, to serve the recreational needs of the community."

The following parks and open spaces are identified in the Hood River Valley Parks and Recreation District's Capital Facilities Master Plan¹:

Open space areas in the City:

Eliot Park	11.8 acres
Indian Creek Trail (HRVPRD)	3.3 miles
Indian Creek Park	12.38 acres
Morrison Park, north of I-84	5.5 acres
Sherman Triangle	0.06 acre
Waucoma Park	0.5 acre
Wells Island (portion)	18 acres

Parks in the City:

Aquatic Center (HRVPRD)	1.35 acres
Culbertson Park (HRVPRD)	0.73 acre
Hazelview (HRVPRD)	0.43 acre
Morrison Park South (HRVPRD)	5.33 acres
Rotary Skate Park & BMX (HRVPRD)	2.71 acres
Children's Park	1.24 acres
Coe Park	0.34 acre
Collins Field	2.6 acres
Friendship Park	0.9 acre
Georgiana Smith Park	0.5 acre
Jackson Park	2.5 acres
Mann Park	0.86 acre
Marina Park (Port)	12 acres
Memorial Overlook & Stratton Garden	0.2 acre

¹ Hood River Valley Parks & Recreation District/City of Hood River "Parks & Recreation Capital Facilities Master Plan", Don Ganer & Associates, 1998.

Montello Park	0.28 acre
Tsuruta Park	1.01 acres
Tsuruta Tennis Courts	1.1 acres
Wilson Park	1.05 acres
Waterfront Park	6.4 acres
Event Site (Port)	5.5 acres
The Hook (Port)	3.8 acres
The Spit (Port)	4.7 acres

Parks in the Urban Growth Area:

Ruthton Park	1.5 acres
Bowe Addition	0.4 acre
Total park lands = approximately 55 acres (does not include schools or UGA)	
Total open space lands = approximately 51.5 acres	
Total park and open space lands = approximately 106.5 acres	

The updated Hood River Valley Park and Recreation Master Plan (2012), not yet adopted by the City of Hood River, includes a needs analysis for provision of parks and open space based upon local demographic trends, a bilingual mail-in household survey, a community workshop, a Latino focus group and stakeholder surveys. The Park Master Plan includes goals for new or enhanced parks and recreation facilities within a 10-year time frame.

Hazelview Park is located approximately one half of a mile west of the subject property and the Park Master Plan does not recommend development additional parks in the vicinity. The First Baptist Church of Hood River and the Saint Mary Catholic Church, located near the site, have ballfields that are used by organizations in the community. As such, development of a park or open space on the subject site is not recommended.

Goal 9: Economy of State

This Goal requires the City to ensure that there is adequate land with public services provided to meet the needs for economic growth and development. The property is zoned for residential use. As such, this goal is not applicable.

Goal 10: Housing

The subject property was included within the buildable lands inventory for the City/UGA, and will remain zoned for housing.

Goal 11: Public Facilities

The proposal's effect on public facilities is addressed above in HRMC 17.15.060(4).

Goal 12: Transportation

Following annexation, any subsequent development will be required to comply with the City's Transportation System Plan.

Goal 13: Energy Conservation

Annexation and development of lands located close to existing services generally promotes energy conservation. Increased residential densities near collector streets such as Belmont Ave. may facilitate additional transportation alternatives in the future such as mass transit.

Goal 14: Urbanization

The subject property is located within the Urban Growth Area, as such, and annexation of property is consistent with the City's Comprehensive Plan.

17.15.070 Evaluation Criteria – Fiscal Impact. The following factors are to be taken into consideration when determining fiscal impact for both developed and undeveloped land and may include, but are not be limited to:

1. The additional revenues, if any, available to the City as a result of the annexation;
2. Whether any unusual or excessive costs will be incurred as a result of the annexation; and
3. The impact on the City's tax base, if any, as a result of the annexation.

FINDINGS: The findings above in HRMC 17.15.060(5) address fiscal impacts. Costs associated with reimbursing special districts will be paid by the applicants. As such, no unusual or excessive cost will be incurred by the City as a result of the annexation. The impact on the City's tax base as a result of annexation is expected to be favorable. As such, the proposal is consistent with these evaluation criteria.

17.15.080 Evaluation Criteria – Urban Service Capabilities.

- A. The municipal service needs, if any, of the territory to be annexed, including those of police and fire protection, public sewer and water supply facilities, street improvement and/or construction, and such other municipal services as may reasonably be required. Both short term and long term plans for all services shall be addressed.
- B. The projected costs of supplying reasonably needed municipal services to the territory proposed to be annexed.

FINDINGS: The findings above in 17.15.060(4) address these criteria. In association with future development the owners may be required to construct improvements to the site's Avalon Way/Drive frontage in conformance with City standards. Costs associated with provision of municipal services are expected to be paid by the property owners through a future development process, as well as property taxes and fees on services. As such, the proposal is consistent with these evaluation criteria.

B. OREGON REVISED STATUTES

ORS 222.111 Authority and procedure for annexation. (1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies. (2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed. (3) The proposal for annexation may provide that, during each of not more than 10 full fiscal years beginning with the first fiscal year after the annexation takes effect, the rate of taxation for city purposes on property in the annexed territory shall be at a specified ratio of the highest rate of taxation applicable that year for city purposes to other property in the city. The proposal may provide for the ratio to increase from fiscal year to fiscal year according to a schedule of increase specified in the proposal; but in no case shall the proposal provide for a rate of taxation for city purposes in the annexed territory which will exceed the highest rate of taxation applicable that year for city purposes to other property in the city. If the annexation takes place on the basis of a proposal providing for taxation at a ratio, the city may not tax property in the annexed territory at a rate other than the ratio which the proposal authorizes for that fiscal

year. (4) When the territory to be annexed includes a part less than the entire area of a district named in ORS 222.510, the proposal for annexation may provide that if annexation of the territory occurs the part of the district annexed into the city is withdrawn from the district as of the effective date of the annexation. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465. (5) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose. (6) The proposal for annexation may be voted upon by the electors of the city and of the territory simultaneously or at different times not more than 12 months apart. (7) Two or more proposals for annexation of territory may be voted upon simultaneously; however, in the city each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation no proposal for annexing other territory shall appear on the ballot.

FINDINGS: The proposed annexation is for property that is contiguous to the City Limits boundary. The owners of the property are the petitioners for the annexation. The rate of taxation will be consistent with these requirements; taxation at a ratio is not anticipated.

The territory to be annexed is a part of districts named in ORS 222.510 including the West Side Rural Fire Protection District, Ice Fountain Water District, and Farmer's Irrigation District. The subject property will be withdrawn from the West Side Fire District as of the effective date of the annexation. Because the Ice Fountain Water District (IFWD) is a district named in ORS 222.465 (i.e. a domestic water supply district), and because the ordinance that will result in the withdrawal of the property from IFWD will be enacted or approved between March 31, 2016 and April 1, 2017, the effective date of the withdrawal of territory shall be July 1, 2017 as provided in ORS 222.465.

As addressed below, the City is not obligated to submit the annexation request to the electors. As such, the proposal is consistent with these requirements.

ORS 222.120 - Procedure without election by city electors; hearing; ordinance subject to referendum. (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection. (2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation. (3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period. (4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question: (a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation; (b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or (c) Declare that the territory is annexed to the city where the Oregon Health Authority, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the

territory as provided by ORS 222.840 to 222.915. (5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465. (6) The ordinance referred to in subsection (4) of this section is subject to referendum. (7) For the purpose of this section, ORS 222.125 and 222.170, “owner” or “landowner” means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel’s land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

FINDINGS: The City Charter does not require the City Council to submit a proposal for annexation to the voters. This annexation is not being submitted to the voters; instead, public hearings on the annexation are being held in accordance with the requirements of this statute. Notice of the public hearings is being published in accordance with ORS 222.120, including once each week in the Hood River News for two successive weeks prior to the date of the City Council hearing, as well as posting of notices of the hearing in four public places in the city for the same period of time.

This annexation request includes withdrawal of territory from districts named in ORS 222.465 (Ice Fountain Water District) and ORS 222.510 (West Side Rural Fire Protection District). Pursuant to ORS 222.111(4), the effective date of withdrawal from West Side Fire District can be the effective date of the annexation. Pursuant to ORS 222.465, if the ordinance, annexation or incorporation that results in the withdrawal is enacted or approved after March 31 in any year, the effective date of the withdrawal of territory shall be July 1 in the following year; if the ordinance, annexation or incorporation that results in the withdrawal is enacted or approved before April 1 in any year, the effective date of the withdrawal of territory shall be July 1 in the same year. In this case, the ordinance withdrawing these Districts from the annexed territory is to be enacted after April 1, 2016. Therefore the effective date of the withdrawal of the territory from Ice Fountain Water District is to be July 1, 2017. As such, **a condition of approval is recommended that the effective date of withdrawal from the West Side Rural Fire Protection District shall be the effective date of the annexation, and the effective date of withdrawal from the Ice Fountain Water District shall be July 1, 2017.**

ORS 222.125 Annexation by consent of all owners of land and majority of electors. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

FINDINGS: Written consent to the annexation must be provided by the owner and not less than 50% of the residents who are registered to vote at this address. Records of the Hood River County Elections office indicate that there are no voters registered at the subject properties. Both

existing property owners signed the application form (Attachment “A.1”). As such, the proposal is consistent with these requirements.

ORS 222.180 Effective date of annexation. (1) The annexation shall be complete from the date of filing with the Secretary of State of the annexation records as provided in ORS 222.177 and 222.900. Thereafter the annexed territory shall be and remain a part of the city to which it is annexed. The date of such filing shall be the effective date of annexation.

FINDINGS: Public hearings for this annexation will take place before the City Planning Commission and City Council. If approved, the City Council will read the ordinance approving the annexation and withdrawing the territory from West Side Rural Fire Protection District and Ice Fountain Water District for the first time by title only (and second time if a full Council is present). After the second reading, the ordinance will be transmitted to the Secretary of State for filing. Pursuant to ORS 222.180, the effective date of the annexation is the date it is filed with the Secretary of State.

222.183 Notice of annexation when effective date delayed for more than one year. (1) If the effective date of an annexation is more than one year after the date of a proclamation of annexation, the city, through its recorder or other city officer or agency performing the duties of recorder under this section, shall send notice to the county clerk of each county within which the city is located. The notice shall be sent not sooner than 120 days and not later than 90 days prior to the effective date of the annexation. (2) The notice described in subsection (1) of this section shall be in addition to any other notice or filing required under ORS 222.010 to 222.750.

FINDINGS: As addressed above, the effective date of annexation will be the date the annexation is filed with the Secretary of State. The annexation will be filed with the Secretary of State less than one year from the date of proclamation of annexation.

III. CONCLUSION: The proposed annexation was initiated by the property owners after the City determined that sanitary sewer and water services will not be provided until annexation occurs.

A portion of the Avalon Way/Drive right-of-way located between the subject property’s westernmost property line and the current City Limits boundary is also to be annexed (see Attachment “A.2”).

The subject property will be withdrawn from the Ice Fountain Water District and the West Side Rural Fire Protection District in association with annexation, and the owners will be responsible for compensating West Side Rural Fire Protection District for lost revenue as addressed in this report.

IV. CONDITIONS OF APPROVAL: Based on the foregoing findings and except as conditioned below, this application is approved in general conformance with the applicants’ proposal and related plans and all representations and statements made by the applicants or any of their authorized representatives. This approval is granted subject to the requirements that the applicants, owners or subsequent developer (the “developer”) shall comply with all applicable code provisions, laws and standards and the following conditions. These conditions shall be interpreted and implemented consistently with the foregoing findings:

1. Annexation and withdrawal from West Side Rural Fire Protection District and Ice Fountain Water District is required. All annexation and withdrawal fees are the responsibility of the applicants.
2. The effective date for the annexation shall be the date it is filed with the Secretary of State, except for purposes of ORS 308.225. The effective date of withdrawal from the West Side

Rural Fire Protection District shall be the effective date of the annexation, and the effective date of withdrawal from the Ice Fountain Water District shall be July 1, 2017.

3. The property owners and their heirs, successors and assigns shall compensate the City of Hood River for the costs associated with the withdrawal of the subject property from the West Side Rural Fire Protection District (WSFD) pursuant to the intergovernmental agreement between WSFD and the City. The City will send a bill to the applicant and payment shall be made to the City of Hood River by the due date specified by the bill.

V. DECISION: Commissioner Pavlenko moved and Commissioner Gates seconded a motion to forward a recommendation of approval of the annexation to the City Council based upon the above Findings of Fact and subject to the Conditions of Approval of this Final Order. The motion passed with a 5-0 vote.

APPROVED BY THE CITY OF HOOD RIVER PLANNING COMMISSION the 20th day of April, 2016.

Nikki Rohan
Nikki Rohan, Vice Chair

ATTEST:

Kevin Liburdy
Kevin Liburdy, Senior Planner

File No: 2016-09
Fee: \$2370
Date Submitted: 3/3/16

**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, one electronic copy, and appropriate fees to the City of Hood River Planning Department, 211 2nd St., 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: (attach a copy of title or purchase contract if applicable*)

Name: Laura and Richard Starratt
Address: 1765 Avalon Way **RECEIVED**
(physical) Hood River OR 97031
(mailing) same **MAR 03 2016**
CITY PLANNING DEPT.
(email) rpstarratt51@gmail.com
Telephone: 541-387-2270 Cell Phone: 541-490-5487
Signature: Richard Starratt Laura Starratt

PARCEL OWNER: (if different than applicant)

Name: (Laura Starratt as trustee of Laura Starratt Living Trust dated September 21, 2007)
(Richard Starratt as trustee of Richard Starratt Living Trust dated Sept. 21, 2007)
Address: 1765 Avalon Way
(mailing) Hood River OR 97031
Telephone: 541-387-2270 Cell Phone: 541-490-5487
Signature: Laura Starratt trustee Richard Starratt trustee
*Authorization of parcel owner required.

PARCEL INFORMATION:

Township 3N Range 10E Section 35DB Tax Lot(s) 802
Current Zoning: UR1 Parcel Size: 0.24 Ac (10,648 ft²)
Property Location (cross streets or address): East of 1765 Avalon Way
Existing Water Service, if any: ☒ Yes
Farmers Irrigation: ☒ YES ☐ NO Existing Septic: ☐ YES ☒ NO
Is this a health hazard request for sewer connection? ☐ YES ☒ NO
If yes, Explain: _____

ATTACHMENT "A.1"
FILE NO. 2016-09

ADDITIONAL APPLICATION INFORMATION

Please submit the following information with your completed application form:

1. Assessor's 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 a complete legal description.
3. Addresses of all dwellings and/or businesses located on the parcel.
4. Names, addresses, and ages of all residents on the parcel and verification whether they are registered voters.
5. Written consent to the annexation must be provided by the owner and not less than 50% of the residents who are registered to vote at each address.
6. Written statement in support of annexation addressing the applicable annexation criteria of the Hood River zoning ordinance.

REQUEST

Sewer Service ✓

Water Service ✓

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 agreement 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 agreement prior to connection to city water and/or sewer.

Signature

Robert Smith

Anna Albert

March 2, 2016

City of Hood River Planning Department
211 2nd Street
Hood River, Oregon 97031

Dear Sir or Madam:

This letter is to both support our request and provide consent for annexation by the City of Hood River. Our property, hereafter referred to as Tax Lot 802, is described in the attached documentation. This property lies within the Hood River County Urban Growth Area. We have owned this parcel since 1997.

Tax Lot 802 is 10,648 square feet. It is a flag lot, the main buildable portion encompassing approximately 7,178 square feet. The 'flagpole' extends approximately 132 feet from the Avalon Drive right of way eastward to the main portion of the lot, and varies from 20 feet in width at Avalon Drive to 10 feet in width nearing the main part of the lot. There are no buildings or other improvements or residents living on the parcel.

Tax Lot 802 is formally owned jointly by Laura Starrett Living Trust dated September 21, 2004 and Richard Starrett Living Trust dated September 21, 2004. There are no encumbrances, mortgages or liens on the property.

Tax Lot 802 is contiguous with City Limits at the Avalon Drive right of way. The property is surrounded primarily by non-annexed properties in the urban growth area.

Our intention is to build a single family home and detached garage with a total footprint of approximately 1650 square feet, and driveway of approximately 900 square feet. We will require all utilities to the residence including water, sewer, gas, electric, and data. Preliminary investigations indicate that all services are immediately available from Avalon Drive or nearer. Farmer's irrigation is already present.


We believe that Tax Lot 802 represents an asset to Hood River County as prime buildable land within the urban growth area. We have been informed by both the City of Hood River Public Works and Planning departments that sewer service will not be provided to this parcel without annexation into the City of Hood River.


We are therefore requesting and consenting to annexation of Tax Lot 802 into the City of Hood River in order to be able proceed with building.

Thank you for your consideration of our application.


Laura Starrett


Richard Starrett


Laura Starrett Trustee
Laura Starrett Living Trust


Richard Starrett Trustee
Richard Starrett Living Trust

Legal description of Starrett property requesting Annexation into City of Hood River:

In the NW ¼ of the SE ¼ of section 35, Township 3 North, Range 10 East W.M.
Hood River County, Oregon
Tax Lot 802. 3N-10E-35DB
See Property Boundary Line Adjustment Survey: CS2007010 (Filed 1-8-2007)

Beginning at a point which is 7 feet south of the northerly northwest corner of the Donation Land Claim of James Benson in Township 3 North, range 10 East of the Willamette Meridian in Hood River County, Oregon; thence South, along said west line, 125.38 feet to the northeast corner of a tract of land conveyed to C.I. Dakin by deed recorded in Book K Page 197 Deed Records; thence west, along the north line of said Dakin Tract, 210 feet to the true point of beginning; thence west along said north line 135 feet; thence north 85 feet; thence west 95 feet to a point in Avalon Way; thence north 20 feet; thence east 230 feet; thence south 105 feet to the place of beginning.

EXCEPTING THEREFROM that portion of the Northwest Quarter of the Southeast Quarter of Section 35, Township 3 North, Range 10 East of the Willamette Meridian in Hood River County, Oregon, and being a portion of the tract conveyed to Richard Starrett as Trustee of the Richard Starrett Living Trust dated September 21, 2004, and to Laura Starrett, as Trustee of the Laura Starrett Living Trust dated September 21, 2004, by Warranty Deed Recorded October 11, 2004 as Document Number 20044681. Hood River County Records, described as follows:

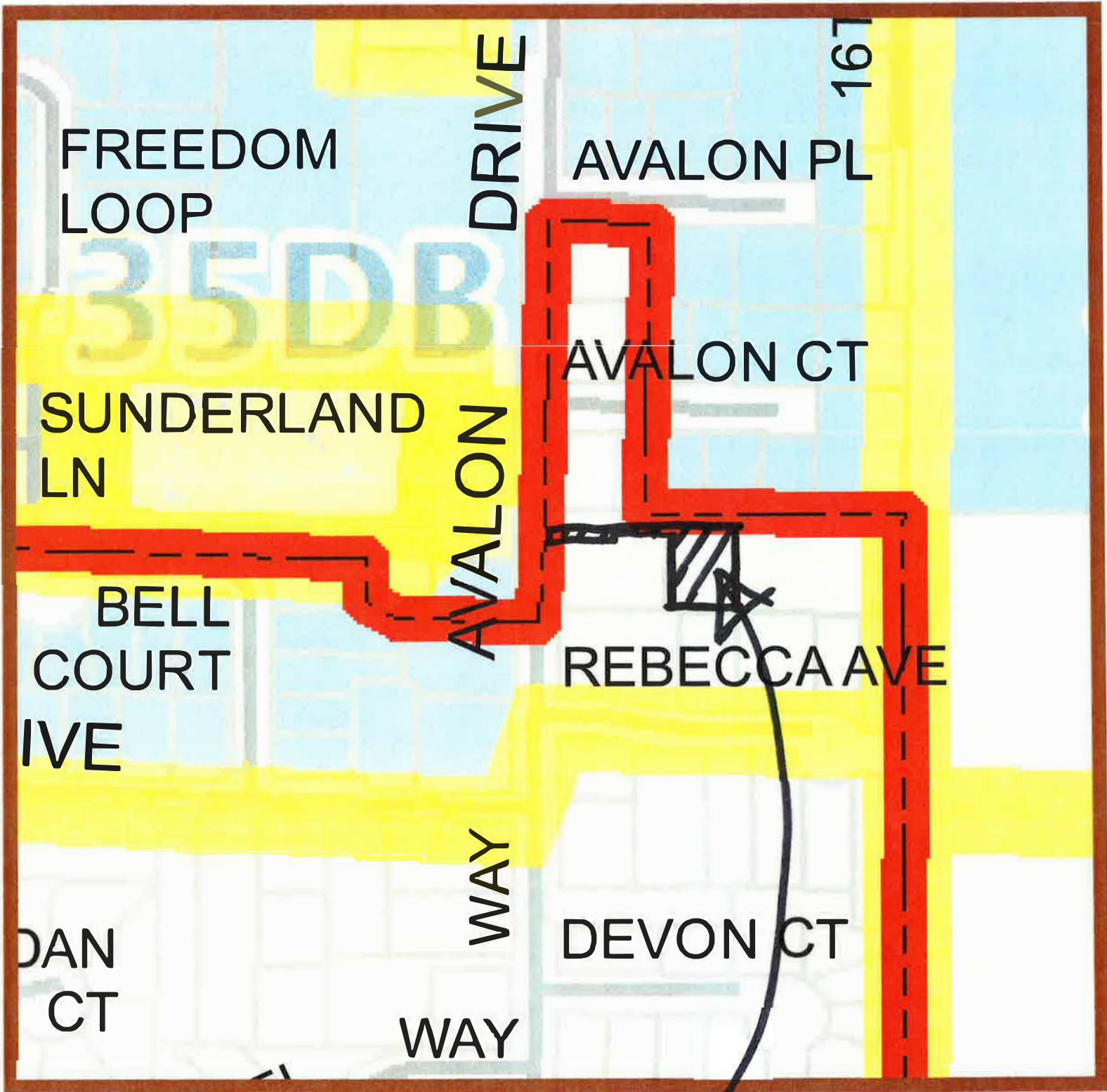
Commencing at 5/8" iron rod with yellow plastic cap inscribed "L.S.932" found at the Southwest corner of Parcel 1 of the said Starrett tract, and being a t appoint on the Easterly Right of Way line of Avalon Drive, South 00°36'01 East, 132.31 feet, and North 89°16'44" West, 441.21 feet from a Brass Cap found at the Northerly Northwest corner of the James Benson donation Land Claim Number 39; thence South 89°16'20" East, 95.00 feet to the Southeast corner of Parcel 1 of the said Starrett tract and the Point of Beginning of the Adjusted Portion; thence North 00°00'01" East, 85.00 feet to the Northeast corner of Parcel 1 of said Starrett tract; thence North 89°16'20" West along the Northerly line of Parcel 1 of the said Starrett tract, 19.09 feet to a 3" long nail with 1" top inscribed "Survey Mark" set; thence North 00°00'01" West, 10.00 feet to a similar 3" long nail with 1" top inscribed "Survey Mark" set; thence South 89°16'11" East, 71.02 feet to 5/8" iron rod with orange plastic cap inscribed "Cross P.L.S.60051" set; thence South 00°00'01" East, 94.99 feet to a similar 5/8" iron rod with orange plastic cap inscribed "Cross P.L.S.60051" set on the Southerly line of the said Starrett tract; thence North 89°16'20" West along the Southerly line of said Starrett tract, 51.94 feet to the point of beginning.

EXCEPTING THEREFROM that parcel described in that Correction Deed Dedicating Public Right of Way, recorded May 28, 2009 as Instrument No. 200902032, Hood River County Microfilm Records.



3N 10E 35 DB #802

NORTH ↑



NORTH ↑

3N10E 35DB #802

ATTACHMENT "A.3"
FILE NO. 2016-09

CITY LIMITS and URBAN GROWTH BOUNDARY ZONING MAP

Legend

Zoning:






-  R-1 Urban Low Density Residential
-  R-2 Urban Standard Density Residential
-  R-3 Urban High Density Residential
-  C-1 Office Residential
-  C-2 General Commercial
-  I Industrial
-  LI Light Industrial
-  OS Open Space/Public Facility
-  RC Columbia River Recreational/Commercial






1 inch equals 0.25 miles

DISCLAIMER: This map product was prepared by Hood River County and is for informational purposes only. It may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Overlay Zones

-  IAMP-ACCESS MGMT. BLOCKS
-  INTERCHANGE AREA MGMT PLAN Z
-  Waterfront Zone
-  Floodplain
-  Geologic Hazard

Boundaries:

-  City Limits
-  Urban Growth Boundary
-  Assessor Map Index

Zone boundaries are approximate only. Final boundary decisions are subject to determination by the appropriate Planning Department having jurisdiction.

Within City Limits:
City of Hood River
Planning Department
301 Oak Street
Hood River, OR 97031

(541) 387-5210



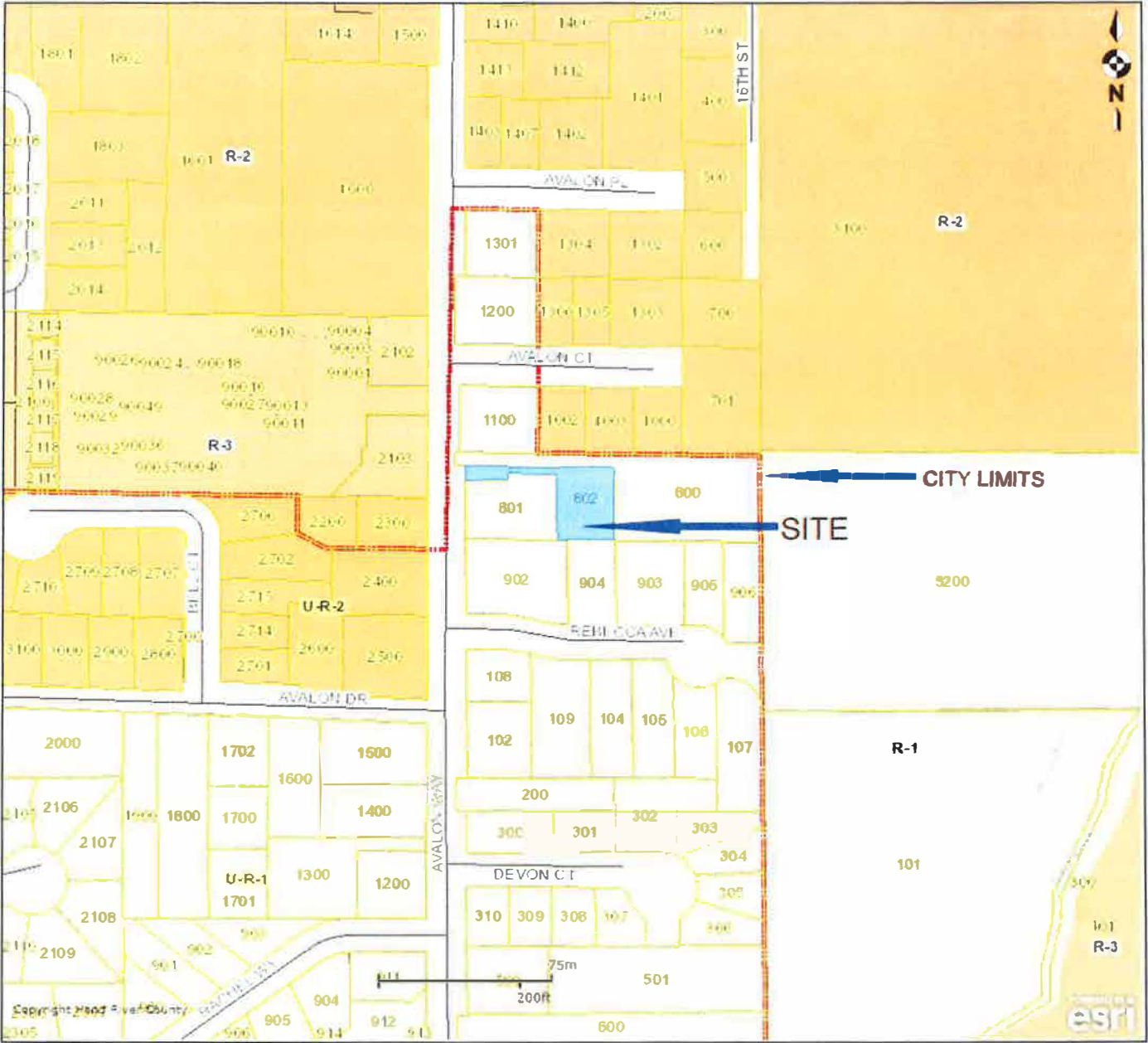
Outside City Limits:
County of Hood River
Planning Department
601 State Street
Hood River, OR 97031

(541) 387-6840



August

File No. 2016-09 - Starrett Annexation - 3N10E35DB Tax Lot 802 - 3/24/2016
Location Map



Kevin Liburdy

From: Ice Fountain Water District <ifwater@hrecn.net>
Sent: Monday, March 14, 2016 10:11 AM
To: Kevin Liburdy
Subject: RE: Annexation Application - 3N10E35DB Tax Lot 802

Kevin,

It appears that the annexation of tax lot 802 does meet the criteria of the IGA with Ice Fountain Water District. Please keep me notified if the city decides to move forward with this annexation. Thank you.

Mark Beam
District Manager
Ice Fountain Water District
541-386-4299

-----Original Message-----

From: Kevin Liburdy [<mailto:Kevin@ci.hood-river.or.us>]
Sent: Thursday, March 10, 2016 12:03 PM
To: Jim Trammell <wsfd502@gorge.net>; ifwater@hrecn.net; rick@fidhr.org
Subject: Annexation Application - 3N10E35DB Tax Lot 802

Jim, Mark and Rick,

We received the attached application for annexation of 0.24-acre parcel in order to connect to city sewer and construct a single-family dwelling. The property would be withdrawn from WSFD, and it looks like it may be appropriate to withdraw the property from IFWD and serve it with city water.

The map below depicts the property and city limits boundary. I asked to the city engineering department to consider whether it would be appropriate to annex adjacent properties that are served by city sewer (if/where there are consent-to-annexation agreements in place) concurrently.

Would you like to meet to discuss the application per the IGAs between the city and the districts?

Thanks,

Kevin Liburdy
Senior Planner
City of Hood River
541-387-5224
211 2nd Street
Hood River, OR 97031

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Kevin Liburdy

From: Rick Brock <rick@fidhr.org>
Sent: Tuesday, March 29, 2016 9:31 AM
To: Kevin Liburdy
Subject: Re: Request for Comments - Starrett Annexation (File No. 2016-09) - 3N10E35DB Tax Lot 802

Kevin,
Tax lot 802 has .20 water right acre. Farmers Irrigation District will continue to serve irrigation water into annexed areas.

Thank you for notification of this matter.

Rick Brock
Farmers Irrigation District
Water Rights Specialist
541-387-5263
rick@fidhr.org

On Fri, Mar 25, 2016 at 4:24 PM, Kevin Liburdy <Kevin@ci.hood-river.or.us> wrote:

Please find attached a request for comments for the above-referenced annexation application.

Apologies for requesting feedback from you so quickly - if you would like your testimony to be included in the staff report, please send written comments by 4/4. However, any testimony submitted prior to or during the planning commission's hearing (scheduled on April 18, 2016) can be entered into the record at the hearing.

Thanks,

Kevin Liburdy

Senior Planner

City of Hood River

541-387-5224

211 2nd Street

Hood River, OR 97031

From: Jim Trammell [mailto:wsfd502@gorge.net]

Sent: Wednesday, April 06, 2016 8:49 AM

To: Kevin Liburdy

Subject: RE: Request for Comments - Starrett Annexation (File No. 2016-09) - 3N10E35DB Tax Lot 802

RE:

Annexation of 3N10E15DB tax lot 802.

The parcel is contiguous to the City boundary and meets the conditions of our ORS 195 agreements.

Jim Trammell

Fire Administrator

Jim Trammell

Fire Marshal/Fire Administrator

Westside RFPD

1185 Tucker Road

Hood River, OR 97031

W 541 386 1550

F 541 386 7228

wsfd502@gorge.net

www.westsidefire.com

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CITY OF HOOD RIVER
PUBLIC WORKS / ENGINEERING / BUILDING DEPARTMENT

Date: March 31, 2016

Engineering Department comments for: 3N 10E 35DB # 802 Laura and Richard Starrett
Annexation

City water is available on the west side of Avalon Street within the public right of way. City sanitary sewer is available near the centerline of Avalon Street, as well as possibly along the north property line of TL 800 if an easement (private) and the City main location can be verified.

Pumping of the private sanitary sewer effluent may be required depending on final building elevations.

Westside Rural Fire Protection District Compensation

Starrett – 3N10E35DB#802

2016 Assessed Value = \$24,470

Year 1	\$24.47	x 1.281*	\$31.35
Year 2	\$31.35	plus 5.8%	\$33.16
Year 3	\$33.16	plus 5.8%	\$35.09
Year 4	\$35.09	plus 5.8%	\$37.12
Year 5	\$37.12	plus 5.8%	\$39.28

Total \$176.00

* reflects \$0.50/\$1,000 local option levy implemented on July 1, 2015 lasting to June 30, 2020

HOOD RIVER County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2016

April 5, 2016 3:23:02 pm

Account # 10998
Map # 3N10E35-DB-00802
Code - Tax # 0005-10998

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Legal Descr See Record

Mailing Name STARRETT, RICHARD TR U-2 & LAURA

Deed Reference # 2004-4681 (SOURCE ID: 20044681)

Agent

Sales Date/Price 09-21-2004 / \$0.00

In Care Of

Appraiser DUANE ELY

Mailing Address 1765 AVALON WAY
 HOOD RIVER, OR 97031

Prop Class 400 **MA** **SA** **NH** **Unit**
RMV Class 400 06 05 000 8505-1

Situs Address(s)	Situs City
-------------------------	-------------------

Value Summary					
Code Area	AV	RMV	MAV	RMV Exception	CPR %
0005 Land		137,000		Land	0
Impr.		0		Impr.	0
Code Area Total	24,470	137,000	24,470		0
Grand Total	24,470	137,000	24,470		0

Code Area	ID#	RFD	Ex	Plan Zone	Value Source	Land Breakdown				Trended RMV	
						TD%	LS	Size	Land Class		LUC
0005	1	R		UR1	Rural Site	100	A	0.24	HS	*	137,000
Grand Total								0.24			137,000

Code Area	Yr Built	Stat Class	Improvement Breakdown		Total	Trended	
ID#			Description	TD%	Sq. Ft.	Ex% MS Acct #	RMV
Grand Total					0	0	

Legal description of Starrett property requesting Annexation into City of Hood River:

In the NW ¼ of the SE 1/4 of section 35, Township 3 North, Range 10 East W.M.
Hood River County, Oregon
Tax Lot 802, 3N-10E-35DB
See Property Boundary Line Adjustment Survey: CS2007010 (Filed 1-8-2007)

Beginning at a point which is 7 feet south of the northerly northwest corner of the Donation Land Claim of James Benson in Township 3 North, range 10 East of the Willamette Meridian in Hood River County, Oregon; thence South, along said west line, 125.38 feet to the northeast corner of a tract of land conveyed to C.I. Dakin by deed recorded in Book K Page 197 Deed Records; thence west, along the north line of said Dakin Tract, 210 feet to the true point of beginning; thence west along said north line 135 feet; thence north 85 feet; thence west 95 feet to a point in Avalon Way; thence north 20 feet; thence east 230 feet; thence south 105 feet to the place of beginning.

EXCEPTING THEREFROM that portion of the Northwest Quarter of the Southeast Quarter of Section 35, Township 3 North, Range 10 East of the Willamette Meridian in Hood River County, Oregon, and being a portion of the tract conveyed to Richard Starrett as Trustee of the Richard Starrett Living Trust dated September 21, 2004, and to Laura Starrett, as Trustee of the Laura Starrett Living Trust dated September 21, 2004, by Warranty Deed Recorded October 11, 2004 as Document Number 20044681, Hood River County Records, described as follows:

Commencing at 5/8" iron rod with yellow plastic cap inscribed "L.S.932" found at the Southwest corner of Parcel 1 of the said Starrett tract, and being at a point on the Easterly Right of Way line of Avalon Drive, South 00°36'01" East. 132.31 feet, and North 89°16'44" West, 441.21 feet from a Brass Cap found at the Northerly Northwest corner of the James Benson donation Land Claim Number 39; thence South 89°16'20" East, 95.00 feet to the Southeast corner of Parcel 1 of the said Starrett tract and the Point of Beginning of the Adjusted Portion; thence North 00°00'01" East. 85.00 feet to the Northeast corner of Parcel 1 of said Starrett tract; thence North 89°16'20" West along the Northerly line of Parcel 1 of the said Starrett tract, 19.09 feet to a 3" long nail with 1" top inscribed "Survey Mark" set; thence North 00°00'01" West. 10.00 feet to a similar 3" long nail with 1" top inscribed "Survey Mark" set; thence South 89°16'11" East, 71.02 feet to 5/8" iron rod with orange plastic cap inscribed "Cross P.L.S.60051" set; thence South 00°00'01" East, 94.99 feet to a similar 5/8" iron rod with orange plastic cap inscribed "Cross P.L.S.60051" set on the Southerly line of the said Starrett tract; thence North 89°16'20" West along the Southerly line of said Starrett tract, 51.94 feet to the point of beginning.

EXCEPTING THEREFROM that parcel described in that Correction Deed Dedicating Public Right of Way, recorded May 28, 2009 as Instrument No. 200902032, Hood River County Microfilm Records.

Portion of the Northwest Quarter of the Southeast Quarter of Section 35, Township 3 North, Range 10 East of the Willamette Meridian in Hood River County, Oregon, and being the Westerly 15.00 feet of the tract conveyed to Richard Starrett, as Trustee of the Richard Starrett Living Trust, and to Laura Starrett, as Trustee of the Laura Starrett Living Trust, dated September 21, 2004 by Warranty Deed recorded October II, 2004 as Document Number 20044681, Hood River County Records, described as follows:

Beginning at a 5/8" iron rod with yellow plastic cap inscribed "P.L.S. 932" found at the Southwest corner of Parcel I of the said Starrett tract, and being at a point on the Easterly Right of Way line of Avalon Drive, South 00°36'01" East, 132.31 feet, and North 89°16'44" West, 441.21 feet from a Brass Cap found at the Northerly Northwest corner of the James Benson Donation Land Claim Number 39; thence North 00°00'01" West along the said Easterly Right of Way line of Avalon Drive, 105.00 feet to the Northwest corner of the said Starrett tract; thence South 89°16' 11" East along the Northerly line of the said Starrett tract, 15 .00 feet to a 3" long nail with 1" top inscribed "Survey Mark" set; thence South 00°00'01" East, 105.00 feet to a 5/8" iron rod with orange plastic cap inscribed "Cross P.L.S.60051" set on the Southerly line of the said Starrett tract; thence North 89°16'20" West along the Southerly line of the said Starrett tract, 15.00 feet to the point of beginning.

AND IN ADDITION FOR ANNEXATION PURPOSES

Commencing at 5/8" iron rod with yellow plastic cap inscribed "L.S.932" found at the Southwest corner of Parcel 1 of the said Starrett tract, and being at a point on the Easterly Right of Way line of Avalon Drive, South 00°36'01 East. 132.31 feet, and North 89°16'44" West, 441.21 feet from a Brass Cap found at the Northerly Northwest corner of the James Benson donation Land Claim Number 39; thence North 00°00'01" West, 85.00 feet, thence South 89°16'20" East, 15.00 feet to the Point of Beginning;

Thence North 00°00'01" West, a distance of 20.00 feet;
thence North 89°16'11" West, a distance of 30.00 feet to the centerline of Avalon Drive and the City of Hood River City Limits boundary;
thence along said boundary South 00°00'01" East, a distance of 20.00 feet;
thence South 89°16'20" East, a distance of 30.00 feet to the Point of Beginning.

IN THE NW1/4 OF THE SE 1/4 OF SECTION 35, T3N, R10E, W1M.
HOOD RIVER COUNTY, OREGON



LAND SURVEYING

2007 CROSS PROPERTY BOUNDARY LINE
ADJUSTMENT SURVEY, CS No. 2007-010, FILED 1-8-07

☐ SHOWN FOUND MONUMENTS AS PER REFERENCE SURVEY
☐ CALCULATED POINT, NO MONUMENTS

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