

Columbia County Assessors Record of District Boundaries

Tuesday, May 26, 2020

Init Date: 6-24-2019 Also See No.: . No.: 2019 . 02

How Initially Received: Email

Affected District Name: Vernonia City

Remarks:

District Ord No: 920 Effective Date: 3-4-2019

Name of Approving Jurisdiction: Vernonia

Jurisdiction Ord No: Effective Date:

Legal Description Received: Y Map Received: Y

If A School Dist, Has OAR 150-330.123 Been Filed:

If Non-SchoolDist, List LB-50 Valuation:

Type Of Action: A With Whom:

Correction Remarks:

DOR Approved: Y No: 5-332-2019 Date: 4-8-2019

Recording Information:

1) Col. Co. Deed Records: Comm Journal:

2) Other : Name:

: Number: Date:

Code Areas Affected or Changed: Affected Area:

From Code Area:	04-03	Townships	Ranges	Sections
To Code Area:	04-01	4	4	04-CA-00600

Date Completed: 6-24-2019

Remarks:

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
 PO Box 14380
 Salem, OR 97309-5075
 fax 503-945-8737
 boundary.changes@oregon.gov

City of Vernonia
 City Planner
 1001 Bridge St.
 Vernonia OR 97064

Description and Map Approved
April 8, 2019
As per ORS 308.225

Description Map - Received from: Matt Straite
 On: 3/7/2019, 4/4/2019

This is to notify you that your Description and Map in Columbia County for:
 Annexation to the City of Vernonia

Ordinance No 920

has been: Approved 4/8/2019
 Disapproved

Department of Revenue File Number: 5-332-2019

Reviewed by: Robert Ayers, 503-983-3032

Boundary: Change Proposed Change

The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district

If you have not already done so, the approved version of the Description and Map must also be filed with the County Assessor

- Transfer
- Merge
- Establishment of Tax Zone

Notice to Taxing Districts

ORS 308.225



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City of Vernonia
 City Planner
 1001 Bridge St.
 Vernonia OR 97064

Description Map - Received from: Matt Straite
 On: 3/7/2019

This is to notify you that your boundary change in Columbia County for:
 Annexation to the City of Vernonia

Ordinance No 920

has been: Approved
 Disapproved 3/13/2019

Notes: Map nneed to show township, section, range all bearings and distances

Department of Revenue File Number: 5-332-2019

Reviewed by: Robert Ayers, 503-983-3032

Boundary: Change Proposed Change

The change is for:

- | | |
|---|--|
| <input type="checkbox"/> Formation of a new district | <input type="checkbox"/> Transfer |
| <input checked="" type="checkbox"/> Annexation of a territory to a district | <input type="checkbox"/> Merge |
| <input type="checkbox"/> Withdrawal of a territory from a district | <input type="checkbox"/> Establishment of Tax Zone |
| <input type="checkbox"/> Dissolution of a district | |

ORDINANCE # 920

**AN ORDINANCE OF THE CITY OF VERNONIA APPROVING ANNEXATION TO
THE CITY OF 0.77 ACRES, COMPRISED OF 3 TAX LOTS AND ADJACENT
CALIFORNIA STREET RIGHT-OF-WAY**

The City of Vernonia ordains:

WHEREAS, the City of Vernonia, has submitted an application for annexation of certain land, as described in Exhibits A and B to this Ordinance, to the City of Vernonia; and

WHEREAS, the City initiated this annexation in accordance with ORS Chapter 222.111, 222.120 and 222.750; and

WHEREAS, the property is within and serviced by the City of Vernonia water and sewer district; and

WHEREAS, the territory proposed to be annexed, is within the Urban Growth Boundary; and

WHEREAS, the lots (the territory) that is proposed to be annexed is contiguous to the current city limits; and

WHEREAS, the 0.77-acre property requires about 0.3 acres of rights of way for California Avenue bisecting the property; and

WHEREAS, pursuant to Ordinance No. 887 (adopting PAZC12-02) the property has already had a Comprehensive Plan Land Use designation and Zoning designation of General Residential (GR) and Park Recreation (PR) applied to the property; and

WHEREAS, section 9-01.02-50 ‘Zoning of Annexed Areas’ of the Vernonia Title 9 does not apply because the property already has zoning applied; and

WHEREAS, the properties proposed to be annexed are currently in unincorporated Columbia County; and

WHEREAS, Columbia County and the City of Vernonia have entered into an agreement acknowledging that the City of Vernonia should be the ultimate provider of services; and

WHEREAS, these properties must be within the City limits in order to be developed for the urban uses planned for (a park); and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the

City Council on March 4, 2019, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and conclusions for the decision which is included as Exhibit C;

NOW THEREFORE, the City Council of Vernonia does ordain as follows:

Section 1. The territory proposed to be annexed is specifically identified in the legal description (Exhibit A) and map (Exhibit B) attached to this Ordinance.

Section 2. The City has demonstrated that the annexation of the territory proposed to be annexed meets all applicable requirements, as documented in Exhibit C.

Section 3. Under the provisions of the City of Vernonia Charter of 1998, Chapter VIII, the Council finds it may provide two readings at the same hearing and that this ordinance may take effect in 30 days from the date of decision, and;

Section 4. The City Clerk is hereby directed, upon its adoption and authentication, to number this Ordinance as the next adopted ordinance of the City of Vernonia.

(Must read in full if requested)

First reading as read by title only this 4th day of March, 2019, by the following vote:

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Second reading adopted as read by title only for a second time and passed this 4th day of March, 2019 by the following vote:

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Signed by me, Rick Hobart, Mayor in authentication of its adoption this 4th day of March, 2019.

Rick Hobart
Rick Hobart, Mayor

Attest: Stephanie Borst
Stephanie Borst, City Recorder



**CITY COUNCIL MARCH 4th, 2019 AGENDA
REGULAR MEETING 7:00 PM
City Hall, 1001 Bridge St. Vernonia OR 97064**

Mission Statement

The City of Vernonia pledges to be an ethical and responsive government using community collaboration to foster leadership and a vision for civic improvement while providing a safe, peaceful, economically viable community.

1. Call to Order and Pledge of Allegiance – Mayor Hobart

2. Additions or Corrections to Agenda

3. Mayors Report

4. Councilor Committee Meeting Reports

5. Public Hearing of AN 18-01 Pg. 1-11

- a. Call Hearing to Order
- b. Order of Hearing
- c. Ex parte
- d. Conflict of Interest
- e. Challenge
- f. Staff Report-City Planner Matt Straite
- g. Testimony in Favor
- h. Testimony in Opposition
- i. Neutral Testimony
- j. Final Call for Testimony
- k. Applicant Rebuttal
- l. Extend the Hearing
- m. Close the Hearing

6. Topics from the Floor/Audience Participation

7. Consent Agenda for Approval

- A. Public Works Committee Meeting Minutes for September 25, 2018 Pg.12-13
- B. City Council Meeting Minutes for February 4, 2019 Pg. 14-19
- C. City Council Meeting Minutes for February 19, 2019 Pg. 15-23
- D. City Council Work Session Minutes for February 19, 2019 Pg. 24-25

8. Unfinished Business

- A. OGEC Ethics Training Pg. 26

9. New Business

- A. Approval of Bike Hub Sign Station at Anderson Park Pg. 27-31
- B. SEI Filing Deadline Pg. 32

10. Business from Departments

- A. Police Department – Chief Conner
- B. City Administrator Report – J. Mitchell

11. Recess to Executive Session as per ORS 192.660 (2) (e)

The City Council will now meet in Executive Session:

The executive session is held pursuant to ORS 192.660 (2), which allows the Council to meet in executive session for the purpose stated.

- e. *To conduct deliberations with persons designated by the governing body to negotiate real property transactions.*

Representatives of the news media and designated staff are allowed to attend the executive session. *

All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

* A member of the news media or designee may not disclose any information from executive session, may not tape record, digitally record, and/ or video record any information to decrease the likelihood that information discussed in the executive session will be inadvertently disclosed.

12. Return to Open Session for Final Action

13. Ordinances/Resolutions

- A. Resolution 02-19: A Resolution declaring certain real property of the City of Vernonia no longer needed for public use and authorizing sale of said property Pg. 33-35
- B. Ordinance 920: An Ordinance of the City of Vernonia approving annexation to the city of 00.77 acres, comprised of 3 tax lots adjacent California Avenue right of way..... Pg. 36-39

14. Correspondence

15. Items from Mayor and Councilors

16. Action Items Summary – City Administrator

Adjournment

*****AMERICANS WITH DISABILITIES ACT NOTICE*****

Please contact the City Recorder, Vernonia City Hall, 1001 Bridge Street, Vernonia, OR 97064 (Phone No. 503-429-5291) at least 48 hours prior to the scheduled meeting time if you need an accommodation. TCC users please call Oregon Telecommunications Relay Service at 1-800-735-2900.

City of Vernonia Staff Report

Annexation, Spencer Park, AN 18-01

To: Vernonia City Council

From: Matt Straite, City Planner

Through: Josette Mitchell, City Administrator

Application Data

1. **File Number:** AN 18-01
2. **Tax Lot and Address:** A portion of Assessors Map 4N 4W 04CA Tax Lots 600, 700 totaling 0.47 acres and including the annexation of the portion of California Ave. right-of-way between the two above mentioned tax lots, 0.30 acres for a grand total of 0.77 acres. See legal description of the area to be annexed, Exhibit A & B.
3. **Request:** Request to annex a portion of two parcels and a portion of a street right-of-way, all of which are surrounded by the Vernonia City limits and inside the urban growth boundary.
4. **Applicant:** The request has been initiated by the City of Vernonia
5. **Owners:** City of Vernonia
6. **Approval Criteria:**
 - Title 9- Section 9-01.02-50 Zoning of Annexed Areas
 - Vernonia Comprehensive Plan
7. **Process:** ORS 197.763(2)(a)(A), ORS 222.111 – 222.183 & ORS 222.750

General Findings

1. The City finds that the City owns the two subject parcels and the right of way. The annexation is proposed by the City as applicant. See Exhibit A & B.
2. The City finds that the subject two parcels and the right of way are contiguous, and surrounded by the Vernonia city limits. See Exhibit B.
3. The City finds that the subject two parcels and the right of way are within the Vernonia Urban Growth Boundary and are designated for General Residential (GR) and Public Recreation (PR) use on the Vernonia Comprehensive Plan and Zoning map as designated in December 2012 by Ordinance 887. See Exhibits C.
4. The City finds that proper notice of the annexation hearings has been provided in accordance with state and local provisions. See Exhibit D.

5. The City finds that both subject parcels and right of way for California Avenue are currently not zoned by Columbia County.
6. The City finds that surrounding land use adjoining the subject parcels is residential to the north, east and partially south, and a public park on the west and partially the south. Both parcels have access to California Avenue, a city street.
7. The City finds a legal description of the area to be annexed has been prepared (Exhibit A).
8. The City of Vernonia desires to annex the island of unincorporated territory to reduce jurisdictional confusion and to ensure that those who benefit from city services share the cost of such services.

Findings for Annexation Approval Criteria

In order to approve an annexation request the decision body must meet all of the following approval criteria:

Section 9-01.02-50 Zoning of Annexed Areas

This section of the code provides that areas annexed to the city shall be rezoned to a City zoning classification for the property, which is in accordance with the City's Comprehensive Plan. The plan and zone amendment procedure shall be required by State Law and the City's Comprehensive Plan and this ordinance and shall be accomplished concurrently with the annexation of the property.

Response: The City finds that the subject lots and ROW have already had Comprehensive Plan and Zoning applied to them in 2012 as part of the changes to the old School site. Ordinance 887 changed the school property to Public and Recreation. The County of Columbia GIS department recently contacted the City to explain that during an audit of the GIS files they found an anomaly, a small area in Spencer Park that was apparently not part of the City. The property is currently owned by the City. As such, the Zoning and Comprehensive Plan changes to the property in 2012 met the requirement to have Comprehensive Plan and Zoning designations applied to the property. No additional changes are required at this time. This criteria is met.

Compliance with the Vernonia Comprehensive Plan

The following Plan Policies are relevant to the request:

Plan Objectives:

- Preserve stable and viable neighborhoods.

Response: The City finds that the subject area of annexation is in a public park, so created as to keep development out of an area of the City that has flooded multiple times. Annexing the area will help preserve the existing park and continue to assure that development does not encroach into the flood plain. A small portion of the property, tax lot 700 features residential zoning. This area seems to have been a cherry-stem style driveway that was connected to a development that is no longer existing. This unusual sliver of property is not viable for

residential development as it's designed. The property is not wide enough to build any residential use within the property, and the area, currently owned by the City, is within the flood plain and acting as landscaping for Spencer Park. It is within the best interest of the community to leave this property under public ownership to continue to function in its current role.

- Infill vacant land inside the urban growth boundary in an orderly manner

Response: As noted above, the City finds that the property function will not change. The jurisdiction of the property will change to allow the City the ability to have jurisdiction of Spencer Park, which it already owns. This will maintain an orderly manner of maintenance and jurisdiction.

Plan Implementation Policies:

- In order to evaluate development requests and proposals for change in land use, the Planning Commission and City Council shall determine conformance with the plan, the character of the area in which the change is proposed and whether or not the action would have a positive or negative effect on the appearance, nuisance, environmental damage potential, and the impact on public facilities.

Response: The City finds that the Comprehensive Plan policies relevant to this request are addressed in this report and that the request is in compliance with the Plan. The City finds that the character of the area will be maintained as park and landscaping (for the residential area sliver) because a compatible park zone is designated for the parcels surrounding the site. The City finds that services are already available to the subject parcels. The City finds that there will be no negative effects by the annexation.

- The City of Vernonia shall work with Columbia County and area special districts in the management of an urban growth area for Vernonia. The Urban Growth Area Coordination Agreement shall be adopted by the City and County and appended to the Plan.

Response: The City finds that in this case, all external departments and agencies have long thought this area was already within the City. Only the recent audit has shown otherwise. The application materials were transmitted to the County for comment. They have no concerns.

- The Comprehensive Plan Map is a generalized coordinated land use map and policy statement of the city that inter-relates all functional and natural systems and activities relating to the use of land. This section contains the plan map, which the City has also adopted as the zoning map.

Response: The City finds that the request to annex is consistent with the Vernonia Plan because it is inside the UGB and the proposed uses will continue to be open space. The Plan and Zone Map designates the subject parcels General Residential (GR) and Park Recreation (PR).

- **Urban Growth Boundary Summary (1995-96 Periodic Review update):** As a result of catastrophic flood event of February 1996, an additional 353 acres was added to the City's UGB. Of this total 338 acres is intended for residential use... (This is in addition to the 1995 Plan amendment where 82 acres of land was added for residential use).

Response: The City finds that the subject parcels and right of way were part of this large City addition and intended to keep development outside of the flood prone area. Annexation will assure there is no confusion regarding who provides services to these parcels, and continues the goal of keeping them under City ownership to help assure there is no development pressure for the property.

- **Urban Growth Management Agreement V. Annexation:** Annexation of sites within the Vernonia Urban Growth Area shall be in accordance with relevant annexation procedures contained in the ORS, Oregon Case Law and the Vernonia City Ordinances. The City of Vernonia will approve an annexation to the City only if the property is contiguous to the existing city limits. At the time of annexation the City will, in accordance with state law, establish a city zoning classification for the property which is in accordance with the Comprehensive Plan.

Response: The City finds that the subject parcels and right of way is surrounded by the City of Vernonia. The City thought this property was actually part of the City until the County brought to light that these parcels were inadvertently not included in the previous annexation of this area. This annexation is an effort to rectify that error. As was previously discussed, Zoning has already been applied and the area is already included in the Comprehensive Plan.

Compliance with State Requirements

- **ORS 197.763(2)(a)(A):** requires that notice be provided within 100 feet of property which is the subject of notice where the subject property is wholly or in part within an urban growth boundary, and shall provide certain proscribed information.

Response: The City finds that notice was provided to land within 250 feet of the subject parcels and that the notice included required information explaining the nature of the request and proposed use, applicable review criteria, the subject street address, the date time and location of the hearing, and appeal provisions. The notice was sent more than 20 days before the hearing and those entitled were notified where and when application materials and the City staff report would be made available.

- **ORS 222.111 to ORS 222.183:** These sections of the statutes provide for: the authority and procedure for annexation; annexation contracts, recording and effect; procedure without election by city electors, hearing, ordinance subject to referendum; annexation by consent of all owners of land and majority of electors, proclamation of annexation; annexation election and proclamation of annexation; annexation election, notice and ballot title; election results and proclamation of annexation; procedure when annexation is submitted to city vote; effect of consent to annexation by territory and proclamation with and without city election; time limit for filing statements of consent and public

records; city to provide information when soliciting statements of consent; filing of annexation records with Secretary of State; exempt territory; effective date of annexation; notice of annexation when effective date delayed for more than one year.

Response: The City finds that Vernonia has the authority to annex subject property because the land is contiguous to the City limits and is inside the urban growth boundary. See Exhibit B. The City owns the two parcels and the right of way on California Avenue and initiated the annexation request to rectify what is essentially a mapping error. The City does not require voter approval of an annexation request. The annexation is not a request for extraterritorial provision of service and consent for eventual annexation. The City is not required to refer the request to the voters of Vernonia pursuant to the City Charter. The City scheduled a date for a public hearing before the City Council on March 4, 2019. The public notice has been published, posted and mailed according to City and State requirements, including notice to the Department of Land Conservation and Development (DLCD). If approved, the City will make their decision by ordinance (see draft Ordinance attached as Exhibit E). The City shall file the annexation ordinance and legal description with the Secretary of State, if approved. The annexation shall be complete from the date of filing with the Secretary of State and the date of filing shall be the effective date of annexation. The City finds that the above state requirements have been or will be met if the annexation is approved

- **ORS 222.750:** This section explains the procedures for annexation of an area that surrounded by the corporate boundaries of the City. The procedures in this section explain that the annexation does not require a vote and must be approved with an ordinance, thus subject to a referendum. This section also explains that if the area surrounded by the City is zoned for a residential use when the annexation is initiated by the City that the effective date shall be at least three years from the approval date.

Response: The City finds the annexation is surrounded by the existing city limits. The processes outlined in this section are the same as those outlined in the ORS sections discussed above. The primary difference is the requirement for the three year waiting period on the effective date. The bulk of the property proposed for annexation is either road right of way or existing park property zoned Park Recreation (PR). The second parcel is zoned General Residential (GR). However, that portion of the parcel is 0.19 acres and is shaped in a long skinny sliver that hugs the road right of way. The property is about 5 feet wide and it is not possible to establish any residential uses on the property. Additionally, there is no existing residential use occurring on the property or near the property as all of the property and the surrounding properties are within a FEMA floodplain. Additionally, most of this property is designated a wetland. As such the provisions of ORS 222.750(5) do not apply to the property as the use is not established nor possible given the shape and natural constraints.

Recommendation

Based upon the above findings of fact and the attached exhibits, City Staff recommends that the City Council approve the request to annex the property described as a portion of Assessors Map 4N 4W 04CA Tax Lots 600 and 700 including the annexation of the portion of California Avenue right-of-way between the two above mentioned tax lots into the City of Vernonia and direct the City Clerk to prepare a final draft of the Ordinance for adoption.

Alternatively, the City can adopt the Ordinance now, as attached (Exhibit E), directing the City Clerk to add an Ordinance number.

Exhibits

- Exhibit A: Legal Description
- Exhibit B: Assessors Map
- Exhibit C: Vernonia Comprehensive Plan and Zone Map
- Exhibit D: Public Notice
- Exhibit E: Draft Ordinance
- Exhibit F: Vicinity Map



KLS Surveying Inc.
1224 Alder Street
Vernonia, OR 97064

Phone: (503) 429-6115
Fax: (866) 297-1402
Email: dwallace_kls@msn.com

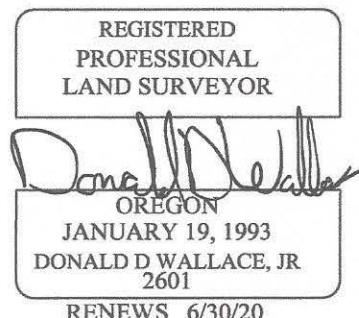
Exhibit A

Annexation description

A portion of that tract of land conveyed to Administrative School District No. 47J in Deed Book 216, Page 160, Columbia County Deed Records lying in the Southwest quarter of Section 4, Township 4 North, Range 4 West of the Willamette Meridian, Columbia County, Oregon being more particularly described as follows:

- Beginning at the Northeast corner of the Southwest one-quarter of said Section 4;
- thence South 13°23'04" East along the East line of said School District tract 196.90 feet to the Southeast corner thereof;
- thence South 82°28'04" West along the South line 179.29 feet to the Southwest corner thereof;
- thence North 00°00'13" West along the West line of said School District tract 231.35 feet more or less to the North line of the Southwest one-quarter;
- thence South 82°58'28" East along the North line of the Southwest one-quarter 133.17 feet more or less to the point of beginning.

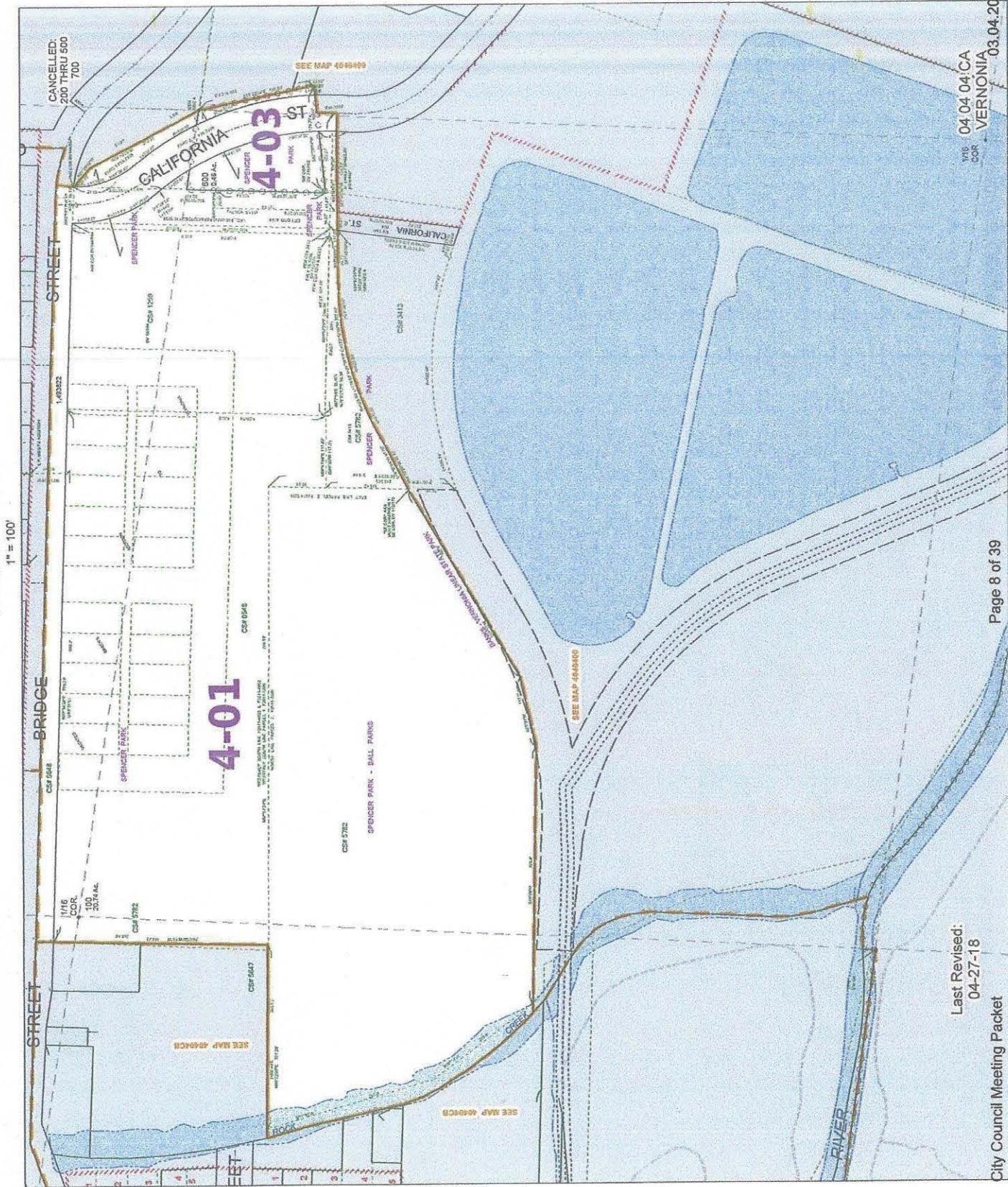
The basis of bearings for this description is from County Survey No. 4190.

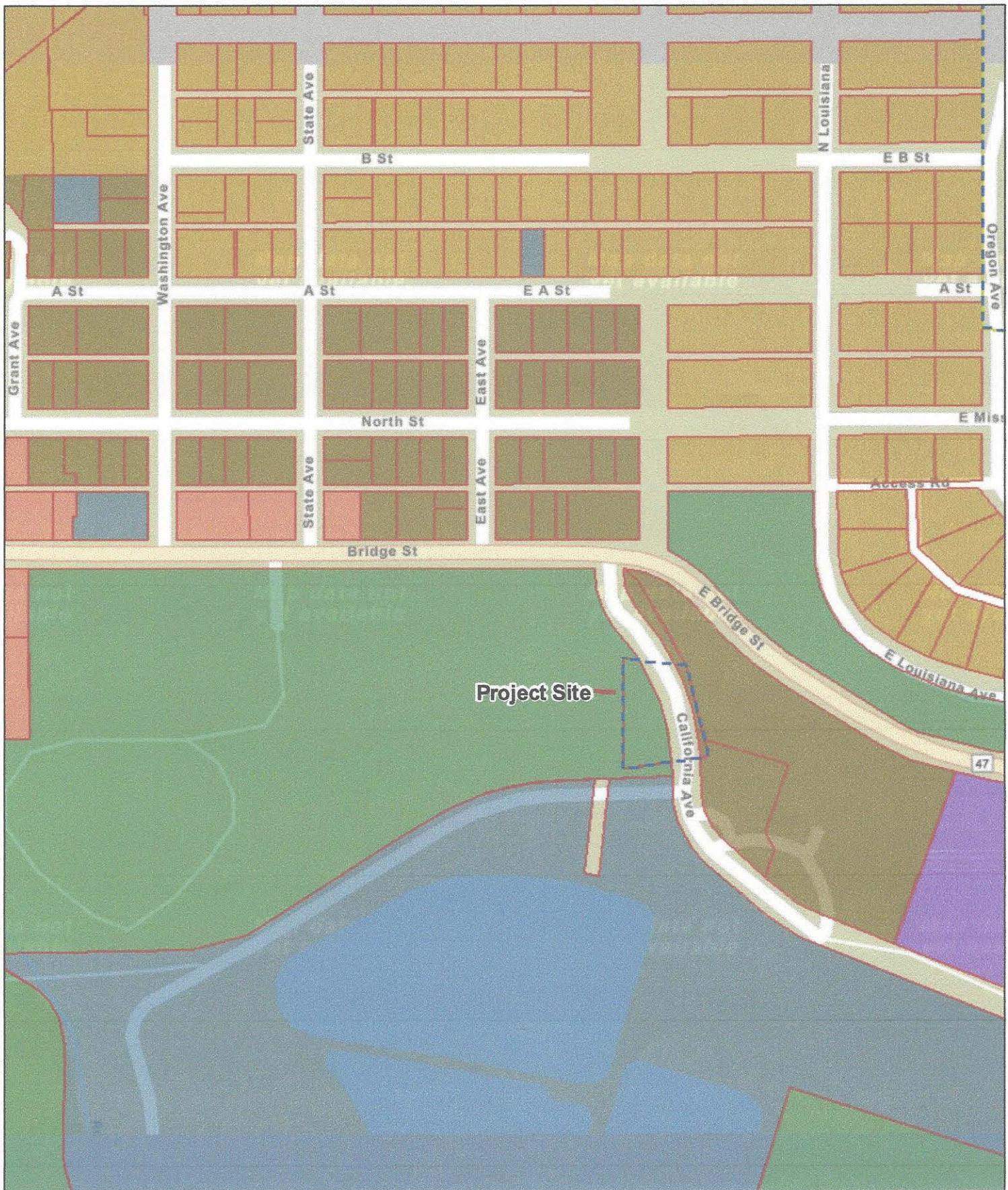


N.E.1/4 S.W.1/4 SEC.4 T.4N. R.4W. W.M.

04 04 CA
VERNONIA

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY





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1/3/2019
12:11 PM

VISIT HISTORIC VERNONIA

This map was generated to support city business. The City of Vernonia makes every effort to keep this information current and accurate. However, the city is not responsible for errors, misuse, omissions, or misinterpretations. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this map.

Zoning Map AN 18-01

0 215 430 860
Feet
03.04.2019



NOTICE OF PUBLIC HEARING

BEFORE THE CITY COUNCIL

Proposed Annexation in the City of Vernonia

File No. AN18-01

NOTICE IS HEREBY GIVEN that the City of Vernonia is requesting approval of an Annexation of two parcels of land, and road right of way in Spenser Park.

SITE LOCATION: The subject site is surrounded by Spencer Park and bisected by California Street. The two parcels to be annexed include portions of Assessors Map 4N 4W 04CA Tax Lots 600 and lot 700, which total 0.47 acres, and includes the annexation of the portion of California Street right-of-way between the two above mentioned tax lots, of approximately 0.33 acres, for a grand total of 0.77 acres.

Said Public Hearings will be held by the Vernonia City Council on **Monday March 4, 2019**. Information about the application can be obtained by contacting Stephanie Borst at City Hall 503-429-5291. If you receive this notice in error you shall promptly forward it to the owner or purchaser.

The Public Hearings will be held at 7:00 pm in the Council Chambers of City Hall, 1001 Bridge Street, Vernonia, OR 97064. Public testimony is welcome, and written statements will also be received before the hearing. A staff report will be available to the public at City Hall one week before the hearing, and may be copied for a nominal fee. Failure to raise an issue in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA, or to seek damages in circuit court).

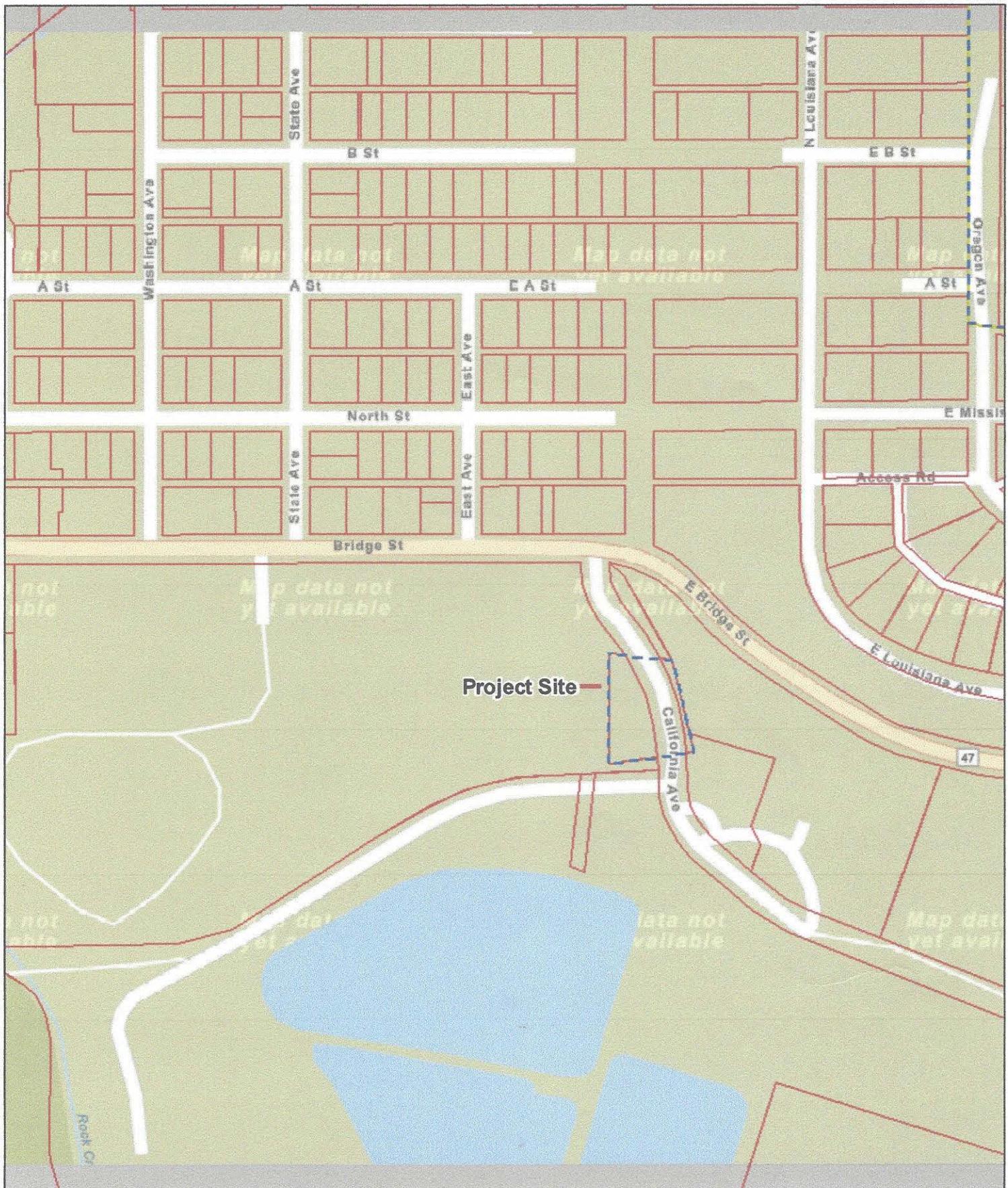
Chapters of the Vernonia Land Use and Development Code applicable to this application are as follows, and can be found on the City's web site www.vernonia-or.gov.

Chapter 9-01.02-50 Zoning of Annexed Areas

Chapter 9-01.10-50 Type IV Procedures

All meeting locations are accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours prior to the public hearing to the City Recorder at 503-429-5291; TTY 1-800-735-2900 or at City Hall, 1001 Bridge Street, Vernonia OR 97064.

The City of Vernonia is an Equal Opportunity Provider and Employer



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Vicinity Map AN 18-01

0 215 430 860
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03.04.2019

