

RECEIVED

MAR 04 1999
2:35 pm
UMATILLA COUNTY
RECORDSUMATILLA COUNTY
ORDINANCE #99-03

IN THE MATTER OF CO-ADOPTING HERMISTON ORDINANCE #1969, AMENDING THE CITY'S COMPREHENSIVE PLAN MAP BY THE CONVERSION OF CERTAIN LANDS FROM URBANIZABLE TO URBAN STATUS TO ESTABLISH A LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL; AND CO-ADOPTION OF HERMISTON ORDINANCE #1964 TO ALLOW ANNEXATION OF SAME LAND, TO BE DESIGNATED R-2 DUPLEX RESIDENTIAL; SAID PROPERTY BEING 76.01 ACRES AND DESCRIBED AS TAX LOT 900 ON ASSESSOR'S MAP 4N 28 12B, AND TAX LOT 200 ON ASSESSOR'S MAP 4N 28 12CB, COMMONLY KNOWN AS "PACIFIC WESTERN HOMES" PROPERTY.

WHEREAS, In a joint meeting on October 12, 1998, the Hermiston City Council and Planning Commission unanimously approved the Pacific Western Homes application for conversion from Urbanizable to Urban status, annexation, withdrawal of land from special districts and zoning designation of the Pacific Western Homes property located west of and adjacent to Townsend Road and south of and adjacent to Sandstone Middle School; and

WHEREAS, Pacific Western Homes wishes to have said property within the city limits to allow for future residential development; and

WHEREAS, The City has agreed to annex the Pacific Western Homes property upon County co-adoption of the comprehensive plan amendment, and has requested co-adoption; and

WHEREAS, The City and the County have previously entered into a Joint Management Agreement applying to lands within the city urban growth area, and this comprehensive plan map amendment and annexation is in compliance with the provisions of the Joint Management Agreement; and

WHEREAS, At their November 19, 1998 meeting, the Umatilla County Planning Commission reviewed the Pacific Western Homes proposal and recommended co-adoption to the Board of County Commissioners, subject to several conditions; and

WHEREAS, The Board of Commissioners held a public hearing on December 29, 1998, at which time they voted to continue the hearing to January 19, 1999 to allow the Board and interested parties time to meet with the City and discuss a proposal to transfer ownership of Townsend Road from the County to the City, with the County to provide maintenance until such time as road improvements are completed; and

WHEREAS, Interested parties met on January 7, 1999 at the Hermiston City Hall Conference Room and developed a *Revised Proposed Condition of Approval* and a draft *Intergovernmental Agreement Between Umatilla County, Oregon and the City of Hermiston*; and

WHEREAS, The Board of Commissioners reconvened on January 19, 1999 and voted unanimously to co-adopt said conversion, comprehensive plan map and zoning map amendments, allowing for annexation of the Pacific Western Homes property as described above, conditioned upon the following:

(1) The developer obligate itself contractually to the *Revised Proposed Condition of Approval*, which states: "Pacific Western and its transferees, successors or assigns agrees that, at such time as it provides access to Townsend Road, Pacific Western will improve Townsend Road from the south side of its property (to the north of and not including the Maxwell Canal Bridge) to Diagonal Road to a 24-foot (two travel lanes) width with a chip seal surface. Pacific Western also agrees to install at the same time a multi-purpose trail for pedestrian and bicycle purposes on its property north of Main Street and on the west side of Townsend Road where the right-of-way width allows. Pacific Western agrees to dedicate, as part of the approval of its preliminary subdivision application when such subdivision application abuts Townsend Road, up to fifteen (15) feet of right-of-way on the west side of Townsend Road for roadway and multi-purpose trail purposes." (NOTE: It is understood that if emergency access to Townsend Road is required by the City, that this requirement will not necessitate the improvements required by this paragraph).

(2) The City of Hermiston accept and sign the *Intergovernmental Agreement between Umatilla County, Oregon and the City of Hermiston*, as amended, as noted on attached Exhibit C.

NOW THEREFORE, BE IT ORDAINED that the attached City of Hermiston Ordinances #1969 and #1964 are hereby co-adopted by Umatilla County, Oregon, subject to Conditions (1) and (2) stated above.

Signed this 24th day of February, 1999.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Emile M. Holeman
Emile Holeman, Chairman

William S. Hansell
Bill Hansell, Vice-Chairman

Dennis Doherty
Dennis Doherty, Commissioner



ATTEST:

Jean Humphreys
Records Officer



2-24-1999
Date

AGREED AND ACCEPTED:

Chet Antonsen, Pacific Western Homes, Inc. Date

AGREED AND ACCEPTED:

City of Hermiston, by: _____

Date: _____

Signed this 24th day of February, 1999.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Emile M. Holeman
Emile Holeman, Chairman

William S. Hansell
Bill Hansell, Vice-Chairman

Dennis Doherty
Dennis Doherty, Commissioner



ATTEST:

Jean Simpkins
Records Officer



2-24-1999
Date

AGREED AND ACCEPTED:

Chet Antonsen
Chet Antonsen, Pacific Western Homes, Inc.

2-26-99
Date

AGREED AND ACCEPTED:

City of Hermiston, by: _____

Date: _____

Signed this 24th day of February, 1999.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Emile M. Holeman
Emile Holeman, Chairman

William S. Hansell
Bill Hansell, Vice-Chairman

Dennis Doherty
Dennis Doherty, Commissioner



ATTEST:

Jean Humphreys
Records Officer



2-24-1999
Date

AGREED AND ACCEPTED:

Chet Antonsen, Pacific Western Homes, Inc.

Date

AGREED AND ACCEPTED:

City of Hermiston, by: [Signature]

Date: 2/26/99