

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
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City of Silverton
Office of the City Manager
306 S. Water St.
Silverton OR 97381

Description and Map Approved
January 22, 2024
As per ORS 308.225

[x] Description [x] Map - Received from: Corey Misley
On: 1/8/2024

This is to notify you that your Description and Map in Marion County for:
Annexation to the City of Silverton

Ordinance No 23-06

has been: [x] Approved 1/22/2024
[] Disapproved

Department of Revenue File Number: 24-1357-2024

Reviewed by: Robert Ayers, 503-983-3032

Boundary: [x] Change [] Proposed Change

The change is for:

- [] Formation of a new district
[x] Annexation of a territory to a district
[] Withdrawal of a territory from a district
[] Dissolution of a district

If you have not already done so, the approved
version of the Description and Map must also be
filed with the County Assessor

- [] Transfer
[] Merge
[] Establishment of Tax Zone

CITY OF SILVERTON
ORDINANCE
23-06

AN ORDINANCE OF THE SILVERTON CITY COUNCIL ANNEXING A 1.48 ACRE PARCEL LOCATED AT 827 RAILWAY AVENUE INTO THE CITY LIMITS OF THE CITY OF SILVERTON, OREGON AND ZONING THE PROPERTY GC, GENERAL COMMERCIAL. MARION COUNTY ASSESSOR'S MAP 061W34CA TAX LOT 00700.

WHEREAS, the City of Silverton has been petitioned to annex 827 Railway Avenue into the City Limits of the City of Silverton, Oregon and zone the property GC, General Commercial. Marion County Assessor's Map 061W34CA Tax Lot 00700.

WHEREAS, the area proposed for annexation is described as a tract of land situated in Section 34, T6S, R1W, W.M. Marion County Oregon and more particularly described as follows:

Beginning at a point that is 599.96 feet North 00 31' 26" West and 435/45 feet North 89 35' 38" West of the 3 inch iron pipe at the Southwest corner of Lot 7, Silverton Plaza.

Thence 335.37 feet South 89 35' 38" East;

Thence 290.70 feet North 02 11' 00" West;

Thence 377.54 feet South 59 30' 00" West;

Thence 97.46 feet South 00 37' 42" East to the beginning, more or less.

NOW, THEREFORE THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Section 1: **Legislative Annexation.** In accordance with ORS 222.120:

(1) The Silverton Municipal Code Section 18.04.10 provides a process whereby the City Council can authorize an exception to the electorate annexation process when the City Council determines that an identified health hazard exists, the request is less than 2 acres in size, and has limited potential. This annexation proposal complies with said conditions and the Council is hereby authorizing the election exception and is not referring the annexation request to the electorate. The Council hereby sets the final boundaries of the area to be annexed by a legal description and proclaims the annexation. A public hearing before the Council was held on December 4, 2023, at which time the electors of the city had an opportunity to appear and be heard on the question of annexation.

(2) The area described above and as shown on Exhibit "B" is hereby annexed to the City of Silverton, effective January 3, 2024.

Section 2: **Consent to Annexation.** In accordance with ORS 222.125 the Council finds there is no need to hold an election in the city or in any contiguous territory proposed to be annexed as all of the owners of land in that territory, and not less than 50 percent of the electors, if any, residing in the territory, have consented in writing to the annexation of the land in

the territory and statement of their consent is filed with the Council.

Section 3: **Timing of Consents.** The Council finds that only statements of consent to annexation which are filed within any one-year period prior to the hearing have been submitted and describes the 1.48 acres of real property, all located in Marion County, Oregon that shall be annexed to the City of Silverton upon recording with the Secretary of State.

Section 4: **Notice to Utilities.** In accordance with ORS 222.005 the City Recorder shall, no later than 10 working days after passage of this ordinance approving the proposed annexation, provide by certified mail to all public utilities, electric cooperatives and telecommunications utilities operating within the city, each site address to be annexed as recorded on county assessment and tax rolls, a legal description and map of the proposed boundary change and a copy of the City Council's resolution or ordinance approving the proposed annexation.

Section 5: **Notice to County.** In accordance with ORS 222.010, the City Recorder shall report to the Marion County Clerk and County Assessor all changes in the boundaries or limits of the city. The report shall contain a detailed legal description of the new boundaries established by the city. The report shall be filed by the city within 10 days from the effective date of the change of any boundary lines.

Section 6: **Assessor Valuation.** In accordance with ORS 222.030 the City Recorder shall request that the Assessor shall furnish within 20 days, a statement showing for the current fiscal year the assessed valuation of the taxable property in the territory to be annexed.

Section 7: **Notice to Secretary of State.** In accordance with ORS 222.177 the City Recorder shall transmit to the Secretary of State:

- (1) A copy of this ordinance proclaiming the annexation.
- (2) An abstract of the vote within the city, if votes were cast in the city, and an abstract of the vote within the annexed territory, if votes were cast in the territory. The abstract of the vote for each election shall show the whole number of electors voting on the annexation, the number of votes cast for annexation and the number of votes cast against annexation.
- (3) If electors or landowners in the territory annexed consented to the annexation under ORS 222.125 or 222.170, a copy of the statement of consent.
- (4) A copy of the ordinance issued under ORS 222.120 (4).
- (5) An abstract of the vote upon the referendum, if a referendum petition was filed, with respect to the ordinance adopted under ORS 222.120.

Section 8: **Exhibits.** The City Council adopts the Findings of Fact, attached hereto as Exhibit 'A', and a map of the area being annexed as Exhibit 'B', which shall be incorporated by reference herein.

Section 9: **Zone Designation.** Upon annexation the property shall have a City of Silverton zoning designation of GC (**General Commercial**).

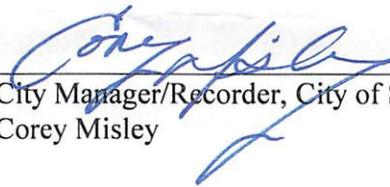
Section 10: **Effective Date.** In accordance with ORS 222.180 the effective date of annexation shall be January 3, 2024.

Ordinance adopted by the City Council of the City of Silverton, this 4th day of December, 2023.



Mayor, City of Silverton
Jason Freilinger

ATTEST:



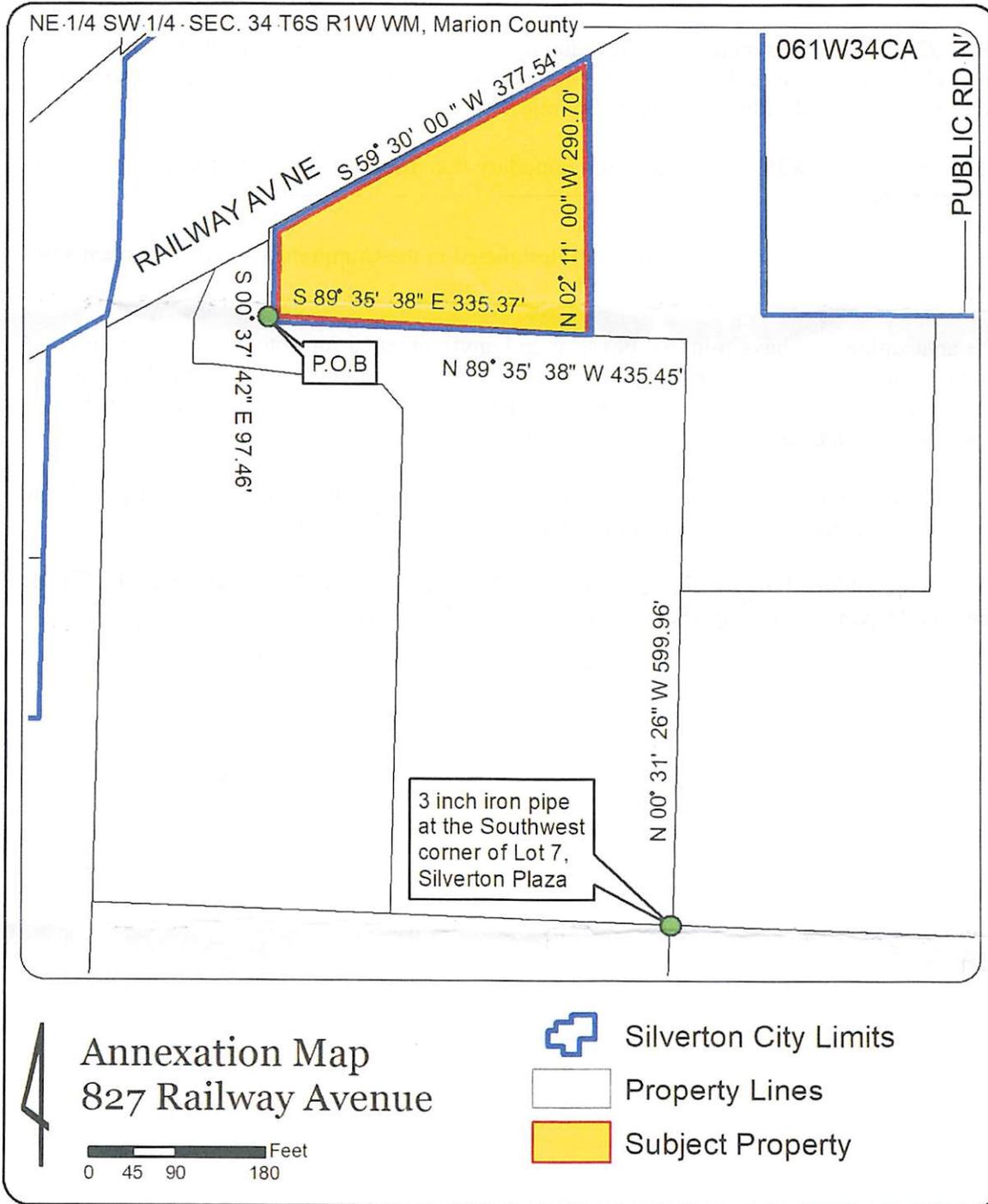
City Manager/Recorder, City of Silverton
Corey Misley

EXHIBIT 'A'
AN-23-01

The City Council of the City of Silverton adopts the following findings:

1. The applicant submitted an application on September 19, 2023 requesting annexation of 827 Railway Avenue, a 1.48 acre parcel of land that is outside the City Limits and within the Urban Growth Boundary. The annexation request is for the existing building and the future buildings on the property to acquire city water and sewer services.
2. The site is currently developed with a 9,035 square foot building. .
3. Notice was mailed to all property owners within 700 feet of the subject area on October 25, 2023. As of this writing, November 7, 2023, no written testimony has been received. The notice was published in the Statesman Journal on November 1, 2023. The site posted on November 2, 2023.
4. The Planning Commission reviewed the application at their November 14, 2023 meeting and recommended the Council approve the request.
5. The application was reviewed by the City Council on December 4, 2023.
6. Unless mandated by state law, annexation, delayed annexations, and/or extension of city services may only be approved by a majority vote among the electorate. On March 15, 2016, the State enacted SB 1573 that states that the legislative body of a city shall annex a territory petitioning annexation without submitting the proposal to the electors of the city if the territory is within the Urban Growth Boundary (UGB), the territory upon annexation will be subject to the acknowledged comprehensive plan, the territory is contiguous to the city limits and the proposal conforms to all other requirements of the city's ordinances. The territory is within the UGB and is contiguous to the city limits and would be subject to the Comprehensive Plan upon annexation.
7. The property is requesting annexation in order to obtain City water and sewer service. The water and sewer systems are already in place and are available to the site.
8. The applicant will have to pay Water and Wastewater System Development Charges as connecting to the water and sewer system increases the usage of a capital improvement.
9. Recent road and frontage improvements were completed by the West-Side Gateway development, bringing them up to current standards. Water and sewer mains are available at Railway Avenue NE. The applicant will continue to manage stormwater collection on site and discharge into the public drainageway on the north side of Railway Avenue. The proposed annexation will not change the existing use of the transportation facilities and public facilities are adequate to serve the areas being annexed
10. The area is contiguous to the City. Considering the area is contiguous to the city limits and the parcel is being annexed to obtain city water and sewer services and city water and sanitary sewer services fronts the site, the annexation represents a logical direction for city expansion.

Exhibit 'B'



11. The area considered for annexation is inside the Urban Growth Boundary.
12. The proposed area for annexation is identified on the comprehensive plan map as Commercial and will be zoned General Commercial once annexed.
13. ORS 222 provides for a means of annexation by election or by action of the governing body. However, as noted above the City is no longer allowed to submit proposals for annexation to the electors of the city for their approval or rejection.
14. There are no areas within the annexation boundary that are identified as wetlands, floodplains, or steep slopes.
15. There are no areas on the site identified or designated in the Comprehensive Plan as open space or as significant scenic, historic or natural resource areas.
16. The annexation will have minimal physical and environmental impacts on the community. A 6,000 square foot manufacturing building is proposed for the future, and the applicant will be required to connect the new and existing building to water and sewer services and pay the System Development Charges for the impact to the system.
17. The annexation will allow a property that fronts existing City utilities to be annexed and developed in accordance with Silverton Development Code standards.
18. That the details of the case are maintained in Case File No. AN-23-01 which is filed in the Planning Department in City Hall and is open for public inspection.