



CITY OF KEIZER ANNEXATION APPLICATION & INFORMATION SHEET

I. PURPOSE OF ANNEXATION APPLICATION:

An Annexation Amendment request allows the boundary of the City to be extended by the annexation of territory which is not within the City and which territory is within the urban growth boundary and contiguous to the City or separated from it by a stream or right-of-way only.

II. PRE-APPLICATION CONFERENCE:

Prior to the actual filing of an Annexation Amendment application, it is strongly recommended that the applicant schedule and attend a pre-application conference with Planning Staff. The meeting will enable Planning Staff and/or Public Works staff to review the proposal and determine if the Annexation Amendment request is consistent with the Comprehensive Plan and implementing ordinances and whether public services are required and available.

III. APPLICATION SUBMITTAL REQUIREMENTS

All of the following items must be provided at the time the application is submitted. If any item is missing, the application will not be deemed complete for processing. Please complete the application carefully and accurately. If there are any questions regarding the application or application requirements please call the Keizer City Planner at (503) 856-3441.

The following is a list of the items, which must be submitted in addition to the application form and fee:

1. A *vicinity map* to exhibit the subject property and adjacent properties within 1000 feet of the subject property. Clearly indicate the location of the Urban Growth Boundary and City Limits.
2. Copy of latest officially recorded *title transfer instrument* giving the legal description for the subject property. This can be in the form of a deed, warranty deed, or contract and can be obtain at the Marion County Clerk's office.
3. Fifteen (15) copies of the *site plan*. The plan should be drawn on a separate sheet of paper and show the location of the proposed use, distances from other structures, property lines, roads, and other important features. It is recommended that the site plan be at least 11" X 17". The minimum acceptable size for a site plan is 8 ½" X 11."
4. A *written statement* explaining your reasons for the proposed land use action and how your proposal conforms to the City of Keizer Comprehensive Plan and meets the requirements identified in Section 3.112.02 of the Keizer Development Code.

Please explain how the proposed annexation relates to each of the items 1 – 12 of section 3.112.02 of the Keizer Development Code, (listed below) to the best of your ability. While

simple, direct responses work best, you are more than welcome to provide any information or exhibits you believe to be important in justifying your request. If any questions arise as to the submitted material, staff will contact you and allow you an opportunity to submit additional information.

IV. GENERAL ANNEXATION:

Procedure: Upon receipt of the application, Planning Staff will review the application materials to determine if a complete application packet and the processing fee have been submitted. Incomplete applications will not be accepted unless specific arrangements are made with Planning Staff. Once a complete application is accepted and logged in, Planning Staff will set-up a file and begin the review of the application. This review may include requesting comments from affected public agencies such as the Keizer Public Works Department, Keizer Fire District, and additional City, County, and State agencies if required.

Upon completion of the review of the application, Planning Staff prepares a Staff Report with a recommendation for the Planning Commission. The application is scheduled for a public hearing in front of the Planning Commission. Notice of the public hearing is sent to the applicant and all affected property owners located within 500 feet of the subject property involved in the Annexation and any related zone change. At the public hearing, both oral and written testimony may be provided by any affected property owner or interested person. Staff makes a presentation of the Staff Report with a recommendation to the Planning Commission.

Planning Commission Action: (3.112.02 (B)) The Planning Commission shall hear testimony and shall recommend approval or denial of the proposed annexation and submit such recommendation to the Council within 10 days for the hearing. The Planning Commission's decision shall, in a written form, state the rationale used in justifying the decision, and that the decision is in conformance with the City's comprehensive plan. For all annexations the decision shall state how the proposal will:

1. Affect the community's air resources;
2. Promote an orderly, timely and economical transition of rural and agricultural lands into urbanized lands;
3. Relate to areas with natural hazards;
4. Affect the fish and wildlife in the proposed annexation;
5. Utilize energy resources and conserve energy use;
6. Protect open spaces and scenic views and areas;
7. Provide for transportation needs in a safe, orderly and economic manner;
8. Provide for an orderly and efficient arrangement of public services;
9. Provide for the recreation needs of the citizens;
10. Affect identified historical sites and structures and provide for the preservation of such sites and structures;
11. Improve and enhance the economy of the City; and
12. Provide quality, safe housing through a variety of housing types and price ranges.

City Council Action: (3.112.02 (C)) The City shall set a date for a public hearing with the Council upon receipt of the Planning Commission's recommendation. Notice shall be pursuant to the proposed method of annexation. After considering all testimony the Council shall sustain or reverse the Planning Commission's recommendation. The Council shall, in a written form, state the rationale used in justifying the decision, and that the decision is in conformance with the City's

comprehensive plan. The decision shall state how the proposed annexation will address the criteria stated in 3.111.02 (B).

Within 10 days after the public hearing date, the Planning Commission will issue a written Notice of Decision with a recommendation relating to the Annexation. A copy of the decision is sent to the applicant and all those affected property owners who testified at the public hearing or have requested a copy of the decision. In addition, decisions are available at the City Hall for review by the general public.

Staff then will schedule the application for a public hearing in front of the Keizer City Council. Notice of the public hearing is sent to the applicant and all affected property owners located within 250 feet of the property involved in the Annexation. Staff makes a presentation of the Staff Report and case background with the recommendation of the Planning Commission. At the public hearing, both oral and written testimony may be provided by any affected property owner or interested person. The Council decision shall be final subject to such appeals as are provided in State law. A decision to deny shall be made by Order. A decision to approve shall be made by Ordinance. Notice of the decision shall be mailed to those with standing and those who request notice prior to the close of the final hearing. Notice shall also be sent to the Department of Land Conservation and Development as required by law.

According to Section 3.112 Annexation, of the Keizer Development Code, the following annexation procedures may include:

Annexation by Election: (3.112.03)

- A. Election Process. The Council, upon approval of the annexation proposal, has the authority to submit, except when not required under ORS. 222.850 to 222.915, to dispense with submitting the proposal for annexation to the registered voters of the City.
- B. General or Special Election. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose. The proposal for annexation may be voted upon by the voters of the City and of the territory simultaneously or at different times not more that twelve months apart.
- C. Multiple Annexations. Two or more proposals for annexation may be voted upon simultaneously; however in the City each proposal shall be stated separately on the ballot and voted on separately, and in the territory proposed for annexation no proposal for annexing other territory shall appear on the ballot.
- D. Notice. The Council shall give notice of each annexation election by publication prior to such election one each week for four successive weeks in a newspaper of general circulation in the City. Whenever simultaneous elections are held, the same notice and publication shall fulfill the requirements of publication for the City election and the election held in the territory. Notice shall also be given by posting notices of the election in four public places within the City if votes are to be cast therein and four public places in each territory proposed to be annexed for a like period as provided in this section for publication of notice. The notice shall distinctly state the proposition to be submitted, shall contain a legal description of, and a map indicating the boundaries of each territory proposed to be annexed, and the registered voters shall be invited thereby to vote upon such annexation. The Council shall also designate and the notice shall state the hours during which the polls will be open within the City and each territory proposed to be annexed. If the election is to be held at the usual precinct polling places designated for a general election held at that time, or if the election is not held at the same time as a general election,

but is held at the same polling places used for the last preceding general election, the notice shall so state; if any polling place is to be different that the regular polling places, the notice shall describe the location of the polling places to be used in the area or precincts in which the polling places are different.

Annexation Procedure Without City Election: (3.112.04)

- A. Council Hearing. By ordinance, the Council may elect to conduct a hearing on the annexation and set a date for a public hearing, at which time the registered voters of the City can be heard on the annexation proposal.
- B. Published Notice. Notice of the public hearing shall be published once a week for two successive weeks prior to the day of the hearing, in a newspaper of general circulation in the City, and posted in four public places in the City for a like period.
- C. Written Notice. Written notice shall be given to all property owners within the boundaries of the proposed annexation and within 500 feet of the external boundaries of the proposed annexation.
- D. Public Hearing. After the public hearing the Council, by ordinance subject to referendum, and containing a legal description of the proposed annexation:
 - 1. Declare that the territory is annexed to the City upon the condition that the majority of the votes cast in the territory is in favor of annexation;
 - 2. Declare that the territory is annexed to the City where persons with land ownership in the proposed territory consent in writing to such annexation as provided in Section 3.200.

Annexation Procedure with Election in Proposed Territory: (3.112.05)

- A. **Property Owner Petition.** The Council need not call or hold an election in any contiguous territory proposed to be annexed, or post notice in the contiguous territory, if more than half the owners of land in the territory, who also own more that half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land in the territory and file the annexation proposal on or before the day:
 - 1. The public hearing procedure shall be pursuant to Subsections 3.111.02 (A) and (B); and Subsections 3.111.04 (B), and (C). If the Council dispenses with submitting the question to the registered voters of the City; or
 - 2. The Council takes the necessary action to call the annexation election in the City under Subsection 3.111.03 (D), if the Council submits the question to the registered voters of the City.

Island Annexation: (3.112.06)

- A. City Council Authority. It is within the power and authority of the City by ordinance subject to referendum, to annex land, provided it is not an incorporated City, that is surrounded by the corporate limits or boundaries of the City, with or without consent of any property owner or resident in the territory.
- B. Notice. Notice and procedure for public hearing shall be provided pursuant to the provisions of Section 3.111.02.
- C. Procedures. If the Council elects to submit the questions to the registered voters of the City, procedure shall be pursuant to Subsection 3.111.03.

V. APPEAL RIGHTS:

Upon final action on Annexation Plan by the Keizer City Council, any person may appeal the decision by filing a Notice of Appeal in writing with the City Recorder and paying the appropriate fee no later than 10 (ten) days after the decision is rendered. The appeal is to the City Council who shall cause a public hearing to be held.

VI. SUBMISSION OF ANNEXATION REPORTS: (3.112.07)

- A. Notice to County. The City shall report all changes in the boundaries or limits of the City to the County Clerk and County Assessor. The report shall contain a legal description of the new boundaries and shall be filed within 10 days from the effective date of the change of any boundary lines.
- B. Notice to State. With the exception of "Island Annexation" the City Recorder shall submit to the Secretary of State:
 - 1. A copy of the annexation ordinance;
 - 2. An abstract of the vote within the City if votes were cast therein, which shall show the whole number of registered voters voting therein on the annexation, the number of votes cast against annexation;
 - 3. A copy of the statement of consent of landowners in the territory annexed;
 - 4. A copy of the ordinance of the City declaring that no election is required in the City; and
 - 5. An abstract of the vote upon the referendum if a referendum petition was filed with respect to the deferred ordinance.

VII. EFFECTIVE DATE OF ANNEXATION: (3.112.08)

The annexation shall be complete from the date of filing with the Secretary of State as provided in ORS 222.150, 222.160, 222.170, 111.900, and Subsection 3.111.07 (B). Thereafter, the annexed territory shall be and remain part of the City. The date of such filing shall be the effective date of annexation, provided such filing is not made later than 90 days prior to any general or primary election; otherwise, the effective date of such annexation shall be the day after the primary or general election next following the date of filing.

VIII. ZONE DESIGNATION OF ANNEXED PROPERTY: (3.112.09)

The City Council shall establish the appropriate Comprehensive plan designation and Zoning district upon annexation of the property to the City.



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1. Applicant Name

Address, City, and Zip Code

Daytime Phone Number

2. Agent Name

Address, City, and Zip Code

Daytime Phone Number

Property Owner(s) Name

Address, City and Zip Code

Daytime Phone Number

3. Contract and/or Mortgage Holder Name

Address, City and Zip Code

Daytime Phone Number

Street Address of subject property: _____

