



*Where Life is Sweet*

Mayor and Members of the City Council  
**STAFF REPORT**  
For the Meeting of November 14, 2022

**Title/Subject**

Annexation- Nobles 4N2804D Tax Lots 1100, 1101, 1102, & 1103 - NW Sjoren Lane

**Summary and Background**

This item was tabled by the city council at the October 24 city council meeting.

Kelly Nobles has applied for annexation for 3.64 acres of land located on the north side of NW Sjoren Lane. The property lies within the urban portion of the urban growth boundary and has a comprehensive plan map designation of Medium Density/Mobile Home Residential (MH) which corresponds to a Multi-Structure Residential (R-4) zoning designation. The applicant requests annexation with an R-4 zoning. Upon annexation, the applicant intends to develop accessory dwellings and/or new residential units. The annexation is necessary to enable connections to the municipal water and sewer lines in NW 11<sup>th</sup> Street.

The property is described as 4N 28 04D Tax Lots 1100, 1101, 1102, and 1103. Tax Lots 1100 and 1103 were part of a major partition by the applicant in 2021. This partition created the two lots and dedicated NW Sjoren Lane as a 50-foot public street. Sjoren Lane remains an access easement where it crosses Tax Lots 1101 and 1102. As a condition of annexation, staff recommends the applicant be required to dedicate 50 feet of right of way across the southern boundary of Tax Lots 1101 and 1102. In approving the partition plat, the city imposed an additional approval condition to prepare a feasibility analysis for connecting the property to city services in NW 11<sup>th</sup> Street prior to further development. The applicant has retained Ron McKinnis as a civil engineer to complete this analysis. Working in conjunction with the city's engineers with Anderson Perry, it has been determined that sewer connection to NW 11<sup>th</sup> Street is feasible. However, it will not be possible to extend sewer entirely to the west boundary of Tax Lot 1100 and it will be necessary for development on Tax Lots 1101 and 1102 to install private pumps to reach the terminus of any sewer extension. Water service is also feasible.

There are four parcels within the proposed annexation area. Tax Lots 1101 and 1102 are each 0.98 acres and each contain an existing single-family dwelling. Tax Lot 1100 is 1.26 acres and is residentially developed. Tax Lot 1103 is 0.42 acres and is vacant.

The land proposed for annexation is within a low-density residential area. The majority of the surrounding parcels are in excess of 0.75 acres and contains single-family development.

However, to the east on the east side of NW 11<sup>th</sup> Street lies multi-family apartments and an assisted living facility.

150.05 of the Hermiston Code of Ordinances provides the requirements for annexations. The requirements for annexation are as follows:

1. The proposal is in conformance with all applicable state annexation requirements.
2. The property is contained within the urban portion of the urban growth boundary as identified on the comprehensive plan.
3. The proposed zoning is consistent with the underlying comprehensive plan designation.
4. Findings of fact are developed in support or denial of the annexation.
5. All city services can be readily extended and the property owner is willing to bear costs associated with sewer, water, and roads.

The planning commission held a public hearing on the proposed annexation on October 12, 2022. There was written and oral testimony submitted in opposition to the annexation, and numerous questions were posed to the applicant. Testimony centered on the growth of the city into rural portions of the urban growth boundary, property maintenance issues, and traffic. A copy of the written testimony is attached to this report for the council's reference.

Following closure of the public hearing, the planning commission made a recommendation to the city council to annex the property with the proposed (R-4) zoning designation.

The applicant requests that the council leave the record open for submission of additional written rebuttal pursuant to ORS 197.763(6)(C). The council may choose to close the hearing, but leave the record open for the applicant to submit additional rebuttal into the record. The council may still make a decision at this meeting if it is determined there is adequate evidence to make a decision. The applicant was unable to attend the October 24<sup>th</sup> meeting, but plans to attend the November 14<sup>th</sup> meeting.

### **Tie-In to Council Goals**

Annexation is a matter of administration of city ordinances. This set of parcels is adjacent to city limits on NW 11<sup>th</sup> St.

### **Fiscal Information**

The property has an assessed value of \$181,430. Upon annexation, approximately \$6,200 will be paid annually in city taxes. Additional development will generate higher assessments.

### **Alternatives and Recommendation**

#### **Alternatives**

The city council may choose to

- Approve the annexation
- Deny the annexation

#### **Recommended Action/Motion**

Staff recommends that the city council approve the annexation of the property.

- Motion to approve the findings of fact
- Motion to impose conditions of approval
- Motion to adopt Ordinance No. 2342

**Submitted By:**

Clinton Spencer, Planning Director