



ORDINANCE NO. 22-704

AN ORDINANCE OF THE CITY OF WINSTON OREGON CITY COUNCIL ANNEXING ISLAND PROPERTIES INTO THE CORPORATE BOUNDARIES OF THE CITY OF WINSTON. THE PROPERTIES ARE DESCRIBED AS TOWNSHIP 28 SOUTH; RANGE 6 WEST; SECTIONS 15CB, 20AA, 22CA & 22CC, TAX LOTS 1400, 200, 300, 5100, 5200, 5600, 5900, 6000 & 7000, RESPECTIVELY. THE EFFECTIVE DATE OF SUCH ANNEXATIONS SHALL BE DELAYED FOR A THREE-YEAR TIME PERIOD FROM THE DATE THIS ORDINANCE IS ADOPTED, OR IMMEDIATELY UPON TRANSFER OF OWNERSHIP OF THE PROPERTY OR PROPERTIES.

WHEREAS the City of Winston Oregon City Council Finds:

1. The proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals.
2. This annexation proposal for said lands came before the Winston Planning Commission at a public hearing and the Winston City Council at a public hearing after due and timely notice was mailed to each record owner of real property in the territories proposed to be annexed, and to affected service providers and governmental agencies.
3. The annexation complies with provisions of ORS 222.750, annexation of unincorporated territory surrounded by the City.
4. The subject territories are lands surrounded by the City boundary and therefore a logical inclusion to that boundary for the continuity of City services.
5. The subject territories being annexed are not subject to withdrawal from any special district.
6. Upon annexation, the subject properties will not have to be withdrawn from any special district.
7. The annexation is consistent with the fundamental principles and applicable policies of the City of Winston Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies, and it is in the best interest of the City that the area be annexed.
8. The City Council takes note of the City of Winston Comprehensive Plan as adopted by the City Council in Ordinance No. 588, effective on June 23, 2003, and as subsequently revised (latest revision December 2007).
9. The City Council takes note of the City of Winston Zoning Ordinance as adopted by the City Council in Ordinance No. 590, effective June 23, 2003, and as subsequently revised (latest revision November 2009) and later incorporated into the City of Winston Municipal Code as Title XV Land Usage.
10. The subject lands are currently designated, in part, Residential 3 DU/AC, Residential 4.5 DU/AC and Residential 7 DU/AC by the Winston Comprehensive Plan. The plan designations of the subject lands will remain the same upon annexation.
11. The subject lands are currently zoned, in part, (RLA) Residential Low-Density A, (RLB) Residential Low-Density B and (RM) Residential Medium Density by the Winston Zoning Ordinance. The zoning designations of the subject lands will remain the same upon annexation.
12. All of the subject lands included in the annexation are considered zoned for, and in, residential use when the City initiated the annexation. The RLA, RLB and RM zones permit single family dwellings consistent with the zoning designation. None of the subject lands are zoned for commercial or industrial use.

- 13. All public facilities and services are within distance to serve the subject territories. The subject lands are currently served by existing public services, including water and fire protection services, provided by Winston-Dillard Water District and Winston-Dillard Fire District. Future public services to the properties, including City police protection and sanitary sewer service, can be provided by the City.
- 14. Per ORS 222.750(5), wherein the subject property is currently zoned for and in residential use, the effective date of this annexation shall be delayed until the earlier of the third anniversary of the date this ordinance is adopted (June 20, 2025), or upon transfer of ownership of the property.
- 15. In accordance with ORS 222.750(5)(a), the City Recorder shall cause notice of this delayed annexation to be recorded by the Douglas County Clerk within 60 days of the adoption of this ordinance. Upon its adoption, the City Recorder shall also file a copy of the annexation ordinance with the Secretary of States Office as required by ORS 222.177 and notify said office of the delayed effective date of the annexation.
- 16. In accordance with ORS 222.183(1) and ORS 222.750(5)(b), the City Recorder shall notify the Douglas County Clerk not sooner than 120 days and not later than 90 days before the delayed annexation takes effect; and obtain final approval of the annexation from the Douglas County Assessor and the Oregon Department of Revenue within 10 days from the effective date of the annexation as required by ORS 222.010(2).

NOW, THEREFORE, THE CITY OF WINSTON OREGON CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The foregoing findings are hereby approved and incorporated herein.

SECTION 2. The subject real property known as “2022 Island Annexations Properties, Winston Urban Growth Boundary”; further legally identified as the individual tax lots listed below; described and shown in maps attached as Exhibits “A”, and incorporated herein, and each of such subject properties shall become annexed to the City of Winston as a part thereof effective upon the earlier of the third anniversary of the date this ordinance is adopted or upon transfer of ownership of such individual subject property(s):

2022 ISLAND ANNEXATION PROPERTIES, WINSTON URBAN GROWTH BOUNDARY						
Site	Tax ID	Prop_ID	Name (Titleholder)	County _pro	Acreage	Zoning
AREA 1						
1	280615CB01400	R50544	MADSON, NANCY L	401	0.46	RLA
2	280622CA00300	R56389	BAILEY, BRIAN R	503I	2.97	RM
3	280622CC07000	R56844	HOZEN, MICAH & MARY W	401	1.04	RLA
4	280622CC06000	R63571	FISCHER, ROBERT S JR	401	0.44	RLA
5	280622CC05900	R63578	COLLINS, KRISTEN J	401	0.44	RLA
6	280622CC05100	R63718	LAMPE, DAVID P	401	0.45	RLA
7	280622CC05200	R63711	WORTHEN, BILLIE TRAVIS	401	0.45	RLA
8	280622CC05600	R63599	SMITH, DARA L & STEVE	401	0.43	RLA
9	280620AA00200	R40089	JONES, ERRIC D & LAURA A	101	1.02	RLB

SECTION 3. This annexation has been processed pursuant to ORS 222, including ORS 222.750, and the Winston Municipal Code.

SECTION 4. The City Council hereby adopts as findings in this matter, the contents of the City Council Staff Report, dated May 16, 2022, and by reference incorporated herein.

SECTION 5. This annexation is made pursuant to the provisions of ORS 222, including ORS 222.750, annexation of unincorporated territory surrounded by the City, for which a public hearing was conducted before the Winston Planning Commission and the Winston City Council.

SECTION 6. In accordance with ORS 222.750(5) and (6), the annexation shall not become effective for each of the subject properties individually until the earlier of the third anniversary of the date this ordinance is adopted, or upon transfer of subject individual subject property(s).

SECTION 7. The City Recorder shall cause notice of this delayed annexation to be given to the Douglas County Clerk by recording said ordinance with the County Clerk within 60 days of the adoption thereof and shall thereafter submit to the Secretary of State of Oregon for filing, copies of the ordinance and all other instruments required so to be filed with the Secretary of State to evidence the annexation and delayed effective date thereof.

SECTION 8. The City Recorder shall submit the legal description of the territories annexed and accurate maps showing the annexed territories (attached hereto as Exhibits "A") to the Douglas County Assessor and the Oregon Department of Revenue as required by ORS 308.225.

SECTION 9. In accordance with ORS 222.183(1) and ORS 222.750(5)(b), the City Recorder shall notify the Douglas County Clerk no sooner than 120 days and no later than 90 days before the delayed annexation takes effect and shall obtain final approval of the annexation from the Douglas County Assessor and the Oregon Department of Revenue within 10 days from the effective date of the annexation as required by ORS 222.010 (2).

FIRST READING BY THE CITY OF WINSTON OREGON CITY COUNCIL ON THIS 16TH DAY OF MAY 2022.

SECOND READING AND ADOPTION BY THE CITY OF WINSTON OREGON, CITY COUNCIL ON THIS 20TH DAY OF JUNE 2022.

APPROVED BY THE MAYOR ON THIS 20TH DAY OF JUNE 2022.

David S. Rutter, Mayor

Attest:

Mark D. Bauer, City Manager/Recorder

EXHIBIT "A"

