

A BILL FOR AN ORDINANCE ANNEXING AND	)	ORDINANCE BILL NO. <u>15</u>
ZONING PROPERTY FOLLOWING CONSENT	)	for 2007
FILED WITH THE CITY COUNCIL BY	)	
LANDOWNERS IN SAID AREA PURSUANT TO	)	ORDINANCE NO. <u>2743</u>
ORS 222.120 AND ORS 222.170	)	
File A-07-05, TRIANGLE ENTERPRISES	)	

**WHEREAS**, the City of Lebanon has received a submission by written request for annexation of real property to the City of Lebanon, signed by more than one-half of the landowners who also own more than one-half of the land in the contiguous territory described in Exhibit "A", which real property represents more than one-half of the assessed value of all real property in the contiguous territory to be annexed; and

**WHEREAS**, the Lebanon City Council has elected to dispense with submitting the question of the proposed annexation to the electors of the City, initiating the annexation of the territory pursuant to ORS 222.120, calling a hearing and directing that notice be given as required by ORS 222.120(3); and

**WHEREAS**, after conducting the hearing and considering all objections or remonstrances with reference to the proposed annexation, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that this annexation is in the best interest of the City and of the contiguous territory.

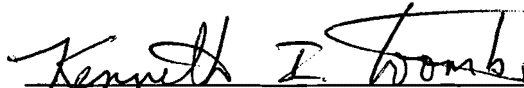
**NOW, THEREFORE**, the City of Lebanon ordains as follows:

**Section 1. Findings.** In addition to the findings referred to above, the City Council further adopts and finds those matters contained in Exhibit "B" which is incorporated herein by this reference as if fully set forth at this point.

**Section 2. Annexation Area.** Based upon the findings contained above and in Exhibit "B", the contiguous territory described in Exhibit "A-1" and incorporated herein by this reference as if fully set forth at this point is hereby proclaimed to be annexed to the City of Lebanon, and zoned as indicated in accordance with the Lebanon Zoning Ordinance No. 1773, and assigned the zoning of Public Use (Z-PU) for the following: 12S-02W-23C tax lot 200, and 12S-02W-23D tax lot 3700; and assigned the zoning of Residential Mixed Density (Z-RM) for the following: 12S-02W-23C tax lots 1700, 1702, 2200, 4100, and 12S-02W-23D tax lots 4100, 4400 and 4700.

**Section 3. Record.** The City Recorder shall submit to the Oregon Secretary of State a copy of this Ordinance. The City Recorder is further ordered to send a description by metes and bounds, or legal subdivision, and a map depicting the new boundaries of the City of Lebanon within ten (10) days of the effective date of this annexation ordinance to the Linn County Assessor, Linn County Clerk and the Oregon State Department of Revenue.

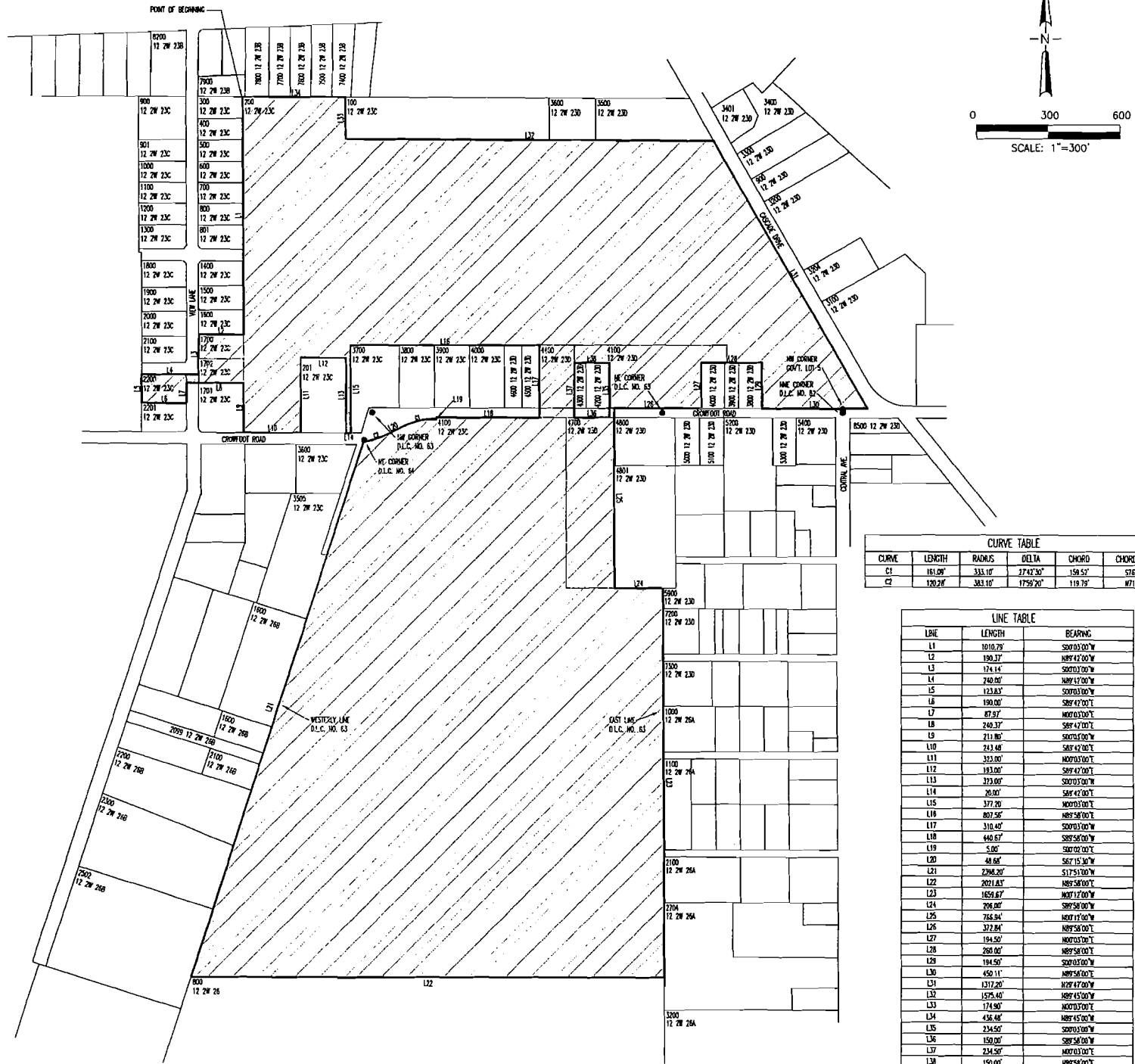
Passed by the Lebanon City Council by a vote of 5 for and 0 against and approved by the Mayor this 8<sup>th</sup> day of August, 2007

  
Kenneth I. Toombs, Mayor   
Bob Elliott, Council President

ATTEST:

  
Linda Kaser, City Clerk/Recorder

EXHIBIT A



JAC 3/21/07  
 Calculated Date  
 JAC 3/21/07  
 Drawn Date  
 JAC 3/21/07  
 Checked Date

REVISIONS

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	151.00'	333.10'	274°30'	S78°45'W
C2	120.20'	363.10'	175°20'	N71°15'E

LINE TABLE		
LINE	LENGTH	BEARING
L1	1010.28'	S50°03'00"W
L2	190.17'	N89°42'00"W
L3	124.14'	S00°03'00"W
L4	240.00'	N89°47'00"W
L5	123.83'	S00°03'00"W
L6	190.00'	S89°47'00"E
L7	87.87'	N00°03'00"E
L8	240.37'	S89°42'00"E
L9	211.80'	S00°03'00"E
L10	243.48'	S89°42'00"E
L11	323.00'	N00°03'00"E
L12	193.00'	S89°47'00"E
L13	323.00'	S00°03'00"W
L14	203.00'	S89°47'00"E
L15	372.20'	N00°03'00"E
L16	807.58'	N89°58'00"E
L17	310.40'	S00°03'00"W
L18	440.67'	S89°58'00"W
L19	5.00'	S00°02'00"E
L20	48.68'	S67°15'30"W
L21	2268.20'	S17°51'00"W
L22	2021.83'	N89°58'00"E
L23	1659.67'	N00°12'00"W
L24	206.00'	S89°58'00"W
L25	788.94'	N00°11'00"W
L26	372.84'	N89°58'00"E
L27	194.50'	N00°03'00"E
L28	268.00'	N89°58'00"E
L29	194.50'	S00°03'00"W
L30	450.11'	N89°58'00"E
L31	1312.20'	N78°47'00"W
L32	1575.40'	N89°45'00"W
L33	174.90'	N00°03'00"E
L34	436.48'	N89°45'00"W
L35	234.50'	S00°03'00"W
L36	150.00'	S89°58'00"W
L37	234.50'	N00°03'00"E
L38	150.00'	N89°58'00"E

EXHIBIT MAP  
 CITY OF LEBANON ANNEXATION  
 LOCATED IN THE SOUTH 1/2 OF SEC 23 AND  
 THE NORTH 1/2 OF SEC 26, T12S, R2W, W.M.,  
 COUNTY OF LINN, STATE OF OREGON

**otak**  
 incorporated  
 engineers  
 planners  
 13255 S.W. BOONES FERRY ROAD  
 LAKE OSWEGO, OREGON 97035  
 (503)635-3616 FAX (503)635-5395

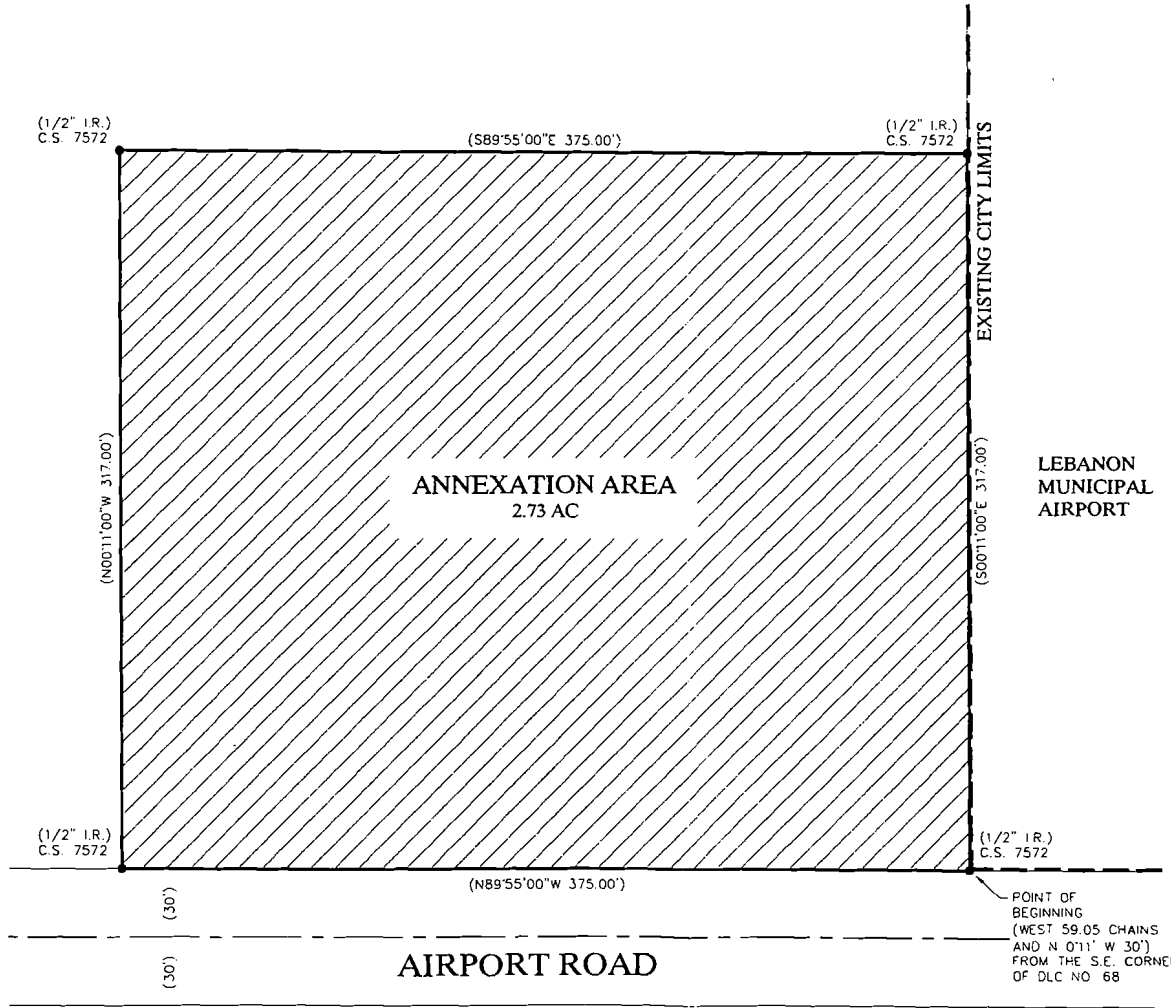
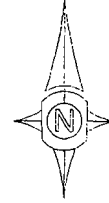
1 OF 1  
 Sheet No.

14112  
 Project No.

EXHIBIT A

ANNEXATION MAP  
FOR  
**RIVER VALLEY PROPERTIES, LLC**

IN THE SIMON A. NICKERSON D.L.C. NO. 68  
IN THE NE 1/4 OF SECTION 16, T. 12 S., R. 2 W., W.M.  
LINN COUNTY, OREGON  
JUNE 24, 2007



**LEGEND:**

- MONUMENT OF RECORD AS NOTED
- C.S. COUNTY SURVEY
- ( ) DATA OF RECORD
- IR IRON ROD
- IP IRON PIPE
- REFERENCE SURVEY C.S. 7572

**PROPERTY:**

125-2W-16  
TAX LOT 2801

36629 AIRPORT RD.  
LEBANON, OREGON 97355

**SURVEYOR:**

BRIAN VANDETTA  
UDELL ENGINEERING AND LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON 97355  
(541) 451-5125

**OWNER:**

RIVER VALLEY PROPERTIES, LLC  
P.O. BOX 1650  
PHILOMATH, OREGON 97370  
(541) 760-4490



**Udell**  
ENGINEERING &  
LAND SURVEYING, LLC  
63 EAST ASH ST.  
LEBANON, OREGON  
97355  
PH. (541) 451-5125  
FAX (541) 451-1366

City of Lebanon Annexation  
Description  
March 21, 2007

A tract of land in the south one-half of Section 23 and the north one-half of Section 26, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon, the said tract being more particularly described as follows:

Beginning at the northeast corner of Lot 1, Block 1, HILLVIEW ACRES, said corner being on the south line of WHITE OAKS ADDITION;

thence South 00°03'00" West along the east line of said HILLVIEW ACRES, a distance of 1010.79 feet to the northeast corner of Lot 4, Block 3, HILLVIEW ACRES;

thence North 89°42'00" West along the north line of said Lot 4, Block 3, a distance of 190.37 feet to the northwest corner thereof, said corner being on the easterly right-of-way line of View Lane;

thence South 00°03'00" West along said easterly right-of-way line, a distance of 174.14 feet to the easterly extension of the north line of Lot 1, Block 5, HILLVIEW ACRES;

thence North 89°42'00" West along said easterly extension, and the north line of said Lot 1, Block 5, a distance of 240.00 feet to the northwest corner thereof;

thence South 00°03'00" West along the west line of said Lot 1, Block 5, a distance of 123.83 feet to the southwest corner thereof;

thence South 89°42'00" East along the south line of said Lot 1, Block 5, a distance of 190.00 feet to the southeast corner thereof, said corner being on the westerly right-of-way line of View Lane;

thence North 00°03'00" East along said westerly right-of-way line, a distance of 87.97 feet to the westerly extension of the south line of Lot 5, Block 3, HILLVIEW ACRES;

thence South 89°42'00" East along said westerly extension, and the south line of said Lot 5, Block 3, a distance of 240.37 feet to the southeast corner thereof, said corner being on the east line of said HILLVIEW ACRES;

thence South 00°03'00" West along said east line, a distance of 211.80 feet to the northerly right-of-way line of Crowfoot Road;

thence South 89°42'00" East along said northerly right-of-way line, a distance of 243.48 feet to the west line of that property described in that Special Warranty Deed to Leslie G. Mullenix and Peggy A. Mullenix, recorded March 18, 1992 in MF Volume 592, Page 475 of Linn County Records;

thence North 00°03'00" East along said west line, a distance of 323.00 feet to the northwest corner thereof;

thence South 89°42'00" East along the north line of said MF Volume 592, Page 475 property, a distance of 193.00 feet to the northeast corner thereof;

thence South 00°03'00" West along the east line of said MF Volume 592, Page 475 property, a distance of 323.00 feet to the northerly right-of-way line of Crowfoot Road;

thence South 89°42'00" East along said northerly right-of-way line, a distance of 20.00 feet to the west line of that property described in that Statutory Warranty Deed to Jennifer E. Brantner, recorded September 19, 2001 in MF Volume 1217, Page 173 of Linn County Records;

thence North 00°03'00" East along the west line of said MF Volume 1217, Page 173 property, a distance of 377.20 feet to the northwest corner thereof, said northwest corner being on the southerly line of that property described as Parcel XXXI in that Bargain and Sale Deed to Lebanon Community School District #9, recorded on August 21, 2002 in MF Volume 1322, Page 555 of Linn County Records;

thence North 89°58'00" East along said southerly line, a distance 807.56 feet to the northeast corner of that property described in that Statutory Warranty Deed to Phillip M. Watters and Teri A. Watters, recorded December 13, 1993 in MF Volume 671, Page 396 of Linn County Records;

thence South 00°03'00" West along the east line of said MF Volume 671, Page 396 property and the southerly extension thereof, a distance of 310.40 feet to the southerly right-of-way line of Crowfoot Road;

thence tracing said southerly right-of-way line along the following courses:

South 89°58'00" West, a distance of 440.67 feet; thence South 00°02'00" East, a distance of 5.00 feet to the point of curve left of a 333.10 foot radius curve; thence along the arc of said curve left through a central angle of 27°42'30", a distance of 161.09 feet (chord bears South 76°06'45" West, a distance of 159.52 feet); thence South 62°15'30" West, a distance of 48.68 feet to the point of curve right of a 383.10 foot radius curve; thence along the arc of said curve right through a central angle of 17°59'20", a distance of 120.28 feet (chord bears South 71°15'10" West, a distance of 119.79) to the westerly line of the Reuben S. Coyle D.L.C. No. 63, said westerly D.L.C. line also being the westerly line of that property described as Parcel 8 in that Warranty Deed to Triangle Enterprises, LLC, recorded on September 29, 1999 in MF Volume 1064, Page 189 of Linn County Records;

thence leaving the southerly right-of-way line of Crowfoot Road, and tracing a portion of the boundary of said Parcel 8 along the following courses:

South 17°51'00" West along the west line of said D.L.C. No. 63, a distance of 2398.20 feet to the southwest corner of said Parcel 8; thence North 89°58'00" East, a distance of 2021.83 feet to the southeast corner of said Parcel 8, said southeast corner being on the east line of said

D.L.C. No. 63; thence North 00°12'00" West along said east line, a distance of 1659.67 feet to the south line of that property described in that Warranty Deed to Lyle T. Dowding and Leona M. Dowding, recorded June 3, 1971 in MF Volume 16, Page 857 of Linn County Records;

thence South 89°58'00" West along the south line of said MF Volume 16, Page 857 property, a distance of 206.00 feet to the southwest corner thereof;

thence North 00°12'00" West along the west line of said MF Volume 16, Page 857 property, and the west line of that property described in that Statutory Warranty Deed to Jason P. Houy and Sally L. Houy, recorded July 14, 2004 in MF Volume 1601, Page 846 of Linn County Records, and the northerly extension thereof, a distance of 766.94 feet to the northerly right-of-way line of Crowfoot Road;

thence North 89°58'00" East along said northerly right-of-way line, a distance of 372.84 feet to the west line of that property described in that Personal Representative's Deed to Gregg Lynn Munson, recorded November 29, 2004 in MF Volume 1650, Page 369 of Linn County Records;

thence North 00°03'00" East along the west line said MF Volume 1650, Page 369 property, a distance of 194.50 feet to the northwest corner thereof;

thence North 89°58'00" East along the north line of said MF Volume 1650, Page 369 property, the north line of that property described in that Statutory Warranty Deed to Shawn L. Dill, recorded November 23, 2005 in MF Volume 1751, Page 575 of Linn County Records, and the north line of that property described as Parcel II in that Bargain and Sale Deed to Jimmy R. Moss and Jean M. Moss, recorded March 11, 1991 in MF Volume 557, Page 53 of Linn County Records, a distance of 260.00 feet to the northeast corner of said Parcel II;

thence South 00°03'00" West along the east line of said Parcel II, a distance of 194.50 feet to the northerly right-of-way line of Crowfoot Road;

thence North 89°58'00" East along said northerly right-of-way line, a distance of 450.11 feet to the westerly right-of-way line of Cascade Drive;

thence North 29°47'00" West along said westerly right-of-way line of Cascade Drive, a distance of 1317.20 feet to the north line of that property described as Parcel XXXI in that Bargain and Sale Deed to Lebanon Community School District #9, recorded on August 21, 2002 in MF Volume 1322, Page 555 of Linn County Records;

thence North 89°45'00" West along said north line, a distance of 1575.40 feet to the east line of that property described as Parcel XXX in said MF Volume 1322, Page 555 Bargain and Sale Deed;

thence North 00°03'00" East along the east line of said Parcel XXX, a distance of 174.90 feet to the south line of WHITE OAKS ADDITION;

thence North 89°45'00" West along said south line, a distance of 436.48 feet to the Point of Beginning;

EXCEPT the following described parcel:

Beginning at the northeast corner of that property described in that Statutory Warranty Deed to Darrin J. Black and Valerie J. Black, recorded June 10, 1996 in MF Volume 808, Page 55 of Linn County Records;

thence South 00°03'00" West along the east line of said MF Volume 808, Page 55 property and the southerly extension thereof, a distance of 234.50 feet to the southerly right-of-way line of Crowfoot Road;

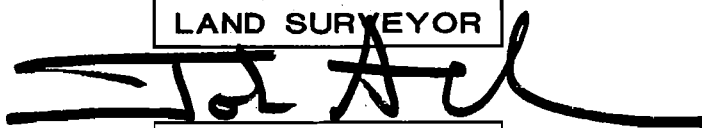
thence South 89°58'00" West along said southerly right-of-way line, a distance of 150.00 feet to the southerly extension of the west line of that property described in that Amended Trustee's Deed to American Equities, Inc., recorded February 25, 2003 in MF Volume 1390, Page 287 of Linn County Records;

thence North 00°03'00" East along said southerly extension and the west line of said MF Volume 1390, Page 287 property, a distance of 234.50 feet to the northwest corner thereof;

thence North 89°58'00" East along the north line said MF Volume 1390, Page 287 property, and the north line of said MF Volume 808, Page 55 property, a distance of 150.00 feet to the Point of Beginning.

Contains 143.63 acres, more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 15, 1983  
JOHN A. CARLSON  
2044

RENEWS 12/31/07



# Findings

## A-07-05 Triangle Enterprises

### Criteria 1.1 and 2.1

**Annexation Ordinance 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.*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy #P-191:** *[The City shall] Recognize and act on the basis that 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 (UGMA), and shall be consistent with applicable State law.*

#### Finding # 1:

The proposed annexation complies with Annexation Ordinance Section 2 and LCP Annexation Policy #1 in that this proposal is in compliance with the requirements set forth by these provisions. The findings below detail this compliance.

### Criteria 1.2 and 2.2

**Annexation Ordinance Section 3:** *All Annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy #P-20:** *[The City shall] Recognize and act on the basis that all annexations shall be consistent with the goals and policies of the Lebanon Comprehensive Plan.*

#### Finding # 2:

The proposed annexation complies with Annexation Ordinance Section 3 and LCP Annexation Policy #2 in that this proposal is consistent with the goals and policies of the Lebanon Comprehensive Plan. The findings below detail this compliance.

### Criteria 1.3 and 2.3,

**Annexation Ordinance 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.*

**LCP Chapter 3 (Urbanization) – Annexation Policy #P-21:** *[The City shall] Recognize and act on the basis that all lands included within the Urban Growth Boundary are eligible for annexation and urban development. (Areas within the Urban Growth Boundary (UGB) with designated environmental constraints may be annexed and utilized as functional wetlands, parks, open space and related uses.)*

#### Finding # 3:

The proposed annexation complies with the above noted criteria in that the annexation territory is within the City's Urban Growth Boundary, and is therefore eligible for annexation and urban development. This annexation territory has been identified as land needed by the City for nearly a quarter of a century.

**Criteria 1.4 and 2.4**

**Annexation Ordinance 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).*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy #P-22:** *[The City shall] Only annex land that is contiguous to the existing City limits and is within the City's Urban Growth Boundary (UGB).*

**Finding # 4:**

The proposed annexation complies with Annexation Ordinance Section 5 and LCP Annexation Policy #P-22 in that the annexation territory is both contiguous to the existing City limits and within the City's Urban Growth Boundary, and is therefore eligible for annexation and urban development. The annexation territory is contiguous to the existing City Limits because Tax Lot 12 2W 23C 2200 abuts Tax Lot 12 2W 23C 2300 to the west, which is within the city limits.

**Criteria 1.5, 1.13, 1.14, and 2.5**

**Annexation Ordinance 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.*

**Annexation Ordinance 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.*

**Annexation Ordinance 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.*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy #P-23:** *[The City shall] Deem an annexation orderly if the annexation territory is contiguous to the existing City Limits, and deem an annexation 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).*

**Finding # 5:**

The proposed annexation complies with the above noted criteria. (1) Since the annexation territory is contiguous to the existing City limits the annexation of this territory is deemed orderly. (2) The annexation is efficient since the annexation territory can be developed to an urban use. This territory can be developed according to the provisions of Lebanon Zoning Ordinance Section 4.020 that lists the development opportunities, standards and requirements for the Residential Mixed Density (RM) Zone, and Section 4.320 for the Public Use (PU) Zone.

**Criteria 1.6 and 2.6**

**Annexation Ordinance Section 7:** *Development proposals are NOT REQUIRED for annexation requests.*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy #P-24:** *[The City shall] Recognize and act on the basis that development proposals are NOT REQUIRED for annexation requests.*

**Finding # 6:**

The proposed annexation complies with the above noted criteria in that no development proposal was required to be submitted at this time.

**Criteria 1.7 and 2.7**

**Annexation Ordinance 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.*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy #P-25:** *[The City shall] Consider as part of the annexation process of developed property or properties, 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.*

**Finding # 7:**

The proposed annexation complies with the above noted criteria in that this territory currently has existing school facilities and four single family dwellings served by on-site facilities. Access to City-provided services is not sought at this time, and therefore there are no anticipated needs at this time on the key City-provided urban utility services (i.e., are water, storm drainage, sanitary sewerage, and streets). However, all City Services can be made available to the territory (See Engineering Staff Comments).

**Criteria 1.8 and 2.8**

**Annexation Ordinance 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.*

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy # P-26:** *[The City shall] Consider as part of the annexation process of developed property or properties, the impacts on the capacities of key City-provided urban utility services needed to satisfy the anticipated demands of the properties discussed in P-25 above.*

**Finding #8:**

The proposed annexation complies with the above noted criteria in that this territory currently has existing school facilities and four single family dwellings served by on-site facilities. Access to City-provided services is **not sought at this time**, and therefore there are no anticipated needs at this time on the key City-provided urban utility services (i.e., are water, storm drainage, sanitary sewerage, and streets). However, the applicant's engineer and the City Engineer have determined that City Services (sewer and water service) can be accessed with extensions from the existing lines when the applicants/owners are ready to connect to City Services (See Engineering Staff Comments).

**Criterion 2.9**

**2004 LCP Chapter 3 (Urbanization) – Annexation Policy # P-27:** *Expand the City Limits as necessary to accommodate development, including housing, commercial, industrial, and services (that will in turn accommodate population growth).*

**Finding #9:**

The proposed annexation complies with the above noted criterion in that the annexation of this property is indeed necessary to accommodate development. The proposed annexation will accommodate potential future development, which could include residential uses. As economic development activity occurs in the surrounding community, there will be an increased demand for housing.

**Criterion 1.9**

**Annexation Ordinance 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.*

**Finding # 10:**

The proposed annexation complies with Annexation Ordinance Section 10 in that no additional ROW has been identified as necessary at the time of annexation.

**Criteria 1.10, 1.11, and 3.0**

**Annexation Ordinance 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.*

**Annexation Ordinance 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.*

**Zoning Ordinance Section 3.050 – Zoning of Annexed Areas:** *All areas annexed to the City shall be placed in a zoning classification in accordance with the adopted Comprehensive Plan. If a zoning designation other than one in accordance with the Comprehensive Plan is requested by an applicant, the zoning requested shall not be granted until the plan is amended to reflect concurrence.*

**Finding # 11:**

This proposed Annexation is in compliance with Annexation Ordinance Sections 11 and 12, and Zoning Ordinance Section 3.050. Currently the subject properties in the annexation territory do not have a City zoning designation because they are not within the City limits. . Tax Lot 3700, containing Seven Oak Middle and Crowfoot Schools, has a Comprehensive Plan Map designation of Public Use (C-PU), and will be assigned a Public Use (PU) zoning designation upon annexation. All remaining tax lots proposed for annexation have Comprehensive Plan designations of Residential Mixed Density (C-RM) and will be assigned Residential Mixed Density (RM) zoning upon annexation. These zoning designations are consistent with the City's Comprehensive Plan Map designations. No change in zoning designation is thus being requested.

Therefore, the City zoning designations noted above can automatically be assigned at this time, without a separate hearing. These actions are NOT zoning map amendments.

**Criterion 1.14**

**Annexation Ordinance 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.*

**Finding # 12:**

The proposed annexation complies with Annexation Ordinance Section 15 in that no development proposal has been submitted at this time.