Legislation Details (With Text)

File #:	21-189 **Version:** 1		
Type:	Ordinance First Reading	**Status:**	Second Reading
		In control:	City Council
On agenda:	5/10/2021	**Final action:**	
Title:	Petitioner-Initiated Annexation of Territory Located at 3880 Croisan Creek Road South and City Owned Lands - 97302 (Annexation Case No. C-738) Ward(s): 7 Councilor(s): Nordyke Neighborhood(s): SWAN Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Vicinity Map, 2. Ordinance Bill No. 5-21, 3. Exhibit A - Territory Legal Description and Map		

Date	Ver.	Action By	Action	Result
5/10/2021	1	City Council	introduced on first reading	Pass

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

Petitioner-Initiated Annexation of Territory Located at 3880 Croisan Creek Road South and City Owned Lands - 97302 (Annexation Case No. C-738)

Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): SWAN
Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure

ISSUE:

Shall the City Council conduct first reading of Ordinance Bill No. 5-21 annexing, applying City of Salem RA (Residential Agriculture) zoning from Marion County UT-5 (Urban Transition - 5 Acres), withdrawing from Salem Suburban Rural Fire Protection District, and approving annexation for a 2.65 -acre property located at 3880 Croisan Creek Road South and City Owned Lands?

RECOMMENDATION:

Conduct first reading of Ordinance Bill No. 5-21 annexing, applying City of Salem RA (Residential Agriculture) zoning from Marion County UT-5 (Urban Transition - 5 Acres), withdrawing from Salem Suburban Rural Fire Protection District, and approving annexation for a 2.65-acre property located at 3880 Croisan Creek Road South and City Owned Lands.

SUMMARY:

This is a petitioner-initiated annexation of a 2.65-acre territory located at 3880 Croisan Creek Road South (Marion County Assessor Map and Tax Lot 083W05DD02400) and City Owned Lands - 97302 (Marion County Assessor Map 083W05DD and Tax Lots 01900, 02000, 02100, 02200, and 03400 and Marion County Assessor Map and Tax Lot 083W08A000100. A vicinity map is included as Attachment 1.

FACTS AND FINDINGS:

On September 17, 2019, Vadim Latyshevich submitted an annexation application and valid triple-majority annexation petition on behalf of the petitioner and property owner of 3880 Croisan Creek Road S, LVI Custom Construction LLC (Vadim Latyshevich), and paid the filing fee. On September 23, 2019, City Council authorized a sewer service connection to the existing single-family residence on that parcel, which is outside of, and contiguous to, the City limits, conditioned on the property owner filing a complete application for annexation and an annexation agreement and paying all usual and customary fees and service charges. On September 26, 2019, Mr. Latyshevich recorded an annexation agreement. On October 21, 2019, Mr. Latyshevich paid required fees and was issued a permit for a sewer connection and tap. According to Marion County Assessor records, LVI Custom Construction LLC sold the property to Vadim Latyshevich and Inna Latyshevich on February 12, 2020. The annexation agreement runs with the land and requires Vadim Latyshevich and Inna Latyshevich to complete the annexation.

On July 29, 2020, the City Manager submitted a valid triple-majority annexation petition on behalf of the property owner of six adjacent tax lots, the City of Salem.

The facts and findings supporting the annexation, zoning designation, and withdrawal from the district can be found in Ordinance No. 5-21 (Attachment 2).

BACKGROUND:

Council held a public hearing on the petition on April 26, 2021. No testimony in opposition to the annexation was received. Council closed the public hearing, conducted deliberations, and adopted Order No. 2021-2 ANX. Staff mailed notice of the adoption of the order on April 28, 2021. No appeal has been filed.

Pamela Cole
Planner II

Attachments:

1. Vicinity Map
2. Ordinance Bill No. 5-21
3. Exhibit A - Territory Legal Description and Map

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