

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

<b>IN THE MATTER OF THE PETITIONER-INITIATED ANNEXATION OF TERRITORY LOCATED AT 681 REES HILL ROAD SE</b>	) ) ) ) )	<b>ORDER NO. 2021-3 ANX  FINAL ORDER ADOPTING THE FINAL DECISION AND FINDINGS OF IN ANNEXATION CASE NO. C-739</b>
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**Whereas**, on September 13, 2021, after due notice was given, the City Council of the City of Salem held a public hearing to take testimony and evidence on annexation proposal C-739 (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 of the area of the Territory that lies west of the centerline of the proposed extension of Lone Oak Road SE will not be changed and the zoning designation of the area of the Territory that lies west of the centerline of the proposed extension of Lone Oak Road SE 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**, following the recommendation of the Planning Commission pursuant to SRC 260.045(b), the City Council has determined that the Comprehensive Plan designation of the area of the Territory that lies east of the centerline of the proposed extension of Lone Oak Road SE shall be changed to "Parks, Open Space, and Outdoor Recreation" and the zoning of the area of the Territory that lies east of the centerline of the proposed extension of Lone Oak Road SE shall be changed to City of Salem Public Amusement (PA) zoning; and

**Whereas**, the withdrawal of the Territory from Salem Suburban Rural Fire Protection District 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-739, 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 area of the Territory that lies west of the centerline of the proposed extension of Lone Oak Road SE 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 area of the Territory that lies east of the centerline of the proposed extension of Lone Oak Road SE shall, pursuant to SRC 260.045(b), be designated "Parks, Open Space, and Outdoor Recreation" on the City of Salem Comprehensive Plan Map and be zoned Salem PA (Public Amusement), subject to the following condition:

**Condition 1:** The proposed legal description of the boundary between the PA (Public Amusement) zone and RA (Residential Agriculture) zone, and the corresponding boundary between the "Parks, Open Space, and Outdoor Recreation" Salem Comprehensive Plan Map designation and "Developing Residential" Salem Comprehensive Plan Map designation, shall be submitted to the Planning Administrator for review and approval within one year of the effective date of the annexation or at the time of final approval of public construction plans for the extension of Lone Oak Road SE, whichever is later.

**Section 4:** The Territory shall be withdrawn from Salem Suburban Rural Fire Protection District.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

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City Recorder  
City of Salem

Checked by: P. Cole

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Adopting the Final Decision and Findings of Compliance.docx