

CITY OF NEWPORT

ORDINANCE NO. 2131

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF NEWPORT,
WITHDRAWING THE ANNEXED TERRITORY FROM THE LINCOLN COUNTY
LIBRARY DISTRICT, NEWPORT RURAL FIRE PROTECTION DISTRICT,
SEAL ROCK WATER DISTRICT AND ESTABLISHING ZONING FOR THE
ANNEXED TERRITORY

Summary of Findings:

1. A request (Newport File No. 1-AX-18/2-Z-18) was filed by the owners of real property (GSBN, LLC, Garrett Bush, agent) to annex property into the city limits, withdraw property from several districts, and to amend the Newport Zoning Map to adopt a City zone designation of R-2/"Medium Density Single-Family Residential" for the southernmost 214.3 feet of the property identified as Tax Lot 00200 (Parcel II) and establish an I-1/"Light Industrial" zoning designation for the balance of Tax Lot 00200 and the property identified as Tax Lot 00700 (Parcel I).
2. The Planning Commission of the City of Newport, after providing the required public notification, including the notification to the Department of Land Conservation and Development, held a public hearing on April 23, 2018, for the purpose of reviewing the proposed requests and providing a recommendation to the City Council. The Planning Commission public hearing was held in accordance with the appropriate provisions of the Newport Zoning Ordinance, and, after due deliberation and consideration of the proposed changes, the Planning Commission voted to recommend that the City Council approve the property owner's request.
3. The City Council of the City of Newport, after provision of the required public notification, held a public hearing on May 21, 2018, on the requested annexation and withdrawal, and the zoning of the property to be annexed.
4. The City Council made a determination after considering the recommendation of the Planning Commission, and the evidence and argument presented at the public hearing and in the record, that the application complies with the applicable criteria and voted to approve the requested annexation, withdrawal, and zoning designation.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. ANNEXATION, WITHDRAWAL, AND ZONING

A. Annexation. The following described territory (illustrated in Exhibit "A") is hereby annexed to and incorporated within the City of Newport, Oregon:

BEGINNING AT AN IRON PIPE WHICH IS SOUTH 1105.2 FEET AND EAST 433.3 FEET FROM THE ¼ CORNER BETWEEN SECTIONS 17 AND 20, TOWNSHIP II SOUTH, RANGE I I WEST, WILLAMETTE MERIDIAN, IN LINCOLN COUNTY,

OREGON; THENCE SOUTH 214.3 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST ¼ OF SECTION 20; THENCE SOUTH 89° 07' 30" WEST, 100 FEET, MORE OR LESS, ALONG SAID SOUTH LINE TO THE WESTERLY BOUNDARY OF THE FORMER U.S. SPRUCE PRODUCTION RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DEED TO HENRY J. STOCKER ET UX, IN BOOK 122, PAGE 89; THENCE NORTHERLY ALONG SAID WESTERLY RIGHT OF WAY, 1215 FEET, MORE OR LESS TO THE SOUTHERLY BOUNDARY OF 40TH STREET; THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY, 66.04 FEET TO THE EASTERLY RIGHT OF WAY OF SAID FORMER U.S. SPRUCE PRODUCTION RAILROAD; THENCE SOUTH 01° 02' 28" EAST, 698.52 FEET, ALONG SAID EASTERLY RIGHT OF WAY TO THE NORTHERLY BOUNDARY OF PARCEL 1, LINCOLN COUNTY PARTITION PLAT 2006-26; THENCE SOUTH 88° 54' 00" EAST, 259.35 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1; THENCE SOUTH 01° 06' 00" WEST, 305.61 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE NORTH 88° 03' 00" WEST, 250 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

- B. **Withdrawal.** The property annexed to the City of Newport, as described in Section 1 (A) above, is hereby withdrawn from the Lincoln County Library District, Newport Rural Fire Protection District, and Seal Rock Water District, such withdrawal being deemed to be in the best interest of the City of Newport. The City of Newport also hereby elects to assume the liabilities and indebtedness, if any, against the property so withdrawn from the Lincoln County Library District, Rural Fire Protection District, and Seal Rock Water District and further elects to assume such liability to the Seal Rock Water District in the manner provided by ORS 222.520(2)(a).
- C. **Zoning.** Ordinance No. 1308 (as amended) adopting the City of Newport Zoning Map is hereby amended to provide for a zone designation on the Zoning Map for the property annexed to the City of Newport by designating the subject property described in Section 1(A) with an R-2/"Medium Density Single-Family Residential" zone designation for the portion of southernmost 214.3 feet of Parcel II and an I-1/"Light Industrial" zone designation for the balance of Parcel II and Parcel I.

Section 2. The findings attached as Exhibit "B" are hereby adopted in support of the annexation, withdrawal, and zoning designations as adopted in Section 1.

Section 3. This ordinance shall take effect 30 days after passage.

Date adopted and read by title only: May 21, 2018.

Signed by the Council President on July 13, 2018.


Dietmar Goebel, Council President

ATTEST:



Sherri Marineau, Executive Assistant

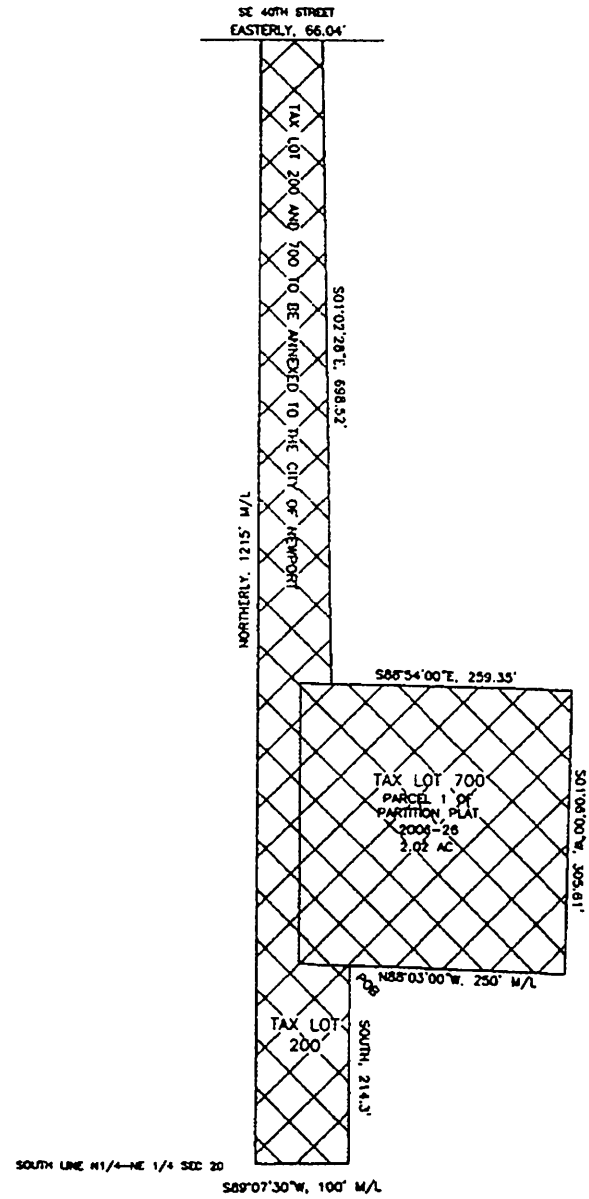
APPROVED AS TO FORM:



Steven E. Rich, City Attorney

AREA TO BE ANNEXED TO THE CITY OF NEWPORT
PERIMETER OF TAX LOTS 200 AND 700
LOCATED IN THE NW 1/4 - NE 1/4 OF
SECTION 20, T11S, R11W, W.M.
LINCOLN COUNTY, OREGON

JULY 09, 2018
(11-11-20-AB)



<p>NYHUS SURVEYING INC. GARY NYHUS / STEVEN NYHUS PROFESSIONAL LAND SURVEYOR P.O. BOX 206 740 E. THISSELL RD. TIDEWATER, ORE 97390 (541) 528-3234</p>	CHECKED BY: SEN
	DRAWN BY: GAM
	DATE: 7-09-2018
	SCALE: 1" = 185'
	PROJECT: 18104