



Planning Department  
525 North 1<sup>st</sup> Street / Lakeview, OR 97630  
(541) 947-4957

## Type IV Annexation Application Submittal Requirements

Under State law, land may be annexed to a city only if it is within the Urban Growth Boundary, and is contiguous to the city limits. Annexations are subject to the provisions of ORS 222.111 to 222.180. The criteria for annexation is determined by ORS 222.125 or 222.127, depending upon the applicable circumstances (*See below*).

***Applications for Annexation shall include all of the following at the time of submittal:***

- Completed and signed Type IV Land Use Application Form
- Application fee (see current fee schedule)
- Consent to Annex forms signed by consenting property owners within the proposed annexation area
- Restrictive Covenant forms waiving Measure 37 claims for combined annexation and zone change, completed and signed by consenting property owners in the proposed annexation area
- Vicinity Map showing the annexation area relative to Town limits
- Legal Description and Map of Survey (drawn to scale) of the annexation area

***ORS 222.125 Annexation by consent of all owners of land and majority of electors; proclamation of annexation.*** *The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation. [1985 c.702 §3; 1987 c.738 §1]*

***222.127 Annexation without election notwithstanding contrary city law upon petition of all owners of land; declaration of annexation.***

- (1) This section applies to a city whose laws require a petition proposing annexation of territory to be submitted to the electors of the city.*
- (2) Notwithstanding a contrary provision of the city charter or a city ordinance, upon receipt of a petition proposing annexation of territory submitted by all owners of land in the territory, the legislative body of the city shall annex the territory without submitting the proposal to the electors of the city if:
  - (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;*
  - (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;**



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- (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right of way or a body of water; and*
- (d) The proposal conforms to all other requirements of the city's ordinances.*
- (3) The territory to be annexed under this section includes any additional territory described in ORS 222.111 (1) that must be annexed in order to locate infrastructure and right of way access for services necessary for development of the territory described in subsection (2) of this section at a density equal to the average residential density within the annexing city.*
- (4) When the legislative body of the city determines that the criteria described in subsection (2) of this section apply to territory proposed for annexation, the legislative body may declare that the territory described in subsections (2) and (3) of this section is annexed to the city by an ordinance that contains a description of the territory annexed. [2016 c.51 §2]*

*\*Annexation statutes reflect the statutes as they existed as of January, 2024.*