

ORDINANCE NO. 2373

AN ORDINANCE AMENDING CHAPTER 150 OF THE HERMISTON MUNICIPAL CODE RELATING TO ANNEXATION

WHEREAS, the City of Hermiston Municipal Code (“HMC”) includes Chapter 150 Annexation Procedures; and

WHEREAS, Oregon Revised Statute 221.125 allows for an alternative procedure for annexation within the City that would be beneficial to add to HMC Chapter 150; now therefore

THE CITY OF HERMISTON ORDAINS AS FOLLOWS:

(New language is in red and underlined and repealed language has ~~a line through it.~~)

Section 1. Title XV of the Hermiston Municipal Code is amended by amending Chapter 150 as follows:

150.01 APPLICATION PROCEDURE.

A property owner or the owner’s authorized agent may initiate a request by filing an application with the City Planner using forms prescribed for this purpose. The application shall include a legal description of the property, a plot plan showing any existing improvements thereon and a narrative statement by the owner describing the proposed land use and future development for the property. The owner shall pay a fee as established by the City Council at the time the application is filed.

150.02 LAND USE MATTERS.

Before the City Council may act on an application for annexation, the application shall be reviewed by the Planning Commission for a recommendation as to land use matters consistent with the City Comprehensive Plan.

150.03 PUBLIC HEARINGS ON ANNEXATIONS.

After the City Council has received the Planning Commission’s recommendation as to land use matters consistent with the City Comprehensive Plan and the City Council elects to dispense with submitting the question of the proposed annexation to the electors of the city, the City Council shall fix a day for the public hearing so the electors of the city may appear and be heard on the question of annexation.

150.04 PUBLIC NOTICE.

In addition to any other public notice required by law, notice of the public hearing shall be published in a newspaper of general circulation once each week for two successive weeks prior to the hearing date and notices of the hearing shall be posted in four public places in the city for a like period.

150.05 CRITERIA.

After its public hearing and receipt of the recommendation from the Planning Commission, the City Council shall ensure the application meets the following criteria:

- (A) The proposal is consistent with all applicable state annexation law requirements.
- (B) The property is contained within the urban portion of the Urban Growth Boundary (UGB) as identified in the Comprehensive Plan.
- (C) The proposed zoning is consistent with the underlying Comprehensive Plan land use designations.
- (D) Finding of fact is developed in support or denial of the application.
- (E) All city services can be extended readily and the property owner(s) is willing to bear costs associated with extensions of sewer, water and roads except for major facilities - sewer pump station or major water main - necessary to facilitate later growth.

150.06 ANNEXATION BY CONSENT OF ALL OWNERS OF LAND AND MAJORITY OF ELECTORS

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 City Council., the application for annexation need not go before the Planning Commission as otherwise required under HMC 150.02 and the City Council 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 HMC 150.03. Upon receiving written consent to annexation by owners and electors under this section, the City Council, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

~~150.06~~ 07 OFFICIAL ACTION; RETAINED AUTHORITY.

- (A) The City Council shall pass all necessary resolutions or ordinances required by state statutes after approval of the application.

(B) The City Council hereby retains its authority under ORS Chapter [222](#).

Section 2. All other provisions of the Hermiston Municipal Code remain unchanged and in full effect.

Section 3. The City Recorder is hereby authorized to correct any scrivener's errors and to conform the revisions to the Hermiston Municipal Code with appropriate numbering.

Section 4. This ordinance shall take effect on the 30th day after its adoption.

ADOPTED by the Common Council this 14th day of July 2025.

SIGNED by the Mayor this 14th day of July 2025.

David P. McCarthy, Council President

ATTEST:

Lilly Alarcon-Strong, CMC City Recorder