

City of Willamina

Incorporated 1903

ORDINANCE NO. 598 (Part 1 of 2)

AN ORDINANCE ANNEXING TO THE CITY OF WILLAMINA THE AREA AND TERRITORY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF

WHEREAS, the Willamina Fire District is the sole owner of the tract of land herein described in Exhibit "A" and depicted in Exhibit "B", and had petitioned that said property be annexed to the City of Willamina, Oregon; and

WHEREAS, the above described area and property is contiguous to the City of Willamina, Oregon; and

WHEREAS, the Planning Commission held a public hearing on February 1, 1999, at the Willamina City Hall at which the public was given full opportunity to be present and heard on the matter; and;

WHEREAS, on March 25, 1999, the City Council conducted a public hearing at the Willamina City Hall at which the public was invited to be heard on the question of annexation of said territory and area hereinabove first described; and

WHEREAS, the Recorder of the City of Willamina, Oregon, caused notice of said public hearings to be published prior to the date of said Planning Commission hearing, and caused notices of said public hearings to be posted in three public places in the City of Willamina, Oregon, for a period of at least two weeks prior to said public hearing, all of which appears from the certificate of the Recorder on file in the Recorder's office, and which notice described the territory and area proposed to be annexed to the City of Willamina, Oregon; and

WHEREAS, on February 1, 1999, the Planning Commission recommended approval of the annexation to the City Council; and

WHEREAS, on March 25, 1999, the City Council conducted a public hearing to consider action to annex said property into the City of Willamina; and

WHEREAS, on March 25, 1999, the City Council received and approved the recommendations of the Planning Commission, and considered the information provided by City staff and interested citizens; and

WHEREAS, on June 27, 1999, the City Council hereby adopts and makes and enters as its findings of facts those findings set forth on Exhibit "C" attached hereto and by this reference made a part of; now therefore

THE CITY OF WILLAMINA, OREGON ORDAINS AS FOLLOWS:

SECTION 1: The owner of the real premises described above consented in writing to the annexation of said territory and area, and such consent is on file in the Recorder's office in the City of Willamina, Oregon, **IT IS HEREBY ORDERED, DECLARED, AND PROCLAIMED** that the territory and area described in Exhibit "A" be and the same is hereby annexed to the City of Willamina, Yamhill/Polk Counties, State of Oregon.

SECTION 2: That the Recorder of the City of Willamina is hereby authorized and directed to make and submit to the Secretary of the State of Oregon, the Assessor of Yamhill County, Oregon, the County Clerk of Yamhill County, Oregon, and the Department of Revenue, State of Oregon, a certified copy of the following documents:

(a) Copy of this ordinance.

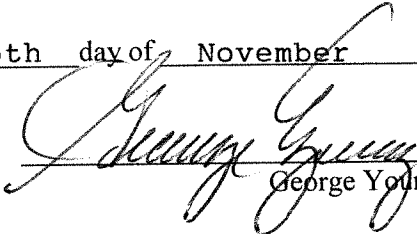
PASSED and adopted by the City Council of the City of Willamina on this 27th Day of June, 1999, by the following votes:

AYES: Councilors Baller, Buck, Fasana-Lynn, Greb, Schnitzler and Skyberg.

NAYS: None

WHEREUPON, the Mayor declared the motion to be carried and the ordinance adopted.

Submitted to and approved by the Mayor on the 5th day of November, 2002.


George Young, Mayor

ATTEST:


Kenneth R. McCune, City Manager/Recorder

ORDINANCE NO. 598

EXHIBIT "A"

A tract of land in the Northwest Quarter of Section 6, Township 6 South, Range 6 West, Willamette Meridian, City of Willamina, Yamhill County, Oregon, and being more specifically described as follows:

Beginning at a point on the northerly right-of-way line of the Southern Pacific Railroad, S 25°07'00"E 201.52 feet and N 64°40'25"E 626.60 feet from a ¾" iron rod at the Northeast corner of Lot 6, Block 3, KERSHAW'S ADDITION; thence along said right-of-way line N 64°40'25"E 300.00 feet; thence leaving said right-of-way line N 25°07'00"W 198.88 feet to a point on the southerly right-of-way line of State Highway 18B; thence along said right-of-way line S 64°53'00"W 307.70 feet to the Northeast corner of that tract conveyed to Willamina Post No. 4211, Veterans of Foreign Wars of the United States, per Book 159, Page 583, Yamhill County Records; thence leaving said right-of-way line S 30°31'15"E 81.74 feet to the Southeast corner of said VFW tract; thence S 25°07'00"E 118.60 feet to the point of beginning; containing 1.38 acres, more or less.

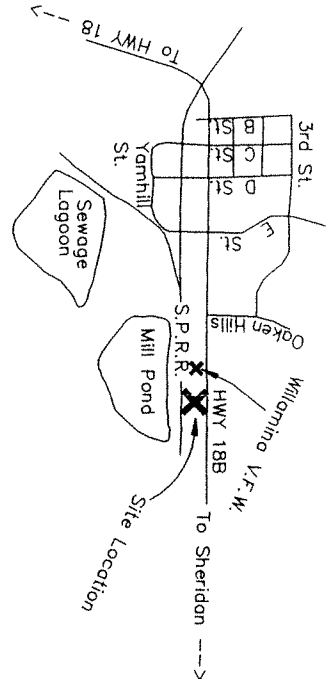
The Basis of Bearings for this description is the right-of-way of State Highway 18B, N 64°53'00"E, per Partition Plat 96-19.

EXHIBIT "B"

ORDINANCE NO. 598
(Part 1 of 2)

Map of Proposed Zone Change For Willamina Fire District

Vicinity Map



Location: E 1/2 Section 1, T. 6 S., R 7 W., Yamhill County, Oregon

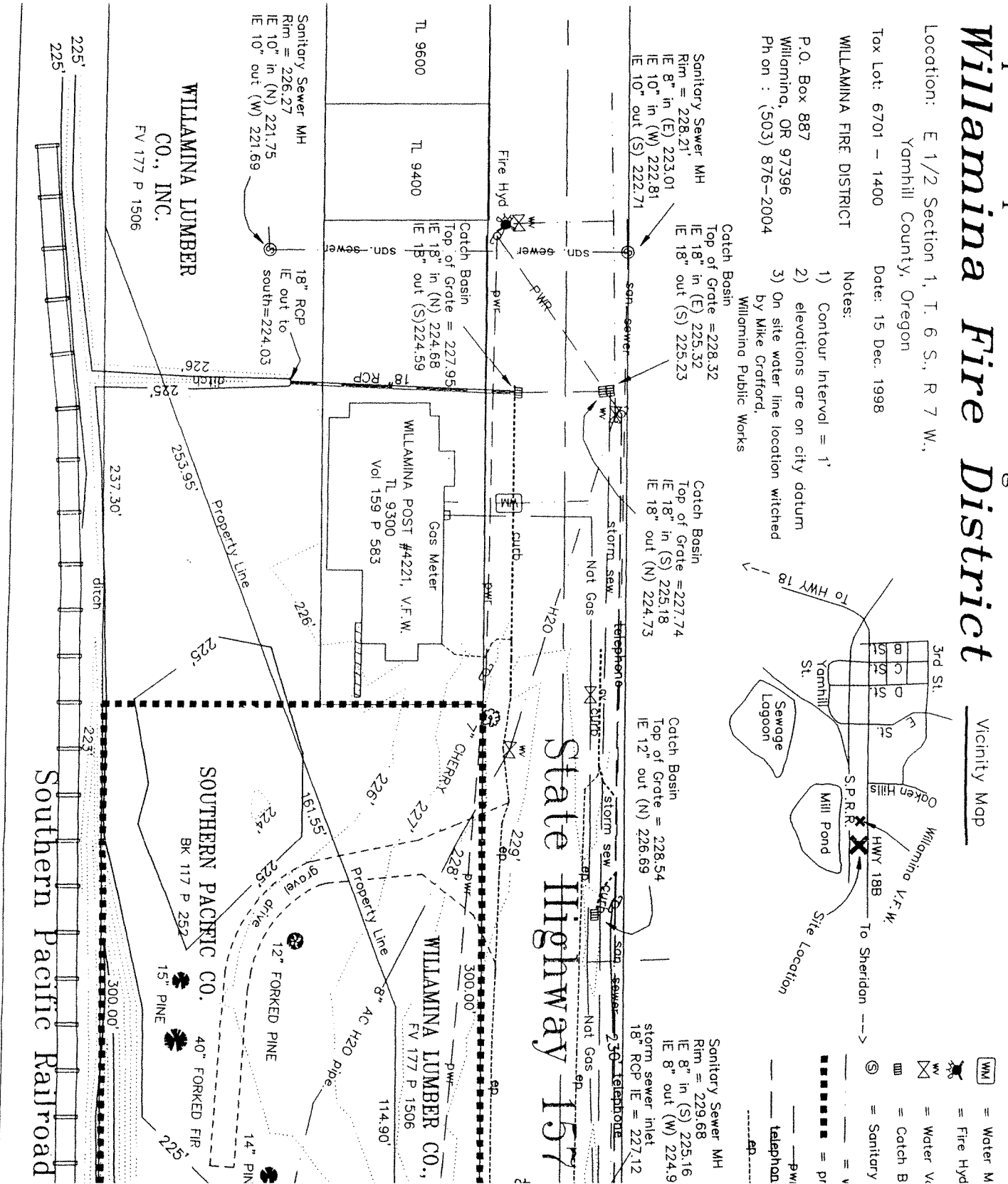
Tax Lot: 6701 - 1400 Date: 15 Dec. 1998

WILLAMINA FIRE DISTRICT

Notes:

- 1) Contour Interval = 1'
- 2) elevations are on city datum
- 3) On site water line location witched by Mike Crawford, Willamina Public Works

P.O. Box 887
Willamina, OR 97396
Ph on : (503) 876-2004



- [WM] = Water M
- [FH] = Fire Hyd
- [WV] = Water V.
- [CB] = Catch B
- [S] = Sanitary
- [P] = pr
- [PWR] = pwr
- [TEL] = telephone
- [EP] = ep

Sanitary Sewer MH
Rim = 228.21'
IE 8" in (E) 223.01
IE 10" in (W) 222.81
IE 10" out (S) 222.71

Catch Basin
Top of Grate = 228.32
IE 18" in (E) 225.32
IE 18" out (S) 225.23

Catch Basin
Top of Grate = 227.74
IE 18" in (S) 225.18
IE 18" out (N) 224.73

Catch Basin
Top of Grate = 228.54
IE 12" out (N) 226.69

Sanitary Sewer MH
Rim = 229.68
IE 8" in (S) 225.16
IE 8" out (W) 224.9
18" RCP IE = 227.12

TL 9600

TL 9400

TL 9300

TL 9300

TL 9300

TL 9300

TL 9300

TL 9300

TL 9300

Sanitary Sewer MH
Rim = 226.27
IE 10" in (N) 221.75
IE 10" out (W) 221.69

18" RCP
IE out to south = 224.03

WILLAMINA LUMBER CO., INC.

FV 177 P 1506

SOUTHERN PACIFIC CO.

BK 117 P 252

15" PINE

14" PIN

Southern Pacific Railroad

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EXHIBIT "C"

ANX 99-01/CPA 99-01/ZC 99-01

March 16, 1999

I. FINDINGS OF FACT - GENERAL

- A. The applicant is Willamina Fire District.
- B. The subject property is located south of State Highway 157 (Hwy 18B) directly east of the VFW Hall, also referred to as Tax Map 6-6-06, Lot 1400
- C. The subject property is 1.3 acres in size and is located entirely within the Urban Growth Boundary.
- D. Public water and sewer are available to service the parcel.
- E. The property is currently undeveloped and contains no significant natural features.
- F. This property is designated Heavy Industrial on the Yamhill County Zoning Map. The property is designated Industrial on the Willamina Comprehensive Plan map.
- G. The Comprehensive Plan Significant Resource Map and Building Limitations Map indicate that no of the subject property is subject to severe soil limitations, and that a no portion of the property contains slopes in excess of 20%. According to the FEMA flood plain map no portion of the property is within the 100 year flood plain.

II. FINDINGS OF FACT - ANNEXATION

A. Section 1.020 of Article 8 states that annexations to the City of Willamina shall be considered in accordance with the following criteria:

1. *The site is contiguous to the city limits or is separated from it by a stream only, and the annexation creates a simple, contiguous city boundary. A road or strip of land shall not be annexed for the sole purpose of providing contiguity to land otherwise not contiguous to the city.*

FINDING: The north and west side of the subject property is adjacent to the city limits.

2. *The site is within the Urban Growth Boundary.*

FINDING: The subject property is entirely located within the Willamina Urban Growth Boundary.

3. *The site is feasible for the orderly and economic provision of public facilities and services.*

FINDING: Water service, sewer service, storm drainage facilities and street access to the subject property are located directly adjacent to the property along Highway 157 (18B).

4. *The proposed use of the site is necessary to ensure availability of land for choices in the market places.*

FINDING: The site is designated by the Willamina Comprehensive Plan as Industrial. The applicant is proposing to annex the site with an Public Assembly/Institution zoning and comprehensive plan map designation. By resiting the location of the current fire station to this proposed site, the Willamina Fire District will be able to provide better fire protection services to the city in the future. This will ensure that all lands in the city will have enhanced fire protection services, ensuring their availability for future development Proposed uses and development of the property will be consistent with the provisions of the changed comprehensive plan map and zone designation. This action will also open up land currently used by the fire department

5. *The site does not inhibit encouragement of development within existing urban areas.*

FINDING: The addition of 1.3 acres of Public Assembly/Institution land within the city limits will not have an adverse impact on existing facilities, such as sewer or water systems that would discourage development of other vacant land within the City.

III. FINDINGS OF FACT - COMPREHENSIVE PLAN MAP AMENDMENT

- A. The proposed map amendment will change the existing Industrial comprehensive plan map designation of the property to Public Assembly/Institution. Article 3, Section 9.110 established the process and criteria for reviewing comprehensive plan amendments. Sections 9.020(A) to (C) establishes initiation requirements, the review process and submittal requirements.

FINDING: The map amendment was initiated by the property owner consistent with the requirements of Article 3, Section 3.020(A). This action requires a hearing before both the Planning Commission and City Council. All procedures must comply with the requirements for a Type "B" public hearing. The applicant submitted the required application form and supporting material.

- B. Section 9.110(D) establishes the specific decision criteria. The criteria, and the Commission's findings, are reviewed separately, below.
1. *The proposed amendment is consistent with applicable goals and policies of the Comprehensive Plan.*
- a. *Public Facilities and Services: In general, adequate public facilities must be available for development.*

FINDING: Adequate water, sewer, storm drainage and transportation facilities are currently available for the proposed zone change. Please refer to Finding of Fact (III)(B)(2) for detailed discussion.

- b. *Natural Hazards: General policy language to protect life and property from natural hazards and disasters through the application of special design standards and review process through the R-D Overlay Zone.*

FINDING: No portion of the property is identified as containing severe soil limitations and steep slopes on the Comprehensive Plan Building Limitations Map. No portion of the property is identified by FEMA flood hazard maps as lying within the 100 year flood plain.

2. *The proposed amendment is not in conflict with the Statewide Planning Goals, applicable Oregon Administrative Rules, or State Statutes.*

FINDING: Staff finds no conflict between the amendment and Statewide Planning Goals, OAR's or State Statutes

3. *There is a public need for the proposed amendment.*

FINDING: At the November, 1998 election, voters approved a Bond Levy for the construction of a new fire station. The current fire station is actually divided between two different buildings and is too small to meet current and future needs of the Willamina Fire District (WFD). The new fire station is designed to meet the current and future needs of the WFD. The current fire station is located off of the main arterial, Highway 157 (18B), and at a corner with a high amount of pedestrian and bicycle traffic, causing dangerous situations when fire apparatus are responding to calls. The new fire station will be located directly adjacent to Highway 157, allowing direct access to the surrounding areas and removing a dangerous pedestrian-fire apparatus conflict.

4. *The property included in a Map Amendment is physically suited for the uses permitted by the proposed comprehensive plan designation, considering the size, shape, topography and vegetation of the subject site.*

The land proposed for the map amendment is suited to both the proposed comprehensive plan designation and to the specific proposed use. The site is flat, rectangular and free of natural hazards and significant natural features. The size of the site was specifically decided upon to accommodate the proposed use.

5. *The property included in the Map Amendment is presently serviced, or will be serviced concurrently with development, with adequate public facilities and services and transportation networks to support the uses permitted by the proposed comprehensive plan designation.*

FINDINGS: The following public services are currently available to the site.

A. WATER: An 8" water line runs directly across the property. This line will need to be relocated so as to be removed away from any construction to ensure future access for city utility crew and others.

B. SEWER: According to the 1995 Sewer Master Plan Update, there is an 8" gravity sewer main located in the north side of Highway 157 directly in front of the subject property.

C. DRAINAGE: According to the site plan submitted by the applicant there is public storm drain system located directly Highway 157 in front of the subject property.

D. ACCESS: The property lies directly adjacent to State Highway 157 and has 300 feet of frontage from which to provide access. Access to state highways is controlled by the Oregon Department of Transportation (ODOT). Therefore any proposed access to the site from Highway 157 will need to be reviewed and approved by ODOT prior to final approval of site design review for the Fire Station project.

III. FINDINGS OF FACT - ZONE CHANGE

- A. The proposed zone change will change the existing Heavy Industrial zone (Yamhill County zoning) to PAI (Public Assembly/Institution, Willamina). Article 3, Section 9.020 established the process and criteria for reviewing zone changes. Sections 9.020(A) to (C) establishes initiation requirements, the review process and submittal requirements.

FINDING: The zone change was initiated by the property owner consistent with the requirements of Article 3, Section 3.020(A). This action requires a hearing before both the Planning Commission and City Council. All procedures must comply with the requirements for a Type “B” public hearing. The applicant submitted the required application form and supporting material.

- B. Section 9.020(D) establishes the specific decision criteria. The criteria, and the Commission’s findings, are reviewed separately, below.
1. *Approval of the request is consistent with the Comprehensive Plan designation for the site and the applicable goals and policies of the Comprehensive Plan.*

FINDINGS: The proposed zone change will provide land for a new fire station to meet the future fire protection demands of the City, consistent with the property’s proposed Plan redesignation.

The following goals and policies of the Comprehensive Plan are applicable to this request and are reviewed separately below:

- a. *Public Facilities and Services: In general, adequate public facilities must be available for development.*

FINDING: Adequate water, sewer, storm drainage and transportation facilities are currently available for the proposed zone change. Please refer to Finding of Fact (IV)(B)(2) for detailed discussion.

- b. *Natural Hazards: General policy language to protect life and property from natural hazards and disasters through the application of special design standards and review process through the R-D Overlay Zone.*

FINDING: No portion of the property is identified as containing severe soil limitations and steep slopes on the Comprehensive Plan Building Limitations Map. No portion of the property is identified by FEMA flood hazard maps as lying within the 100 year flood plain.

2. *The area is presently served with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are*

planned to be provided concurrently with the development of the property.

FINDINGS: The following public services are currently available to the site.

A. WATER: An 8" water line runs directly across the property. This line will need to be relocated so as to be removed away from any construction to ensure future access for city utility crew and others.

B. SEWER: According to the 1995 Sewer Master Plan Update, there is an 8" gravity sewer main located in the north side of Highway 157 directly in front of the subject property.

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