

ANNEXATION APPLICATION
Fee \$1,687

STATEMENT AND PURPOSE:

The process of annexation of land to the City allows for orderly expansion of the City and for the adequate provision of public facilities and services. City Charter requires that, unless mandated by state law, annexation may only be approved by a majority of those voting.

CONDITIONS FOR ANNEXATION:

1. The subject site must be located within the Estacada Urban Growth Boundary.
2. The subject site must be contiguous to the existing City limits.

OWNER

APPLICANT *

Name _____

Name _____

Address _____

Address _____

City _____ State ____ Zip ____

City _____ State ____ Zip ____

SIGNATURE _____ Phone: _____

DESCRIPTION OF PROPERTY:

Tax Map _____ Tax Lot(s) _____ Lot Size _____
(Acres/Sq.Ft.)

Existing Use _____

Proposed Use _____

Existing Structures _____

ZONING _____ COMPREHENSIVE PLAN DESIGNATION _____

PREVIOUS ACTION (If Any) _____

PROPERTY OWNERSHIP LIST

Attach a list of the names and addresses of the owners of property located within 200 feet of the subject property (if the address of the property owner is different from the situs, a listing for the situs must also be included and addressed to "Occupant"). Lists of property owners may be obtained from any title insurance company or from the County Assessor. If the property ownership list is incomplete, this may be cause for postponing the hearing.

**If the applicant is not the property owner, he must attach documentary evidence of his authority to act as agent in making application.*

DO NOT WRITE BELOW THIS LINE

Filing Fee _____ Paid _____ Receipt # _____ By _____

Public Notices Mailed _____ Field Trip Date _____

Outside Notification Mailed _____ Staff Report Available _____

Planning Commission Hearing Date _____ Decision Date _____

Commission Decision _____

City Council Hearing Date _____ Decision Date _____

Commission Decision _____

Decision Letter Mailed _____ Appeal Deadline Date _____

Election Date _____ Elections Division Notification Sent _____

Notes: _____

INSTRUCTIONS TO APPLICANT

1. The applicant may request, or the City Planner may determine, that a pre-application conference is necessary after the application has been discussed, or upon receipt of the application by the City.

Whenever an application for annexation is filed, it shall be reviewed in accordance with the following procedures:

2. **Application Filing Deadlines:** Annexation elections are scheduled for May and November. Application deadlines are established to permit public hearings by both the Planning Commission and City Council in time to meet State requirements for submitting ballot information for these election dates. All annexation applications must be filed with the City before 5:00 pm on the last working day in September for a ballot election in May and the last working day in March for a ballot election in November. The acceptance by the City of an annexation application does not obligate the City to place the annexation question before the voters at any particular election.
3. The following information must accompany this application:
 - Written consent by the owner or owners of over one-half of the area to be annexed on the consent form provided by the City.
 - A legal description and boundary survey of the property to be annexed certified by a registered engineer or surveyor.
 - Twenty-five (25) copies of a vicinity map which includes a complete map of the area to be annexed and which identifies adjacent City territory.
 - A general land use plan indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, open space, and adjoining development.
 - A statement of the available capacity of existing water, sewer, drainage, transportation, park facilities, and school facilities as measured by the maximum density levels allowed by the proposed zoning.
 - A statement of projected increased demand for such facilities to be generated by the proposed development and the basis for that projection.
 - A statement of additional facilities required to meet the increased demand and a schedule for the phasing of such facilities in accordance with projected demand.
 - A statement outlining the method and source of financing to provide additional public facilities required by subparagraphs above.
 - Payment of annexation fees, as set by City Council resolution, consisting of an application fee and a deposit to pay for any and all costs associated with the application review and election.
 - A schedule for abatement of a non-conforming use as provided by Section 10.824 of the Estacada City Code (if applicable).

INSTRUCTIONS TO APPLICANT - continued

4. The City Planner will review the application to determine whether it satisfactorily contains the material listed in Section 16.124. Rejected applications will be returned for resubmission. Annexations shall be reviewed to assure consistency with the purpose of this chapter, with the policies and standards of the City Charter, Code and Comprehensive Plans and any requirements of State Law. The recommendation of the City Planner shall contain, at a minimum a finding that the City is capable of providing services to the subject property(ies) commensurate with the needs of existing and proposed development at maximum allowable densities.
5. The City Planner investigates the request and writes a staff report, which will be available seven (7) days prior to the hearing.
6. The Planning Commission shall hold at least one open meeting on the annexation request.
7. Within forty-five (45) days following the Planning Commission open meeting, unless a continuance is announced, the Commission shall make specific findings of fact. Based on the findings, the Commission shall make a recommendation that the application be approved or denied. The Commission's recommendation shall include findings, which specify how the proposal has or has not complied with the review criteria.
8. Upon receipt of the Planning Commission's recommendation the matter shall be set for a public hearing before the City Council in accordance with Section 10.830 through 10.865 of the Estacada Municipal Code. The Council shall review all proposals prior to the City application deadline for submitting measures to the voters in May or November. The Council shall only set for an election annexation applications which adequately address the review criteria, and shall make finding in support of its decision to schedule an annexation for an election.
9. The City Council may adopt the Planning Commission findings for approval or denial of the annexation, supplement the record as appropriate in the circumstances, or reject the findings of the Planning Commission and adopt the new findings.
10. A decision by the City Council on an annexation application shall be specifically stated in the record and noted as a legislative act.
11. If the annexation petition is approved by City electors, the City Council shall by ordinance declare the annexation after determining that all requirements of the Oregon Revised Statutes have been met, all applicable fees have been paid, and the annexation request has been approved by a majority of those voting. If the annexation is approved, the City Council, by Ordinance, shall set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

Standards and Approval Criteria for Annexation Applications

When reviewing a proposed annexation of territory, the Commission shall give ample consideration to the following standards and criteria:

1. The proposed use for the site complies with the Estacada Comprehensive Plan and with the designation on the Estacada Comprehensive Plan Map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Estacada Comprehensive Plan.
2. Adequate capacity of urban services must exist or be made available within three years of annexation approval. An adequate capacity of urban services shall mean:
 - (a) Municipal sanitary sewer and water service meeting the requirements enumerated in the City of Estacada's Water and Sewer Master Plans for provision of these services.
 - (b) Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the City shall note requirements including but not limited to dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The City shall also consider public costs for improvement and the ability of the City to provide for those costs.
3. Findings documenting the availability of police, fire, parks, and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.
4. The applicant has the burden for satisfying the requirements of this section and the information required for the application process set forth in Section 16.124.