



Where Life is Sweet

Mayor and Members of the City Council

STAFF REPORT

For the Meeting of July 14, 2025

Title/Subject

Ordinance 2373 amends the city's annexation procedures in Chapter 150 to reflect streamlined annexation procedures in ORS 222.125

Summary and Background

The City of Hermiston complies with annexation procedures established in ORS Chapter 222. This chapter specifies what requirements are necessary for public hearings on annexation. Some annexations may require an election and others may be subject to referendum upon adoption. The city's procedures are codified in Title XV, Chapter 150 of the Hermiston Code of Ordinances. This chapter requires the city to hold a public hearing on annexation in front of the planning commission to obtain a recommendation on annexation and then hold a second public hearing in front of the city council to make a final decision on annexation. The compliant process generally takes a minimum of 90 days and may cost an applicant upwards of \$2,000 in fees and noticing costs.

A little used provision in ORS 222.125 allows a city to dispense with all required noticing and hearings when 100% of the land owners in an area proposed for annexation and 50% of the resident electors in that territory consent in writing to annexation. A land owner and an elector are not always the same person. A rental house may have an elector separate from the land owner for instance. This requirement to have consent from both land owners and electors narrows the eligibility to utilize this streamlined approach to bare land annexations and single-lot annexations.

The majority of annexations that the city processes are emergency sewer connections to replace failed septic systems. This is one of the instances that would greatly benefit the public as a whole eliminating the costly public hearing publications and time. Failed septic annexations are always single-lot annexations where it is guaranteed to have 100% land owner consent. If the property is a rental, the tenants would have the option to not consent and force the traditional hearings process.

Bare land annexations are the other most common annexation to accommodate new development. In these cases there are no electors but will have 100% land owner consent. Again this streamlined process helps to facilitate more timely residential growth.

Where a change in zoning is proposed prior to annexation, the required public hearings will still be required. Additionally, any change to a map which requires county co-adoption will still require public hearings before the city and county. The statutory process being incorporated into the code allows the city to utilize a more streamlined approach under a narrow set of circumstances where the land is already contiguous to the city limits, properly zoned, and vacant or owner-occupied.

Tie-In to Council Goals

This amendment facilitates council goal 1.7 – *Attract market rate rental housing developments to increase middle housing inventory* by making annexation quicker in a limited set of circumstances. Commercial and industrial development will similarly be facilitated.

Fiscal Information

There is no financial impact from this action. Annexation application fees will still be applicable.

Alternatives and Recommendation

Alternatives

1. Approve Ordinance No. 2373
2. Reject Ordinance No. 2373

Recommended Action/Motion

Staff recommends that the city council approve Ordinance No. 2373.

Submitted By:

Clinton Spencer, Planning Director