

Consultants (please list all that apply)

Planning Engineering Surveyor Other

Name: _____ Physical Address: _____
Firm: _____ City: _____ ST: _____ Zip: _____
Mailing Address: _____ Telephone #: _____
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: _____

Planning Engineering Surveyor Other

Name: _____ Physical Address: _____
Firm: _____ City: _____ ST: _____ Zip: _____
Mailing Address: _____ Telephone #: _____
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: _____

Planning Engineering Surveyor Other

Name: _____ Physical Address: _____
Firm: _____ City: _____ ST: _____ Zip: _____
Mailing Address: _____ Telephone #: _____
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: _____

Planning Engineering Surveyor Other

Name: _____ Physical Address: _____
Firm: _____ City: _____ ST: _____ Zip: _____
Mailing Address: _____ Telephone #: _____
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: _____

Planning Engineering Surveyor Other

Name: _____ Physical Address: _____
Firm: _____ City: _____ ST: _____ Zip: _____
Mailing Address: _____ Telephone #: _____
City: _____ ST: _____ Zip: _____ Cell Phone #: _____
Email Address: _____

For Office Use

Approved by: <input type="checkbox"/> City Manager <input type="checkbox"/> City Planner <input type="checkbox"/> Public Works Director <input type="checkbox"/> City Engineer <input type="checkbox"/> Fire Marshall/Chief		
Pre-Application Date:	Comments:	
Planning Commission Hearing Date:	City Council/Public Hearing Date:	
Annexation by: <input type="checkbox"/> Ordinance <input type="checkbox"/> Election	Effective Date:	Date filed with County Clerk:
Date filed with County Assessor:	Ordinance #:	Date filed with Secretary of State:
Date Additional Fees Paid in Full:		



Annexation Proposal or Initiation

General Information

The boundary of the City may be extended by the annexation of territory not within the City limits 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.

Review Criteria

Annexation proposals or initiations will address the criteria stated in Dayton Municipal Code Section 7.3.113.02(B) and must be in conformance with the City's comprehensive plan.

Submittal Requirements

- One (1) copy of the Annexation application form with signatures of all property owners. Original signatures for all property owners must be provided. This information will be reproduced so please print clearly using black or blue ink.
- One (1) copy of the deed for each tax lot involved.
- One (1) copy of the title report for each tax lot involved
- Two (2) copies of a Preliminary Site Plan, that show a minimum of the following:
 - Existing structures on properties involved
 - Existing and proposed property lines and dimensions
 - Existing easements and/or Proposed easements
 - Setbacks to existing and proposed property lines
 - Existing and Proposed areas of properties involved
 - The approximate location of existing streets and/or right-of-ways adjacent to the subject properties
 - Existing improvements on the property
 - Map and Tax Lot numbers or tax account numbers for subject properties
 - North arrow
 - Scale (the preferred scale is 1 inch equals 20 feet) on paper a minimum size of 11 x 17
- Application Fee made payable to the City of Dayton.

General Annexation Procedure

After a complete annexation proposal or initiation has been submitted and accepted by the City of Dayton, a hearing with the Planning Commission will be set. The Planning Commission shall hear the testimony and shall recommend approval or denial of the proposed annexation and will submit written recommendation to the City Council within 10 days. A public hearing before the City Council will be scheduled. The Council can sustain or reverse the Planning Commission's recommendation. Upon approval of an annexation proposal, the Council can proceed with annexation approval via election or ordinance.

Completion

The City shall report all changes in the boundaries or limits of the City to the County Clerk and County Assessor within 10 days from the effective date of the change of any boundary lines. 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 City Code subsection 7.3.113.07(B). 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 will be the day after the primary or general election.

TITLE 7: LAND USE AND DEVELOPMENT CODE
SECTION 7.3.1
APPLICATION REQUIREMENTS AND REVIEW PROCEDURES

7.3.113 ANNEXATIONS

7.3.113.01 Authority of City to Annex

The boundary of the City may be extended by the annexation of territory not then 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.

7.3.113.02 General Annexation Procedure

- A. Following submission of annexation proposal or initiation, the City Recorder shall set a date for hearing with the Planning Commission. Notice shall be pursuant to the proposed method of annexation.
- 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.
- C. The City Recorder 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).

7.3.113.03 Annexation by Election

- A. 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. 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. 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. 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.

7.3.113.04 Annexation Procedure Without City Election

- A. By ordinance, the Council may elect to dispense with submitting the annexation proposal to the registered voters of the City, set a date for public hearing, at which time the registered voters of the City can be heard on the annexation proposal.
- B. 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 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. 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.

7.3.113.05 Annexation Procedure with Election in Proposed Territory

- A. 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 than 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 7.3.113.02.A., and B.; and Subsections 7.3.113.04.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 7.3.111.03.D., if the Council submits the question to the registered voters of the City.

7.3.113.06 Island Annexation

- A. 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 and procedure for public hearing shall be provided pursuant to the provisions of Section 7.3.113.02.
- C. If the Council elects to submit the questions to the registered voters of the City, procedure shall be pursuant to Subsection 7.3.113.03.

7.3.113.07 Submission of Annexation Reports

- A. 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. 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.

7.3.113.08 Effective Date of Annexation

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 7.3.113.07.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.

7.3.113.09 Zone Designation of Annexed Property

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