

**BEFORE THE CITY COUNCIL
OF THE CITY OF SALEM, OREGON**

IN THE MATTER OF THE PETITIONER-INITIATED ANNEXATION OF TERRITORY LOCATED AT 4929 AUBURN ROAD NE	))))))	ORDER NO. 2022-5 ANX FINAL ORDER ADOPTING THE FINAL DECISION AND FINDINGS OF COMPLIANCE WITH SRC CHAPTER 260 IN ANNEXATION CASE NO. C-748
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Whereas, on April 11, 2022, after due notice was given, the City Council of the City of Salem held a public hearing to take testimony and evidence on an annexation proposal (the Annexation Proposal), as required by SRC 260.060(a); and

Whereas, after receiving evidence and hearing testimony, and upon consideration of the Staff Report and Recommendation, and being fully advised, the City Council hereby finds that the Annexation Proposal complies with SRC 260.060(c); and

Whereas, the Petitioner has met the annexation petition, application, information submission, fee, waiver and all other requirements for petitioner-initiated annexations including, but not limited to, those found in ORS Chapter 222, SRC Chapter 260, SRC 260.030, SRC 260.035 and SRC 260.040; and

Whereas, a triple majority consent petition for annexation of the Territory (Exhibit A) has been signed and the triple majority requirements of ORS 222.170(1) are satisfied because more than half of 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 have consented in writing to the annexation of their land in the Territory; and

Whereas, the annexation proposal meets the requirements of SRC 260.020(b) as a state-mandated annexation, and is therefore exempt from voter approval; and

Whereas, the Comprehensive Plan designation will remain "Developing Residential" and the zoning designation will be the equivalent zoning that is consistent with the Comprehensive Plan set forth in SRC 260.045 and Table 260-1 of SRC Chapter 260; and

Whereas, the withdrawal of the Territory from Marion County Fire District #1 is in the best interest of the City; and

Whereas, this FINAL ORDER constitutes the final land use decision in the Annexation Proposal and any appeal hereof must be filed with the Oregon Land Use Board of Appeals within 21 days of the date that notice of this decision is mailed to persons with standing to appeal, as provided in SRC 260.060(e).

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF SALEM, OREGON:

Section 1: Proposed Annexation C-748, of the Territory more particularly described in the attached Exhibit B, which is incorporated herein by this reference, satisfies the criteria set forth in SRC 260.060(c) and is hereby approved based on the facts and findings stated in the attached Exhibit C, which is incorporated herein by reference.

Section 2: The 0.31-acre Territory shall, pursuant to SRC 260.045, be designated “Developing Residential” on the City of Salem Comprehensive Plan Map and be zoned Salem Residential Agriculture (RA).

Section 3: The Territory shall be withdrawn from Marion County Fire District #1.

DATED this ____ day of _____, 2022.

ATTEST:

City Recorder
City of Salem

Checked by: P. Cole