

**A BILL FOR AN ORDINANCE MAKING)
FINDINGS AND ADOPTING POLICIES)
FOR THE ANNEXATION OF REAL)
PROPERTY INTO THE CITY LIMITS)
WHICH IS LOCATED WITHIN THE)
ACKNOWLEDGED URBAN GROWTH)
BOUNDARY OF THE CITY OF LEBANON)**

**ORDINANCE BILL NO. 17
FOR 2003**

ORDINANCE NO. 2353

WHEREAS, the City Council for the City of Lebanon has, after appropriate notice, conducted a hearing to consider the policies, standards and requirements for the orderly and efficient annexation of real property which is located outside the city limits of the City of Lebanon but within the acknowledged Urban Growth Boundary of the City; and

WHEREAS, such public hearing has been conducted on the 12 day of November, 2003; and

WHEREAS, the City Council for the City of Lebanon has considered all such testimony, evidence and comment provided to it, the City Council makes the following findings:

- A. Implementation of the City's Annexation Ordinance and its policies ensure the orderly expansion of City Limits and the efficient provision of key City-provided urban utility services, which are hereby defined as water, storm drainage, sanitary sewerage, and streets.
- B. The original Urban Growth Boundary of the City was established with the adoption and acknowledgment of Lebanon's Comprehensive Plan and Comprehensive Plan Map. This Plan, Map and the corresponding Urban Growth Boundary were accepted by both the City and the State. The acknowledgment of the Comprehensive Plan and Map established that all lands included within the Urban Growth Boundary are eligible for annexation (when they are contiguous to city limits) and urban development (except for minor inclusions of areas with environmental constraints) and other urban uses. The area within the Urban Growth Boundary designated for urban development and other urban uses has therefore been acknowledged as land needed by the City.
- C. Annexation incorporates territory within the Urban Growth Area into the City Limits.
- D. Annexation proposals do not require site specific development proposals.
- E. Proposals for the development or redevelopment of properties that pertain to annexation proposals are a separate land use process, requiring separate application. Except as specified below in Section 15, the City may not act upon such development or redevelopment proposals related to an annexation territory until the annexation proposal has been approved. These development or redevelopment proposals will be acted upon after approval of the annexation, and thus require a separate hearing or process.

- F. As part of the annexation process of developed property or properties, the City will consider the anticipated demands of existing development within the annexation territory to access City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets. Furthermore, as part of the annexation process of developed property or properties, the City will consider the impacts on these same key City-provided urban utility services, water, storm drainage, sanitary sewerage, and streets, needed to serve these developed properties.
- G. The annexation of a territory that is vacant and undeveloped, does not represent any change or impact on any City-provided urban utility services, and therefore the annexation of such a territory does not need to consider such issues.

NOW, THEREFORE, BASED UPON THE PRECEDING FINDINGS, THE CITY COUNCIL FOR THE CITY OF LEBANON ORDAINS AS FOLLOWS:

- SECTION 1.** This ordinance shall be known as the Annexation Ordinance for the City of Lebanon.
- SECTION 2.** All Annexations shall conform to the requirements of the Lebanon Municipal Code, Annexation Ordinance, Lebanon Land Development Ordinance, City of Lebanon/Linn County Urban Growth Management Agreement, and shall be consistent with applicable State law.
- SECTION 3.** All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.
- SECTION 4.** All lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.
- SECTION 5.** The City shall only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary (UGB).
- SECTION 6.** An annexation shall be deemed orderly if the annexation territory is contiguous to the existing City limits. An annexation is efficient if the annexation territory can be developed or redeveloped to an urban use. Urban uses may include functional wetlands, parks, open space and related uses.
- SECTION 7.** Development proposals are **NOT REQUIRED** for annexation requests.
- SECTION 8.** As part of the annexation process of developed property or properties, the City shall consider the anticipated demands to access key City-provided urban utility services, which are water, storm drainage, sanitary sewerage, and streets, of existing development within the annexation territory.

- SECTION 9.** As part of the annexation process of developed property or properties, the City shall consider the impacts on key City-provided urban utility services needed to serve these properties, which are water, storm drainage, sanitary sewerage, and streets.
- SECTION 10** Needed Public rights-of-way, as identified in adopted transportation plans as necessary for the safe and efficient movement of traffic, bicycles and pedestrians, shall be dedicated to the City either with annexation or when the property develops and/or redevelops and thus creates an increased demand for the benefits and utility provided by additional rights-of-way dedication.
- SECTION 11.** Upon annexation, the annexation territory shall be assigned zoning classifications in accordance with the adopted Comprehensive Plan Map, as shown in the City's Annexation Zoning Matrix. Such zoning assignments in and of themselves are not a zoning map change and shall not require approval of a zoning map amendment, or a separate proceeding.
- SECTION 12.** If a zoning designation other than one in accordance with the Comprehensive Plan Map (shown in the Annexation Zoning Matrix) is requested by an applicant, the zoning requested shall not be granted until the Comprehensive Plan Map is appropriately amended to reflect concurrence. Such an amendment shall require a separate application, hearing and decision, which may be held concurrently with an annexation hearing and will not become effective until the annexation is complete.
- SECTION 13.** The areas within the Urban Growth Boundary with designated environmental constraints may be annexed and developed as functional wetlands, parks, open space and related uses.
- SECTION 14** An "urban use" is hereby defined as any land use that is authorized under the terms and provisions of the land use regulations, Zoning Ordinance, Subdivision Ordinance, Comprehensive Plan, and other related documents of the City of Lebanon.
- SECTION 15** At the applicant's discretion and with the City's concurrence, a development or redevelopment proposal for an annexation territory may be acted upon by the Planning Commission immediately following the Commission's hearing on the annexation proposal and a decision of recommendation of approval to the City Council. However, any approval of the Planning Commission of such a development or redevelopment proposal must be contingent upon subsequent approval of the annexation by City Council.
- SECTION 16.** This ordinance shall be effective on the thirtieth day after its passage and shall repeal Resolution Number 11 for 1982, and any other resolution or procedures for the City of Lebanon contrary to this ordinance. However, this ordinance shall only effect any applications for annexation which are filed after the effective date of this ordinance.

Passed by the Lebanon City Council by a vote of 4 for and 2 against on the 12th day of November, 2003.

Kenneth I. Torrens
Mayor

ATTEST:

Julia E. Hill
City Recorder

ANNEXATION ZONING MATRIX:

A Conversion Table for Property Annexed into the City of Lebanon

City of Lebanon Comprehensive Plan Designations	City of Lebanon Zoning Designations
Single Family Residential	Residential Low density Zone (RL)
Mixed-Density Residential	Residential Mixed Density Zone (RM) * Residential High Density Zone (RH)
Special Development District (SPD) or Mixed Use	Mixed Use Zone (MU)
Commercial	** Neighborhood Commercial Zone (CN)
	*Central Business Commercial Zone (CB)
	Highway Commercial Zone (CH)
Light Industrial	Limited Industrial Zone (ML)
Heavy Industry	General Industrial Zone (MG)
Key	
* (or) Red Lettering & Yellow Shading	Based upon the Zoning Ordinance description of these zones, there are no un-annexed properties in the UGB eligible to be assigned to these zone designations. <i>(March 03)</i>
** (or) Blue Lettering & Blue Shading	This zone is for small neighborhood shopping clusters. Such designations would require a zone change and an Administrative Review Process.