



# EXPEDITED ANNEXATION APPLICATION INSTRUCTIONS

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## PROCESS

### STEP 1: PREAPPLICATION MEETING

A preapplication meeting is required prior to the submission of an expedited annexation application. Please call 503-786-7600 for assistance. All required materials and fees must be submitted at the time of scheduling.

### STEP 2: ANNEXATION PETITION

100% of the property owners and at least 50% of the registered voters, if any, within the territory to be annexed must consent to the proposed annexation by signing the Annexation Petition. If ownership is in question, a title report may be required.

### STEP 3: COUNTY CERTIFICATION

An annexation petition must be accompanied by the following three County-certified documents:

- Certification of Property Ownership
- Certification of Legal Description and Map: *This document must be accompanied by the legal description for the territory and two full-size certified quarter section tax maps*
- Certification of Registered Voters

The County Assessor certifies all the documents listed in the first two bullets. The County Elections Department certifies the document in the last bullet. If no registered voters reside in the territory to be annexed, the Certification of Registered Voters document still needs to be certified and submitted with the annexation petition.

### STEP 4: ANNEXATION APPLICATION

The Application section on the next page describes the various documents that need to be submitted with an expedited annexation application. Applications are processed by the City's Planning Department at 6101 SE Johnson Creek Boulevard in Milwaukie. Please call 503-786-7630 for assistance. The expedited annexation application fee must be paid, and the required number of copies must be provided, at the time of application submission.

### STEP 5: ANNEXATION DECISION

An expedited annexation is not a land use action and does not require a public hearing. Expedited annexation petitions are decided by City Council at their regularly scheduled semimonthly meetings.

### STEP 6: POSTDECISION NOTIFICATION AND FILING

If approved by City Council, the City's zoning and land use designation are automatically applied according to the table on page 3, Zoning and Land Use Designations for Boundary Changes. The annexation is not effective, however, until it is filed with the Secretary of State. The City, Metro, and the State work together to notify all affected agencies, providers, and individuals.

## APPLICATION

An expedited annexation application includes the following documents. Check with the Planning Department for the number of copies you will need to submit. Documents marked with an asterisk (\*) are attached.

Document	Notes (where applicable)
1. City of Milwaukie Expedited Annexation Application*	
2. Annexation petition*	
3. Vicinity map(s)	The vicinity map(s) should show that the territory to be annexed is contiguous to the existing City limits.
4. Two <u>full-size</u> County Assessor quarter section maps	Full-size maps can be purchased from the County Assessor. The territory to be annexed should be outlined in red on both maps.
5. One <u>reduced</u> County Assessor quarter section map	The reduced map should be 8.5" x 11" in size, and the territory to be annexed should be outlined in red.
6. Metes and bounds legal description	This description should be inserted in, or attached to, the Annexation Petition. A lot, block, and subdivision description may be submitted in lieu of the metes and bounds description if the area is platted and this is acceptable to the County Assessor. If the legal description contains any deed or book and page references, legible copies of these documents must be submitted with the legal description.
7. Clackamas County certification: a. Property ownership* b. Legal description and map* c. Registered voters*	
8. List of current and proposed urban service provider districts (including addresses)	District-based service providers include, but are not limited to, providers of sanitary sewer, water, fire protection, law enforcement, parks and recreation, and transit. This information can be obtained from the County Assessor's Rate Book at their office or online (by referencing the tax code associated with the territory to be annexed).
9. List of current urban service provider franchises (including addresses)	Franchise-based service providers include, but are not limited to, providers of cable, natural gas, electricity, telecommunications, and garbage collection.
10. Notice list*	This list should contain all property owners and all registered voters in the territory to be annexed, including those that have not signed the Annexation Petition.
11. Code section narrative	A list of all applicable code sections is provided on the next page. The actual code language that needs to be addressed is provided on the last page of this packet.
12. Census form*	This should be attached to the Annexation Petition.

## CODE SECTIONS

The following list identifies all applicable code sections that must be addressed in the annexation application narrative. All applicable Milwaukie Municipal Code (MMC), Metro Code, and Milwaukie Comprehensive Plan (MCP) sections are available upon request. Please check with City staff for guidance on how to address a specific code or policy section.

- MMC Section 19.1104.1.A.5
- MMC Section 19.1102.3.A–F
- Metro Code Section 3.09.050(d)
- MCP Chapter 6

## ZONING AND LAND USE DESIGNATIONS

Please consult with the City's Planning Department if you have any questions about the allowed uses or development standards that are associated with the zoning designation that would be applied to the annexation property through the expedited annexation process. It is possible, for example, that upon annexation, existing uses or structures may not conform to the City's development code. Nonconforming uses and structures are allowed to continue and be maintained in reasonable repair but are not allowed to undergo alteration or extension without staff or Planning Commission review and approval. Uses or structures that were not legally established in the County are not made legal upon annexation to the City.

from Table 19.1104.1.E Zoning and Land Use Designations for Boundary Changes		
Existing County Zoning Designation	Assigned City Zoning Designation	Assigned City Land Use Designation
R-20	R-10	Low density residential
R-15	R-10	Low density residential
R-10	R-10	Low density residential
R-8.5	R-7	Low density residential
R-7	R-7	Low density residential
MR1	R-5	Moderate density residential
MR2	R-2	Medium density residential
PMD	R-1-B	High density residential
HDR	R-1-B	High density residential
SHD	R-1	High density residential
C2	R-O-C	Commercial/high density use
C3	C-G	Commercial
OC	C-L	Commercial
RTL	C-L	Commercial
PC	C-CS	Commercial
I2	M	Industrial
I3	M	Industrial
BP	BI	Industrial
OSM	R-10/CSU	Public

**PLANNING DEPARTMENT**

6101 SE Johnson Creek Blvd  
Milwaukie OR 97206

PHONE: 503-786-7630

FAX: 503-774-8236

E-MAIL: [planning@milwaukieoregon.gov](mailto:planning@milwaukieoregon.gov)

WEB: [www.milwaukieoregon.gov](http://www.milwaukieoregon.gov)

# Expedited Annexation Application

**RESPONSIBLE PARTIES:**

File #: \_\_\_\_\_

**APPLICANT** (owner or other eligible applicant):

Mailing address:

Zip:

Phone(s):

E-mail:

**APPLICANT'S REPRESENTATIVE** (if different than above):

Mailing address:

Zip:

Phone(s):

E-mail:

**SITE INFORMATION:**

Address(es):

Map & Tax Lot(s):

Property size:

Existing County zoning:

Proposed City zoning:

Existing County land use designation:

Proposed City land use designation:

**PROPOSAL (describe briefly):****LIST OF ALL CURRENT UTILITY PROVIDERS:**

Check all that apply (do not list water or sewer service providers)

**Cable, internet, and/or phone:** ☐ Comcast ☐ CenturyLink (formerly Qwest)

**Energy:** ☐ PGE ☐ NW Natural Gas

**Garbage hauler:** ☐ Waste Management ☐ Mel Deines ☐ Hoodview Disposal and Recycling  
☐ Wichita Sanitary ☐ Oak Grove Disposal ☐ Clackamas Garbage

☐ Other (please list):

**SIGNATURE:**

**ATTEST:** I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. I have attached all owners' and voters' authorizations to submit this application. I understand that uses or structures that were not legally established in the County are not made legal upon annexation to the City. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by:

Date:

**CONTINUED ON REVERSE**

**THIS SECTION FOR OFFICE USE ONLY:**

<b>File #:</b>	<b>Fee: \$</b>	<b>Receipt #:</b>	<b>Rcd. by:</b>	<b>Date stamp:</b>
<b>Associated application file #'s:</b>				
<b>Neighborhood District Association(s):</b>				
<b>Notes</b> (include discount if any):				

**EXPEDITED ANNEXATION  
PETITION OF OWNERS OF 100% OF LAND AREA  
AND PETITION OF AT LEAST 50% OF REGISTERED VOTERS**

**TO: The Council of the City of Milwaukie, Oregon**

**RE: Petition for Annexation to the City of Milwaukie, Oregon**

We, the petitioners (listed on reverse), are property owners of and/or registered voters in the territory described below. We hereby petition for, and give our consent to, annexation of this territory to the City of Milwaukie.

This petition includes a request for the City to assign a zoning and land use designation to the territory that is based on the territory's current zoning designation in the County, pursuant to the City's expedited annexation process.

The territory to be annexed is described as follows:

***(Insert legal description below OR attach it as Exhibit "A")***

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

# PETITION SIGNERS

NOTE: This petition may be signed by qualified persons even though they may not know their property description or voter precinct number.

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

SIGNATURE	PRINTED NAME	I AM A:*			DATE
		PO	RV	OV	
PROPERTY ADDRESS	PROPERTY DESCRIPTION				VOTER PRECINCT #
	TOWNSHIP	RANGE	¼ SEC.	LOT #(S)	

\*PO = Property Owner    RV = Registered Voter    OV = Owner and Registered Voter

## **CERTIFICATION OF PROPERTY OWNERSHIP OF 100% OF LAND AREA**

I hereby certify that the attached petition contains the names of the owners<sup>1</sup> (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

**Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Department** \_\_\_\_\_

**County of** \_\_\_\_\_

**Date** \_\_\_\_\_

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<sup>1</sup> Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.



## **CERTIFICATION OF LEGAL DESCRIPTION AND MAP**

I hereby certify that the description of the territory included within the attached petition (located on Assessor's Map \_\_\_\_\_) has been checked by me. It is a true and exact description of the territory under consideration and corresponds to the attached map indicating the territory under consideration.

**Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Department** \_\_\_\_\_

**County of** \_\_\_\_\_

**Date** \_\_\_\_\_

## **CERTIFICATION OF REGISTERED VOTERS**

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.

**Name** \_\_\_\_\_

**Title** \_\_\_\_\_

**Department** \_\_\_\_\_

**County of** \_\_\_\_\_

**Date** \_\_\_\_\_

# NOTICE LIST

(This form is NOT the petition)

**LIST THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS AND REGISTERED VOTERS IN THE TERRITORY PROPOSED FOR ANNEXATION.**

	Name of Owner/Voter	Mailing Street Address	Property Address
		Mailing City/State/Zip	Property Description (township, range, ¼ section, and tax lot)
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Name of Owner/Voter	Mailing Street Address	Property Address
	Mailing City/State/Zip	Property Description <small>(township, range, ¼ section, and tax lot)</small>
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		

# CONFIDENTIAL

## Census Form

Date \_\_\_\_\_

Use one form per housing unit

CITY OF MILWAUKIE, OREGON

ADDRESS \_\_\_\_\_

### HOUSING TYPE:

Single Unit Structure ☐

Multiple Unit Structure ☐

Trailer or Mobile Home ☐

### TENURE:

Owner Occupied ☐

Renter Occupied ☐

Vacant ☐

Seasonal ☐

### RESIDENTS:

Last Name

First Name

Respondent \_\_\_\_\_

2) \_\_\_\_\_

3) \_\_\_\_\_

4) \_\_\_\_\_

5) \_\_\_\_\_

6) \_\_\_\_\_

7) \_\_\_\_\_

8) \_\_\_\_\_

9) \_\_\_\_\_

10) \_\_\_\_\_

POPULATION RESEARCH CENTER

**PORTLAND STATE  
UNIVERSITY**

(503) 725-3922

# EXPEDITED ANNEXATION CODE EXCERPTS

## MILWAUKIE MUNICIPAL CODE SECTIONS

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### 19.1104.1 Expedited Process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
- 5. Approval criteria for annexations are found in subsection 19.1102.3.

**19.1102.3 Annexation Approval Criteria.** The city council shall approve or deny an annexation proposal based on findings and conclusions addressing the following criteria.

- A. The subject site must be located within the city urban growth boundary;
- B. The subject site must be contiguous to the existing city limits;
- C. The requirements of the Oregon Revised Statutes for initiation of the annexation process must be met;
- D. The proposal must be consistent with Milwaukie comprehensive plan policies;
- E. The proposal must comply with the criteria of Metro Code Sections 3.09.050(d) and, if applicable, (e).
- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

## METRO CODE SECTIONS

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### 3.09.050 Hearing & Decision Requirements for Decisions Other Than Expedited Decisions.

- (d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of Section 3.09.045.

## MILWAUKIE COMPREHENSIVE PLAN

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### Chapter 6: City Growth and Governmental Relationships; City Growth Element

Goal Statement: To identify the City's future planning and service area, establish the respective responsibilities for reviewing and coordinating land use regulations and actions within the area, and determine the most cost-effective means to provide the full range of urban services within the area.