

NOTICE OF PLANNING COMMISSION DECISION

APPLICANT:	John Lindow
LOCATION:	3601 SE Rice Lane, immediately east of the Amity Elementary School fields.
TAX LOT:	Township 5 South; Range 4 West; Section 20; Tax Lot 2000.
PARCEL SIZE:	3.28 acres.
CURRENT ZONING:	Residential (County)
PROPOSED ZONING:	Medium Density Residential: R-2 (City).
REQUEST:	Annex the subject property to the City of Amity with a Medium Density City Zoning.
CRITERIA:	Amity Development Code; Section 3.11(Annexations).

DECISION:

The Amity Planning Commission adopted the findings of fact as provided for in the attached Staff Report and recommended that the City Council approve annexing the subject property.

City Administrator:

Justin Hogue

Date of Decision:

May 1, 2017

Accepted by Yamhill County
Board of Commissioners on

5-23-17 by Board Order
17-174

STAFF REPORT

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Background: In 2011 the City of Amity completed its Urban Growth Boundary (UGB) expansion that incorporated the subject property into the City's UGB. Based on the findings of that study the housing type chart, Table 4.3, showed that the City has relative deficiency of the various low, medium, and high density residential lands. It was determined that the subject property (north of Rice Lane) be given a comprehensive plan designation of Medium Density Residential. The property owner is now requesting the subject property be annexed to the City of Amity.

ANNEXATION CRITERIA AND FINDINGS

3.111.01 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 City's Urban Growth Boundary and contiguous to the City or separated from it by a stream or right-of-way only.

FINDINGS: The subject property is within the City's Urban Growth Boundary and contiguous to the city limits, which is immediately adjacent to the west property line of the subject property.

3.111.02 General Annexation Procedure

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

FINDINGS: The hearing date and notice have been established pursuant to the notice requirements for a Type III application.

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. Promote an orderly, timely and economical transition of rural and agricultural lands into urbanized lands;**

FINDINGS: The subject property is within the UGB and adjacent to the City limits. The existing uses surrounding the subject property include the elementary school play fields to the west; residential and farm operations to the south; and rural residential/resource uses to the north and east.

- 2. Relate to areas with natural hazards;**

FINDINGS: The subject property is fairly steep and is not within a natural hazards area. However, any issues associated with such can be addressed as part of the subdivision and building permit process.

- 3. Protect open spaces and scenic views and areas;**

FINDINGS: The subject property is not part of open space or scenic view shed. and this criterion does not apply.

- 4. Provide for transportation needs in a safe, orderly and economic manner;**

FINDINGS: The subject property abuts SE Rice Lane, which is a designated collector in the City's transportation plan. The street improvements do not conform to the City specifications and may be required as part of the future land use hearings for residential development.

- 5. Provide for an orderly and efficient arrangement of public services;**

FINDINGS: The annexation of land will not disrupt the orderly and efficient arrangements of public services such water, sewer and streets. Public services will be determined once a development permit for the property has been requested. The City has conducted a preliminary analysis indicating the property can be served. Actual required public improvements can then be developed as required in an orderly and efficient manner.

- 6. Effect on identified historical sites and structures and provide for the preservation of such sites and structures;**

FINDINGS: The subject property does not affect any identified historical sites or structures.

7. Improve and enhance the economy of the City; and

FINDINGS: The annexation has been requested for the purpose of constructing new residences. This development will support and enhance the local economy through the short-term increase in building activities and long term utility and property tax revenues.

8. Provide quality, safe housing through a variety of housing types and price ranges.

FINDINGS: The annexation request is to allow for a variety of new residential development as allowed within the R-2 Zone.

CONCLUSION: BASED ON THE FINDINGS THE ANNEXATION IS FOUND TO COMPLY WITH THE CITY'S COMPREHENSIVE PLAN AND THE REQUIRED CRITERIA FOR ANNEXATION.

3.111.04 Annexation Procedure Without City Election:

FINDINGS: No election is required and the Council may elect to dispense with any such election and approve the annexation by ordinance, subject to the notice and hearing requirements.

3.111.05 Annexation Procedure with Election in Proposed Territory

FINDINGS: There are no electorates residing on the subject property and the owner has submitted the request for annexation.

3.111.06 Island Annexation

FINDINGS: This is not an island annexation and this criterion is not applicable.

3.111.09 Zone Designation of Annexed Property. The City Council shall establish the appropriate zoning, in conformance to the comprehensive plan, upon annexation of property to the City.

The property is planned for Medium Density Residential and the City's zoning must reflect this plan designation. A zone designation of the Medium Density Residential (R-2) would be appropriate.

CONCLUSION AND RECOMMENDATION

Staff finds the proposal complies with the decision criteria and suggests the Planning Commission recommend approval of the annexation to the City Council with a City zone designation of Medium Density Residential (R-2).

Proposed Motion:

I move to adopt the findings as presented in the staff report (*or amended as part of the hearing*) and recommend the City Council approve annexing the subject property as presented in the application.

CITY OF AMITY
109 Maddox Avenue
Amity, Oregon 97101

Phone: 503-835-3711
Fax: 503-835-3780

ANNEXATION APPLICATION

I. BACKGROUND INFORMATION

- (A) Applicant/Owner: John A. Lindow Phone: 971-241-9051
- (B) Address: 3601 SE Rice Lane, Amity, OR 97101
- (C) Property Address: 3601 SE Rice Lane, Amity, OR 97101
- (D) Township; Range; Section; Tax Lot: Section 20, T.5S, R.4W, W.M., TL 2000
- (E) Zone: EF-80 (F) Parcel Size: 143,009 SQ. FT.
- (G) Existing Use/Structures: Vacant Lot
- (H) Application Proposal: Potential future subdivision of proposed annexed lands
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II. REVIEW CRITERIA

Section 3.111.02.B., of the Amity Zoning and Development Code, establishes findings that must be addressed before granting approval of an Annexation. ***The applicant must provide a written response to the following:***

Section 3.111.02.B.

1. Promote an orderly, timely and economical transition of rural and agricultural lands into urbanized lands;
2. Relate to areas with natural hazards;
3. Protect open spaces and scenic views and areas;
4. Provide for transportation needs in a safe, orderly and economic manner;
5. Provide for an orderly and efficient arrangement of public services;
6. Affect identified historical sites and structures and provide for the preservation of such sites and structures;

- 7. Improve and enhance the economy of the City; and
- 8. Provide quality, safe housing through a variety of housing types and price ranges.

III. APPLICATION REQUIREMENTS

- (A) X Completed and signed application form.
- (B) X Written response to the criteria in item II., above.
- (C) X FIVE copies of the site plan drawn to scale. The site plan must include the following information (where applicable): existing and proposed structures, driveways, parking, landscaping, and significant natural features.
- (D) X Names and addresses of all the property owners within 150 feet of the boundaries of the property. This list must be provided by a Title Company or the Yamhill County Assessor.
- (E) X Copy of the latest deed, sales contract, or title report indicating property ownership.

IV. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE REVIEW PROCESS.

John A. Lindero 3-25-17
 Applicant/Owner Date

 Applicant/Owner Date

FOR OFFICE USE ONLY		
Submittal Date: _____	Fee: _____	Received by: _____
Application Type: _____	Completeness: _____	120 Day: _____
Staff Report: _____	Commission Hearing: _____	Council Hearing: _____