



**August 2023 Planning Commission Meeting  
Agenda Item No. 3**

**Annexation Code Language  
(NEW) GMC Chapter 17.81**



### New GMC chapter re annexation

#### Chapter 17.81 Annexation

##### 17.81.010 Purpose

This chapter implements state and local laws, including ORS Chapter 222 and Metro Code Chapter 3.09, regarding the annexation of property into the City of Gladstone. It is intended to facilitate efficient urban and economic development opportunities by transferring jurisdiction over property within the Metro urban growth boundary from Clackamas County to the City of Gladstone. It also implements city-specific policies regarding annexation.

##### 17.81.020 Annexation Proposal

- (1) Only owners of real property in the territory to be annexed, or the Gladstone City Council, may initiate an annexation. A property owner must file an application with the city to initiate an annexation and pay the associated fee. State law refers to the application as a "petition" for annexation. The city council may initiate an annexation by simply approving a motion during a public meeting.
- (2) If the city agrees to provide utility services (e.g. water or sewer service) to a property outside the city limits, the property owner must annex into the city. If, at the time the city agrees to provide utility services, the property is not contiguous to the city, then the property owner must enter into an annexation contract with the city in accordance with ORS 222.115.

##### 17.81.030 Petition

- (1) Prior to filing a petition for annexation, a property owner must schedule and attend a preapplication conference with the city. At that time, the city will review the annexation process with the property owner and identify the applicable requirements, including applicable forms and fees. The city manager may waive this requirement on a case-by-case basis. Annexations that the city council may initiate are exempt from the preapplication conference requirement.
- (2) Except as state law may otherwise permit, petitions for annexation must relate to territory located within the Metro urban growth boundary.
- (3) A petition must be filed on a form provided by the city, be accompanied by the applicable fee, and include the following:
  - (a) The information required by Metro Code 3.09.040;
  - (b) A narrative addressing the approval criteria of this chapter, the criteria in Metro Code 3.09.045(D), and if applicable, 3.09.045(E);
  - (c) A copy of an assessor's map clearly showing the territory proposed for annexation and the existing boundary of the city near the territory;
  - (d) A legal description of the territory, which must be in the form of a metes and bounds description unless the territory was the product of a subdivision or partition, in which case it may be described by lot and block;

Gladstone  
Annexation and related amendments to Title 17

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## Proposal:

- City staff propose a new chapter to the Gladstone Municipal Code: GMC Chapter 17.81- Annexation.
- The proposed code chapter establishes the process to petition annexation to the city, approval criteria and the administration and approval process.

## Background:

- The City of Gladstone does not currently have language in the Municipal Code pertaining to annexation requests.
- In recent years, several landowners adjacent to Gladstone's municipal boundary have expressed interest in the annexation process for the city.
- In June, the city council discussed issues around annexation and directed staff to prepare amendments to the code.

## **The proposed text amendment is consistent with:**

- Oregon Statewide Planning Goals
- Gladstone Municipal Code
- Metro's Functional Plan
- The Transportation Planning Rule

Findings are in the submitted staff report, which has also been submitted to DLCD.

# RECOMMENDATION

The Gladstone Planning Staff recommend that the Planning Commission recommend approval of the proposed text amendment to the City Council for a public hearing at their meeting on September 12, 2023.