

**CITY OF FLORENCE
ORDINANCE NO. 1, SERIES 2017**

AN ORDINANCE APPROVING ANNEXATION OF 4636 HECETA BEACH ROAD AND ABUTTING HECETA BEACH ROAD, MAP REFERENCE 18-12-04-00 TAX LOT 00103.

RECITALS:

1. The City of Florence was petitioned by the property owners, Daniel & Sheryll Loftin on October 28, 2016 as required by Oregon Revised Statutes (ORS) 222.111(2) and Florence City Code (FCC) 10-1-1-4.
2. The City Council of the City of Florence is authorized by Oregon Revised Statutes (ORS) Chapter 222 to accept, process, and act on annexations to the City.
3. The territory proposed to be annexed is within the Florence Urban Growth Boundary of the Florence Realization 2020 Comprehensive Plan and is contiguous to the City limits as required by ORS 222.111 (1).
4. ORS 222.170 (2) requires that annexations be initiated by owners of more than half the land and the consent of the majority of electors residing on the affected properties.
5. Signed petitions to annex were received from 100% of property owners of the lots included in the petition for annexation and 100% of the electors.
6. The City of Florence is not including additional lands to be annexed inside the city limits as provided under triple majority annexation, though the three conditions for a triple majority annexation have been met: more than half of the owners of land in the territory consent in writing to the annexation, the owners consenting to annex own more than half of the land in the contiguous territory, and the owners consenting to annex represent more than half of the assessed value of property in the territory. Only the lands described as part of Exhibits A and B will be annexed into the City of Florence.
7. The Planning Commission met in a public hearing on January 24, 2017 after giving the required notice per FCC 10-1-1-5 to consider the proposal, evidence in the record and testimony received.
8. The Planning Commission determined, after review of the proposal, testimony and evidence in the record, that the proposal was consistent with Realization 2020, the city's acknowledged Comprehensive Plan and adopted findings of fact in support of the annexation.
9. The City Council met on February 6, 2017 after giving the required notice per FCC 10-1-1-5, to consider the proposal, evidence in the record, and testimony received.
10. The City Council on February 6, 2017 found that the request met the applicable criteria and that the property could adequately be served.

11. Per FCC 10-1-2-3, the City Council may establish zoning and land use regulations that become effective on the date of the annexation and the City Council adopted Ordinance No. 4, Series 2017 zoning the annexed property to Neighborhood Commercial District, consistent with the Florence Realization 2020 Comprehensive Plan text and map and the Florence Zoning Code.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE ORDAINS AS FOLLOWS:

1. The City of Florence approves the annexation of territory owned by the petitioners into the City of Florence as described in Exhibits A and B.
2. This annexation is based on the Findings of Fact in Exhibit C and evidence in the record.
3. The City Recorder is hereby directed to file certified copies of this Ordinance with the Oregon Secretary of State's Office consistent with the requirements of that office 90 days prior to the general election in order for the annexation to be effective upon filing pursuant to ORS 222.040(1) and 222.180(1).
4. The City Recorder is also hereby directed to file certified copies of this Ordinance with the Lane County Assessment and Taxation Office, Lane County Chief Deputy Clerk and Oregon Department of Revenue pursuant to state law.

ADOPTION:

First Reading on the 6th day of February 2017.

Second Reading on the 6th day of February 2017.

This Ordinance is passed and adopted on the 6th day of February, 2017.

AYES	5	Councilors Greene, Preisler, Lacer, Lyddon and Mayor Henry
NAYS	0	
ABSTAIN	0	
ABSENT	0	



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder