



ORDINANCE NO. 5979

AN ORDINANCE PROCLAIMING ANNEXATION OF A PROPERTY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-29 AS TAX LOT 501; AND AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP BY AMENDING THE ALBANY ZONING MAP AND ADOPTING FINDINGS OF FACT AND CONCLUSIONS.

WHEREAS, on January 26, 2022, the Albany Community Development Department received an application for annexation with concurrent zoning map amendment for a 22-acre parcel located west of 1252 Ellingson Road SE (Planning Files AN-01-22 and ZC-01-22); and

WHEREAS, the application for zoning map amendment would assign a Single-Family Residential (RS-5) zone and Residential Medium Density (RM) zone to this property, concurrent with annexation. Prior to annexation, the property was subject to Linn County zoning and related development requirements. The Albany RS-5 zone has an average minimum lot size of 5,000 square feet and the RM zone has an average minimum lot size of 3,500 square feet; and

WHEREAS, on May 2, 2022, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed annexation with zoning map amendment, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, the analysis and findings of fact and conclusions as provided in the staff report dated April 25, 2022, are presented as an attachment to this ordinance as Exhibit C; and

WHEREAS, on May 25, 2022, the Albany City Council held a public hearing on the proposal, reviewed the findings of fact and conclusions of the staff report and testimony presented at the public hearing, and then deliberated.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The territory shown on the map in Exhibit A and described in Exhibit B of this ordinance is hereby proclaimed to be annexed to the City of Albany.

Section 2: The zoning district map is hereby amended to the RS-5 zoning district and the RM zoning district for the property located in the City of Albany, Linn County, Oregon, as shown on the map in Exhibit A and described in Exhibit B of this ordinance.

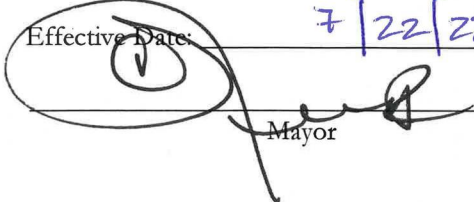
Section 3: The findings of fact and conclusions included in the staff report dated April 25, 2022, in Exhibit C of this ordinance, are hereby adopted in support of the decision.

Section 4: A copy of this ordinance shall be filed in the Office of the City Clerk of the City of Albany and these changes shall be made on the official City of Albany zoning map.

Passed by the Council: 6/22/22

Approved by the Mayor: 6/22/22

Effective Date: 7/22/22



Mayor

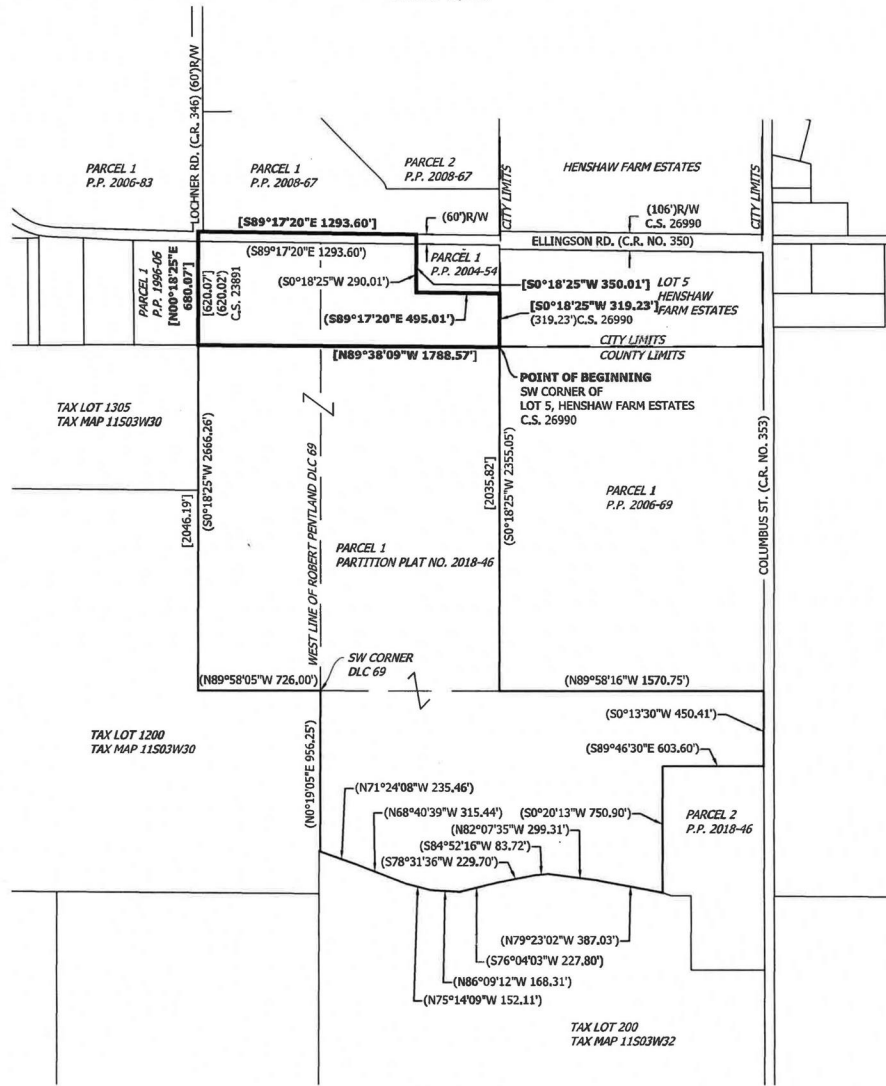
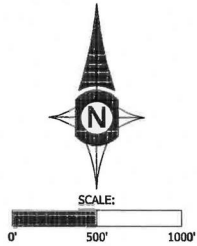
ATTEST:



City Clerk



ANNEXATION MAP
 AT THE REQUEST OF
 CITY OF ALBANY
 A PORTION IN THE ROBERT PENTLAND, DLC 69
 IN THE NORTHEAST 1/4 OF SEC. 30 AND NORTHWEST 1/4 OF SEC. 29,
 OF T. 11 S., R. 3 W., W.M.
 CITY OF ALBANY, LINN COUNTY, OREGON
 JANUARY 18, 2022



LEGEND:

- () DATA OF RECORD PER C.S. 26485 OR AS NOTED
- [] CALCULATED DATA
- C.S. COUNTY SURVEY
- P.P. PARTITION PLAT
- ANNEXATION AREA 23.73 ± ACRES

REFERENCE SURVEY: C.S. 26485 (PARTITION PLAT NO. 2018-46), C.S. 26990 (HENSHAW FARM ESTATES), C.S. 23891 (PARTITION PLAT NO. 2004-54).



Udell
 ENGINEERING & LAND
 SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OR 97355
 PH. (541) 451-5125
 FAX (541) 451-1366
 21-207 GROSS ANNEX GSR

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Kyle W Latimer
 2022.01.24 16:24:15 -08'00'

OREGON
 JUNE 12, 2013
 KYLE W. LATIMER
 #80442
 EXPIRES 12-31-2022

ANNEXATION to CITY OF ALBANY

AN AREA LOCATED IN THE NORTHEAST QUARTER OF SECTION 30 AND NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF PARCEL 1, PARTITION PLAT NO. 2018-46 BEING THE SOUTHWEST CORNER OF LOT 5, HENSHAW FARM ESTATES, CITY OF ALBANY, LINN COUNTY, OREGON; THENCE LEAVING SAID EAST LINE NORTH 89°38'09" WEST 1788.57 FEET TO A POINT ON THE WEST LINE OF SAID PARCEL 1, BEING THE SOUTHEAST CORNER OF PARCEL 1, PARTITION PLAT NO. 1996-06; THENCE ALONG SAID WEST LINE NORTH 0°18'25" EAST 680.07 FEET TO THE NORTH RIGHT OF WAY OF ELLINGSON RD. (C.R. NO. 350); THENCE ALONG SAID NORTH RIGHT OF WAY SOUTH 89°17'20" EAST 1293.60 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 0°18'25" WEST 350.01 FEET TO THE SOUTHWEST CORNER OF PARCEL 1, PARTITION PLAT NO. 2004-54; THENCE SOUTH 89°17'20" EAST 495.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1, PARTITION PLAT NO. 2004-54 THENCE SOUTH 0°18'25" WEST 319.23 FEET TO THE POINT OF BEGINNING.

LINN COUNTY SURVEY NO. 26485 WAS USED AS A REFERENCE.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kyle W Latimer

2022.01.24 16:00:05 -08'00'

OREGON
JUNE 12, 2013
KYLE W. LATIMER
80442

RENEWS: 12-31-22