

Annexation Information & Submittal Requirements



Planning Department
231 NE Fifth Street ◦ McMinnville, OR 97128
(503) 434-7311 Office ◦ (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Overview

Annexation is the first step in converting rural unincorporated areas to urban densities and City standards, and is the means by which property owners can join the City of McMinnville, receive City services, and vote in City elections. Usually, developing land to more intensive use or higher density, or access to one or more major urban services are the reasons residents and property owners outside the City consider annexation. A petition to annex to the City of McMinnville may be initiated by a property owner of the land to be annexed, or by the City. The land must be contiguous to the city limits and located inside the McMinnville urban growth boundary.

On May 21, 1996, the voters of the City of McMinnville passed a ballot measure amending the City's Charter and requiring voter approval of annexation requests. As such, unless otherwise mandated by state law, annexations must be approved by a majority vote of the City's electorate. Given the complexity of the process, it is imperative that the applicant contact the Planning Department staff as the first step in the annexation process.

In addition to the material found in this information packet, the following will assist in the application process when considering the timeline for an annexation request.

- A. An application for an annexation must be approved by the Planning Commission and City Council prior to placement on the ballot.
- B. Annexation requests are subject to voter approval at either the May or November elections.
- C. For an annexation request to be placed on the May ballot, a complete application must be received in the Planning Department office no later than 5:00 p.m. on the second Thursday of the November prior. For an annexation request to be placed on the November ballot, a complete application must be received no later than 5:00 p.m. the second Thursday of the May prior. Most all annexation requests that have received final approval from the City Council will be referred to the voters at the next available election. However, should an appeal be filed the annexation measure may have to be rescheduled to a subsequent election date.

The applicant is responsible for all costs incurred by the City in processing the application, including election costs, with the following exceptions:

If there are other City items in the same election, the applicant shall be responsible for a pro-rata portion of any shared costs.

If the election is concurrent with the May primary or November general election of any even-numbered year, the applicant is not responsible for any election costs.

Submittal Requirements

The following materials must be provided at the time of submittal, or the application will not be accepted for processing.

- A completed Annexation application form.
- Written consent petition to the annexation, signed by the requisite number of affected property owners, electors, or both to conduct an election within the area to be annexed, as provided by state law.
- Legal description (a closing metes and bounds description) of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.
- Vicinity map of the area to be annexed including adjacent City territory.
- A general land use site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, open spaces, and adjoining development. If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal.
- Statement of overall development concept and methods by which the physical and related social environment of the site, surrounding area, and community will be enhanced.
- If uses other than those permitted by the existing comprehensive plan are proposed, application must then be accompanied by a comprehensive plan map amendment and zone change application.
- Payment of applicable review fee.

Review Process

The Planning Commission will hold at least one public hearing on the annexation request. Public notice of this hearing will be provided by the City to all property owners within 300 feet of the proposed annexation at least 20 days prior to the hearing, and published in the *News Register* at least five days prior to the hearing. Following the close of the hearing, the Commission will forward a recommendation to the City Council to approve the annexation request and submit it to the voters at the next available election, or deny the request.

If the vote of the Commission is for denial, no further proceedings shall occur unless the decision is appealed to the City Council. If the Commission's recommendation is for approval, the Council will review the record of the Commission hearing and vote to approve the annexation and set the matter for election, or call for their own public hearing. If the annexation request is approved by the Council, staff would work with the Yamhill County Clerk to place the measure on the next available election.

As provided in the [McMinnville Annexation Ordinance \(No. 4636\)](#), the following conditions or policies must be met prior to or concurrent with the City processing of an annexation request. The burden for providing the findings for these conditions or policies is placed upon the applicant.

- A. The proposed use for the site complies with the McMinnville Comprehensive Plan Volume II (Goals and Policies) and with the designation on the McMinnville Comprehensive Plan Map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with Volume II (Goals and Policies).
- B. An adequate level of urban services must be available, or made available, within three years' time of annexation. An adequate level of urban services shall be defined as:
 - 1. Municipal sanitary sewer and water service meeting the requirements enumerated in Volume II (Goals and Policies) for provision of these services.
 - 2. Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the City shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The City shall also consider public costs for improvement and the ability of the City to provide for those costs.
- C. Findings documenting the availability of police, fire, and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

For further information regarding McMinnville's annexation process, please contact the Planning Department.



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Office Use Only:

File No. _____

Date Received _____

Fee _____

Receipt No. _____

Received by _____

Annexation Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name _____ Phone _____

Contact Name _____ Phone _____
(If different than above)

Address _____

City, State, Zip _____

Contact Email _____

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address _____

Assessor Map No. R4 - - Total Site Area _____

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation _____ Zoning Designation _____

Petition for Annexation to the City of McMinnville, Oregon

To: The Council of the City of McMinnville, Oregon

We, the undersigned property owners of the area described below, hereby petition for, and give our consent to annexation of the area described herein to the City of McMinnville.

The property to be annexed is described in full in the attached document "Legal Description of Property."

Owner Address

Owner Name (printed)

Owner Signature

Owner Address

Owner Name (printed)

Owner Signature

Owner Address

Owner Name (printed)

Owner Signature

Owner Address

Owner Name (printed)

Owner Signature

Owner Address

Owner Name (printed)

Owner Signature

Annexation Data Sheet

Existing Conditions of Property Described in the Annexation Request

1. General description of property (including features such as slopes, vegetation, drainage basins, and flood plain areas): _____

2. Existing land use (number, type and square footage of residential, commercial, industrial, and/or public facility structures situated within subject site): _____

3. Total Current Estimated Population: _____
4. Current county zoning (if territory contains more than one zone, please indicate tax lot numbers and existing zoning designations for those tax lots): _____

Proposed Development of Property Described in the Annexation Request

1. If the property is either entirely or substantially undeveloped, what are the plans for future development? (Be specific – if site or development plans have been prepared, please submit copies.) _____

2. Can the proposed development be achieved under current Yamhill County zoning regulations?
 Yes No
If no, has a zone change been sought from the county for the property under consideration?
 Yes No
If yes, please describe the outcome of the zone change request. _____

If no, why? _____
3. Is the proposed development compatible with the City's Comprehensive Land Use Plan for the area?
 Yes No
If yes, please explain: _____

Existing Governmental Services

1. If the property described in the proposal is presently included within the boundaries of any of the following types of governmental units, please so indicate stating the name(s) of the governmental units involved:

Rural Fire District _____

Sanitary District _____

Water District _____

2. If any of the above units are presently servicing the property (for instance, are residences in the territory hooked up to a public sewer or water system), please describe. _____

In addition to this completed application, the applicant must provide the following:

- Written consent petition to the annexation, signed by the requisite number of affected property owners, electors, or both to conduct an election within the area to be annexed, as provided by law.*
- Legal description (a closing metes and bounds description) of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.*
- Vicinity map of the area to be annexed including adjacent City territory.*
- A general land use site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating types and intensities of proposed development, transportation corridors, watercourses, significant natural features, open spaces, and adjoining development. If of a larger size, provide five (5) copies in addition to **an electronic copy** with the submittal.*
- Statement of overall development concept and methods by which the physical and related social environment of the site, surrounding area, and community will be enhanced.*
- If uses other than those permitted by the existing comprehensive plan are proposed, application must then be accompanied by a comprehensive plan map amendment and zone change application.*
- Payment of the applicable review fee, which can be found on the Planning Department web page.*

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Applicant's Signature

Date

Property Owner's Signature

Date