



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

January 3, 2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Creswell Plan Amendment
DLCD File Number 002-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 18, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative
Denise Walters, City of Creswell

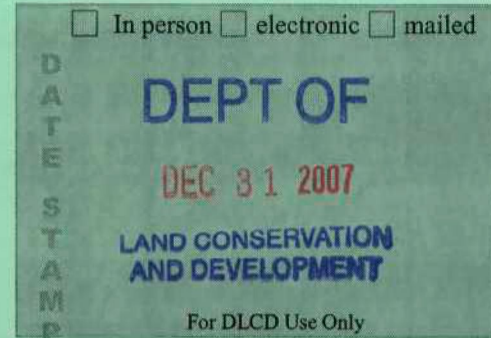
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NRDF 2

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Creswell**

Local file number: **Ord 451** ~~XXXX~~

Date of Adoption: **12/27/2007**

Date Mailed: **12/28/07**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: **9/26/2007**

- | | |
|---|---|
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The adopted Comp Plan Text Amendment updates the City's urbanization policies to reflect ORS Chapter 222 and the City's responsibilities upon the abolishment of the Lane County Local Government Boundary Commission. The Development Code Amendment establishes submittal requirements and review criteria for annexations and extraterritorial extension of services consistent with OAR 222.

Does the Adoption differ from proposal? Please select one

Yes.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 002-07 (16428)

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact:

Phone: () - Extension:

Address:

Fax Number: - -

City:

Zip:

E-mail Address:

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 451

**AN ORDINANCE AMENDING THE CRESWELL COMPREHENSIVE LAND USE
PLAN AND URBANIZATION-RELATED POLICIES; AMENDING THE CRESWELL
DEVELOPMENT CODE; AND DECLARING AN EFFECTIVE DATE
OF JANUARY 2, 2008**

WHEREAS, by enactment of Senate Bill 417 by the 2007 Oregon legislature, boundary changes to the City of Creswell and extraterritorial extensions will be under the jurisdiction of the City of Creswell beginning January 2, 2008; and

WHEREAS, Senate Bill 417 authorizes the City of Creswell to process boundary changes and extraterritorial extensions consistent with ORS 222 (Boundary Changes; Mergers and Consolidations); and

WHEREAS, Pursuant to Senate Bill 417, the Lane County Local Government Boundary Commission will not accept applications after December 31, 2007, and must complete all pending applications before it sunsets on July 31, 2008; and

WHEREAS, on November 13, 2007, the Creswell City Council held a work session to provide direction on questions related to the processing of boundary changes and extraterritorial extensions subject to ORS 222; and

WHEREAS, on December 10, 2007 and December 27, 2007 the Creswell City Council and Planning Commission conducted a joint public hearing on the proposed Creswell Comprehensive Land Use Plan policies and amendments to the Creswell Development Code;

THE CITY OF CRESWELL ORDAINS AS FOLLOWS:

Section 1. The Creswell Development Code, as adopted by Ordinance No. 442, is amended as follows:

- a. The Table of Contents is amended to add Chapters 4.10 Annexations and Withdrawals, and 4.11, Extraterritorial Extensions of Water and Sewer Service, as shown in more detail in Exhibit A.
- b. Chapter 1.3, Definitions, is amended to add boundary change-related definitions, between "Boulevard" and "Building" as shown in more detail in Exhibit A
- c. Table 4.1.100, Summary of Approvals by Type of Review Procedure is amended to add "Annexation and Withdrawal" and "Extraterritorial Extension of Water or Sewer", as shown in more detail in Exhibit A
- d. Section 4.1.500.D.1 is amended to read "Required hearings. A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all

Type IV applications (e.g., re-zonings and Comprehensive Plan amendments). A joint Planning Commission-City Council public hearing meets this requirement. Annexation, withdrawal, and extraterritorial extension petitions require a hearing by only the City Council.”

- e. Section 4.1.500.D.6 is amended to read “Annexation and Withdrawal notice. Notifications for annexations and withdrawals, including legal notice and final action, shall follow the provisions of this Chapter and Chapter 4.10, Annexations and Withdrawals.”
- f. The following is added after the first paragraph in Section 4.1.500.K, “For annexations, the City Council’s decision is the City’s final decision either on the date the decision is made, or 30 days after the decision is made if there is no emergency clause in the adopting Ordinance, or as specified herein. Notwithstanding the effective date of an ordinance as specified above, the effective date of annexations shall be as prescribed in ORS 222.040, 222.180, or 222.465, or as otherwise established by statute. Notice of decision is mailed to the applicant, property owner, those persons who submitted written or oral testimony, those who requested notice, and as required by ORS 222 and Section 4.10.180.”
- g. Section 4.6.200.B is amended to read “This Chapter does not apply to Comprehensive Plan amendments, land use district changes, text amendments, annexations or withdrawals, temporary use permits, or other permits not listed in subsection A.”
- h. Chapter 4.10, Annexations and Withdrawals, is added in its entirety as shown in more detail in Exhibit A.
- g. Chapter 4.11, Extraterritorial Extensions of Water or Sewer Service, is added in its entirety as shown in more detail in Exhibit A.

Section 2. The Creswell Comprehensive Land Use Plan (Plan) is hereby amended as follows: Section 12, URBANIZATION POLICIES, on pages 95 – 100 in the September 13, 1982 Creswell Comprehensive Land Use Plan is removed and replaced by a new Section 12, URBANIZATION POLICIES, as set forth in Exhibit B of this Ordinance.

Section 3. The recitals above and additional findings of compliance with applicable statewide planning goals, as set forth in Exhibit C, are hereby adopted and incorporated herein by this reference as the basis for the City of Creswell Development Code and Comprehensive Plan amendments adopted in Sections 1 and 2 of the Ordinance.

Section 4. Any existing ordinances, or parts, thereof, that are in direct conflict with the provisions of this ordinance are hereby repealed, but only to the extent of such conflicts.

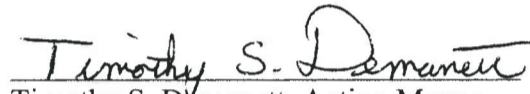
Section 5. Effective Date. This ordinance shall take effect and be in full force on January 2, 2008.

Read By Title Only for a first time this 27th day of December, 2007, no council member present at the meeting having requested to have the new Creswell Comprehensive Land Use Plan policies or Creswell Development Code amendments read in full.

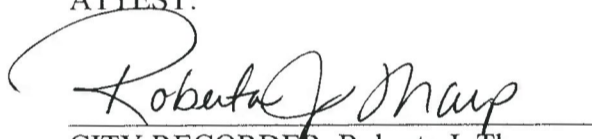
Read By Title Only for a second time this 27th day of December, 2007, no council member present at the meeting having requested to have the new Creswell Comprehensive Land Use Plan policies or Creswell Development Code amendments read in full.

PASSED BY A VOTE OF 5 for and 0 against on the 27th day of December, 2007.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR THIS _____ DAY OF 12-27-07, 2007.


Timothy S. Demanett, Acting Mayor

ATTEST:


CITY RECORDER, Roberta J. Tharp

GOAL 11. ENERGY CONSERVATION

No changes to Goal 11.

12. URBANIZATION POLICIES

- ~~(a) Urbanization of land shall be encouraged on available buildable lands within the corporate limits of the City of Creswell, consistent with City land development policies and service requirements.~~
- (a) All annexations shall conform to the requirements of the Creswell Development Code, Annexation Ordinance, Lane County and the Cit of Creswell Joint Agreement for Planning Coordination (UGMA), and shall be consistent with applicable State Laws.

- ~~(b) Urbanization of land within the established Urban Growth Boundary shall be consistent with City annexation policies and public facilities expansion plans.~~
- ~~(b) All annexations shall be consistent with the goals and policies of the Creswell Comprehensive Land Use Plan and public facility expansion plans.~~
- ~~(c) The City of Creswell shall coordinate, define roles and responsibilities and enter into a City-County intergovernmental agreement for relating, agreeing upon and adopting the City Plan, Urban Growth Boundary and the management and administration of lands within the adopted Urban Growth Boundary and City-County coordination of land use strategy and policies in the County, within the defined Area of Influence. The City shall include other external influences, outside of the defined Area of Influence, which would impact the City of Creswell.~~
- ~~(c) All contiguous lands included within the Urban Growth Boundary are eligible for annexation and urban development. Areas within the Urban Growth Boundary (UGB) with designated environmental constraints or assets may be annexed and utilized as functional wetlands, parks, open space and related uses.~~
- ~~(d) The City shall coordinate, define roles and responsibilities and enter into a City-County intergovernmental agreement and/or contract which accomplishes the following joint City of Creswell-Lane County management actions:~~
- ~~Approval and adoption of the Creswell Comprehensive Plan.~~
 - ~~Approval and adoption of the Creswell Urban Growth Boundary, to include defined role responsibilities with respect to coordination and administration of land use policy for that area within Lane County which is within the Creswell Urban Growth Boundary.~~
 - ~~Approval and adoption of Creswell's defined Area of Influence and definition of coordination roles of the City and County regarding continuing long-range coordination of planning and land use policy, as such decision within the defined area may influence city policy and service requirements.~~
- ~~(d) Development proposals are not required for annexation requests.~~
- (e) The City shall coordinate with Lane County the review and approval of adjacent County subdivisions as provided for in the Oregon Revised Statutes.
- (f) The City shall update as required the Zoning Map for the corporate limits of the City of Creswell, utilizing appropriate City Zoning Ordinance district classifications, which reflect the land use categories of the adopted City Comprehensive Plan. The City shall adopt the revised Zoning Map as provided for in the City Zoning Ordinance.
- (g) The City shall coordinate with Lane County the designation of appropriate County zone districts for County land areas within the adopted Urban Growth Boundary.

- (h) That area within the Urban Growth Boundary, east of Interstate 5 designated as commercial shall have specific planned unit development requirements incorporated as provisions of Contract Annexation. See Annexation Policy below and Planned Unit Development under Land Use Planning and Program Strategy.
- (i) Planned Unit Development requirement through Contract Annexation will be utilized where appropriate for larger tracts of industrial designated lands.
- ~~(j) Lane County shall retain responsibility for land use decisions and actions affecting the City of Creswell urban growth area, such responsibility to relinquished over any land within this area only upon its annexation to the City, subject to provision of contract annexation agreements, as applicable.~~
- (j) Lane County shall be responsible for land use actions and decisions on Creswell's urbanizable land. Such responsibility shall transfer to the City of Creswell upon annexation unless otherwise specified within the Annexation Agreement or Lane County and the City of Creswell Joint Agreement for Planning Coordination (UGMA).
- (k) Lane County shall apply its zoning, subdivision and other land use related ordinance to development proposals in the unincorporated portion of the City of Creswell Urban Growth Boundary. Lane County and the City of Creswell may enter agreements pursuant to Contract Annexation under which the zoning, subdivision and other land use related regulations of the City are applied by the County to certain real property.
- (l) In order to preserve the potential for ultimate urban densities, and designated plan diagram uses, Lane County shall require all land development proposals subject to special approval or at densities below one unit per ten acres to contain a development plan. Such development plan shall indicate how the proposed development will utilize the land so as not to preclude future, additional development which will bring conventional single family developments up to "Low Density" and mobile home developments up to "Medium Density" as defined in the Plan. Proposals subject to special approval are those which require City Recorder, Hearings Officials or Planning Commission action necessitating notice to nearby property owners and may include: Land partitions, subdivisions, zone changes, conditional use permits, site reviews, and special use permits.
- (m) All development plans requiring special approval as described in the paragraph above shall be submitted to the City of Creswell for review, for conformance with development standards of the City of Creswell. All comments by the City of Creswell shall be strongly considered in Lane County's approval of the submitted development plan. In the event that the City of Creswell comments include a recommendation of denial of the development plan, Lane County may approve the development plan only upon finding, on the basis of evidence in the record, that the recommendation is in error.
- (n) Lane County shall require that all lots or parcels created through subdivision or partitioning have access from a public street or approved private road. Private access

easements or flag lots shall not be approved unless they are consistent with a neighborhood circulation plan approved by Lane County. Such a neighborhood circulation plan shall provide for development of access to city standards upon annexation to the City of Creswell, and shall provide for public access to adjacent properties as needed.

- (o) Lane County shall require in all major partitions and subdivisions, adequate street right-of-way and for utility easements to provide for installation of city services and other utilities to city standards upon annexation to the City of Creswell.
- ~~(p) As a matter of public policy, Lane County and the City of Creswell share a substantial interest in development within the Urban Growth Boundary. It is recognized that development within the Urban Growth Boundary will eventually require annexation to receive a full range of urban services supplied by the city of Creswell. However, it is also recognized that until annexation Lane County will retain primary responsibility for those lands.~~
- (p) The City shall consider the anticipated demand on the capacity of key City-provided services, such as (including but not limited to) water, storm drainage, sanitary sewerage, parks, and streets as part of the annexation process.
- ~~(q) The substantial interests of Lane County and the City of Creswell shall be protected through consensual agreements to annexation. These agreements shall be required for any development requiring special approval as described in policy (L) above and shall contain a covenant requiring said landowner to agree to annexation and subsequent sewerage, at a time specified by the City of Creswell. The covenant shall run with the land and include the City of Creswell and Lane County as parties to the covenant and successors of interest. Lane County shall not grant final approval of a development plan for which a consensual agreement to annexation is required until a signed agreement approved by the City is filed with the County.~~
- (q) A Consent to Annex is required when urban services are provided to property that cannot annex. The Consent to Annex commits the property to future annexation.
- ~~(r) City services shall not be provided to any land unless that land is within the corporate limits of the City of Creswell, or unless a mutually agreeable contract of annexation is entered into by the City of Creswell and the land owner(s) of the property desiring city services.~~
- (r) The City shall encourage development within urban areas before conversion of urbanizable areas through implementation of land use regulations and land use policies, however, this shall not preclude annexations allowed by these policies and applicable regulations.
- ~~(s) Land areas to be considered for annexation to the City of Creswell shall be within the Creswell Urban Growth Boundary and shall have boundaries contiguous to the then-existing corporate limits of the City. Conversion of these unincorporated lands into Creswell shall be based upon a consideration of the four conversion factors of Statewide Planning Goal #14.~~

- (s) An Annexation Agreement shall be required for annexation requests per the Creswell Development Code.
- (t) ~~No annexation shall be considered which proposes to make an outlying parcel of land contiguous to the City boundary by means of a long linear parcel of land (pan-handle), with one end contiguous to the City boundary.~~
- (t) Encourage annexation of land for key City services, such as (including but not limited to) water, storm drainage, sanitary sewerage, parks, and streets.
- (u) ~~Annexation of property to the City shall be made prior to the provision of any City services. In turn, it shall be demonstrated that the city is capable of providing a full range of Urban Services prior to consideration of annexation. Consent for annexation to City shall be governed by the Oregon Revised Statutes, the limits for the then existing Urban Growth Boundary and the following criteria:~~
 - i. ~~Land area which is mutually agreeable and acceptable to the City of Creswell and property owner(s) shall, through a joint agreement, define the necessary requirements to be met as precedent to annexation and a contract thereto entered into.~~
 - (1) ~~Land owner provision and construction of all utility support service systems to City standards and specifications;~~
 - (2) ~~Land owner provision of or share of services and/or support facilities necessary to the area considered for annexation, but not under the jurisdiction of the City of Creswell and;~~
 - (3) ~~Other requirements, services and/or facilities to adequately support the area considered for annexation, so as to not place an undue burden upon the existing City, urban systems and population.~~
 - ii. ~~Or, that the proposed annexation area is within the service capabilities of programmed expansion and such services can be delivered within a reasonable or mutually agreed upon period of time.~~
 - iii. ~~Land areas within the Urban Growth Boundary east of Interstate 5 shall include a Planned Unit Development requirement as a condition of Contract Annexation to provide greater flexibility in development of the land, encourage a creative approach in land development, conserve natural land features, provide a comprehensive basis for the provision of adequate urban services, facilitate a desirable aesthetic and efficient use of open space and generally create more attractive, healthful, efficient and stable environments for living, shopping, working and leisure activities.~~
 - iv. ~~All land tracts considered for annexation to the City of Creswell shall be evaluated for Planned Unit Development, particularly proposed industrial and commercial uses, and requirement established as are appropriate.~~

- (u) Upon annexation, the underlying Comprehensive Plan designation and zoning district shall automatically be applied. Rezoning of land to a zoning district shall be processed under the regulations, notice, requirements, and hearing procedures in the Creswell Development Code.
- (v) The City shall annually review and adjust as necessary project priorities and costs within the Capital Improvements Program time period, adding and deleting projects as appropriate.
- (w) The City shall review, modify, update and/or prepare necessary standard specifications for design and construction of public improvements. The City shall adopt such standards, publish and make available as a City policy statement for City of Creswell public improvements.
- (x) The City shall continue to maintain and conduct as a continuing program the Creswell Citizens' Involvement Program approved by LCDC to provide the following:
- Widespread community and citizen involvement.
 - Effective two-way communications between the City and its citizens.
 - To ensure appropriate planning and related information is available in an understandable manner.
 - To provide adequate feedback mechanisms and ensure that citizens will receive response from policy makers.
- (y) The City shall establish lines of communication and coordinate with related public agencies to define inter-related and/or overlapping program area responsibilities and specific implementation roles and responsibilities. These should include:
- Department of Environmental Quality
 - Oregon State Department of Transportation
 - Lane County
 - Creswell School District No. 40
 - Others as necessary
- (z) Extraterritorial extensions of water or sewer service or facilities may be allowed outside the city limits or Urban Growth Boundary subject to applicable state laws and the requirements of the Creswell Development Code.
- (aa) The City shall serve areas outside the Urban Growth Boundary subject to the requirements of the Creswell Development Code.

(bb) Road right-of-way may be added to an annexation request by the City of Creswell.

CRESWELL DEVELOPMENT CODE AMENDMENTS
December 27, 2007

To be added to page TOC-9, Creswell Development Code

Article 4 – Administration of Land Use and Development

Chapter 4.10 — Annexations and Withdrawals

Sections:

- 4.10.100 Purpose
- 4.10.110 Applicability
- 4.10.120 Review and Recommendation
- 4.10.130 Annexation Initiation
- 4.10.140 Application Requirements
- 4.10.150 Notice
- 4.10.160 Criteria
- 4.10.170 Application of Zoning Districts
- 4.10.180 Effective Date and Notice of Approved Annexation
- 4.10.190 Withdrawal from Special Districts
- 4.10.200 Appeals

Chapter 4.11 — Extraterritorial Extension of Water or Sewer Service

Sections:

- 4.11.100 Purpose
- 4.11.110 Applicability
- 4.11.120 Application Requirements
- 4.11.130 Criteria

To be added to page 1-5, Creswell Development Code

Chapter 1.3 — Definitions

1.3.300 Definitions

[Under] A

Annexation-Related Definitions

- **Affected City.** A city, city-county or cities, named in a petition, for which a boundary change is proposed or a city, city-county or cities, named in an ordinance or order, for which a boundary change is ordered.
- **Affected County.** Each county that contains any territory for which a boundary change is proposed or ordered.
- **Affected District.** Each special district named in a petition that contains or would contain territory for which a boundary change is proposed or ordered. Affected district also means a district or districts, named in a petition, for which a boundary change is proposed or ordered.
- **Affected Territory.** Territory described in a petition. Affected territory also means an area within the urban growth boundary of a city that is otherwise eligible for annexation to a city where there exists an actual or alleged danger to public health as defined in ORS 222.
- **Annexation.** The attachment or addition of territory to, or inclusion of territory in, an existing city or district.
- **Annexation Agreement.** A written agreement between the City and owners of land requesting annexation that states the terms, conditions and obligations of the parties to mitigate fiscal and service impacts to the City associated with the annexation and future development of the property. The agreement may be used to ensure annexation consistent with the Comprehensive Plan.
- **Annexation Contract.** A contract between a city and a landowner relating to extraterritorial provision of service and consent to eventual annexation of property of the landowner. The contract shall be recorded and shall be binding on all successors with an interest in that property.
- **Boundary Change.** An action by the City Council duly authorized by ORS 222 that results in the adjustment of the City limits or the boundary of a special district.

- **Cadastral Map.** A map prepared by the Lane County Assessor's office showing bearings and distances and the boundaries of parcels, lots, and tracts of land.
- **Consent to Annex.** Forms provided by the affected City that must be signed by the owner when urban services are provided to property that cannot annex. The Consent to Annex commits the property to future annexation, is recorded, and is binding on any successive owner or owners. The signature of the owner of part or all of the affected territory and electors, if any, is required, as applicable.
- **Contiguous.** Territory that abuts the City limits at any point along the property's exterior boundary or separated from the City limits by a public right-of-way or a stream, bay, lake, or other body of water.
- **Effective Date of Annexation.** The effective date of the boundary change as prescribed in ORS 222.040, 222.180, or 222.465.
- **Elector.** An active registered voter at an address within the affected territory.
- **Extraterritorial Connection of Service.** The connection of water or sanitary sewer service to developed property located outside the City limits and within the urban growth boundary.
- **Extraterritorial Extension of a Facility.** The extension of a water or sanitary sewer line outside the City limits and within the urban growth boundary.
- **Extraterritorial Service/Facility Contract.** A contract between the owner of property proposed to be served and the City specifying and identifying service provisions, obligations of the City and cost obligations of the owner of the affected territory. The decision to enter into such contract shall be initiated at the sole discretion of the City Council.
- **Filing.** The submittal of materials to initiate a boundary change process.
- **Initiation Methods.** Any of the following descriptions of participants and documentation necessary for commencement of City annexation process:
 - (i) All of the owners of land in the territory proposed to be annexed, and not less than 50 percent of the electors, if any, residing in the territory proposed to be annexed, have consented in writing to the annexation and file a statement of their consent to annexation with the City;
 - (ii) More than half of the owners of land in the territory proposed for annexation who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation and file a statement of their consent to annexation with the City;
 - (iii) A majority of the electors registered in the territory proposed to be annexed and owners of more than half of the land in that territory consent in writing

to the annexation and file a statement of their consent to annexation with the City;

- (iv) The City Council may, without any vote or any consent by the owners, annex territory within the urban growth boundary if it is found that a danger to public health exists within that territory and that such condition can be removed or alleviated by sanitary, water or other facilities ordinarily provided by incorporated cities; or
 - (v) The City Council may by resolution initiate annexation of right-of-way or other public land contiguous to the city limits.
- **Legal Description.** As defined in ORS 308.225(2), which states: the legal description of the boundary change shall consist of a series of courses in which the first course shall start at a point of beginning and the final course shall end at that point of beginning. Each course shall be identified by bearings and distances and, when available, refer to deed lines, deed corners, and other monuments, or, in lieu of bearings and distances, be identified by reference to:
 - (i) Township, range, section, or section subdivision lines of the U.S. Rectangular survey system.
 - (ii) Survey centerline or right-of-way lines of public roads, streets or highways.
 - (iii) Ordinary high water or ordinary low water of tidal lands.
 - (iv) Right-of-way lines of railroads
 - (v) Any line identified on the plat of any recorded subdivision defined in ORS 92.010
 - (vi) Donation land claims.
 - (vii) Line of ordinary high water and line of ordinary low water of rivers and streams, as defined in ORS 274.005, or the thread of rivers and streams.In lieu of the requirements of the above, boundary change areas conforming to areas of the U.S. Rectangular survey may be described by township, section, quarter-section or quarter-quarter section, or if the areas conform to subdivision lots and blocks, may be described by lot and block description.
 - **Notice.** An ordinance, resolution, order, or other similar matter providing notice authorized or required to be published, posted, or mailed.
 - **Owner.** The legal owner of record according to the latest available Lane County tax assessment roll or, where there is an existing recorded land contract that is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land, each consenting owner is counted as a fraction to the same extent as the interest of the other owners and the same fraction is applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in the affected territory, the corporation must be considered the individual owner of that land.
 - **Petition.** Any document such as signature sheets, resolutions, orders, or articles of incorporation, required for initiating an annexation, withdrawal, or provision of extraterritorial services. In the case of a petition initiated by property owners, the

person signing on behalf of a corporation or business must provide evidence showing that person is authorized to sign legal documents for the firm.

- **Proceeding.** A proceeding to consider a boundary change.
- **Proposal.** The set of documents required to initiate proceedings for a boundary change.
- **Special District.** Any of the districts identified in ORS 198.
- **Urbanizable Land.** Those lands between the city limits and Urban Growth Boundary.
- **Urban Growth Boundary.** A site-specific line, delineated on a map or by written description that separates urban and urbanizable land from rural lands, that is part of a Comprehensive Plan.
- **Withdrawal.** The detachment, disconnection or exclusion of territory from an existing city or district.

To be added to page 4-4, Creswell Development Code

Chapter 4.1 Types of Review Procedures

4.1.100 Purpose and Applicability of Review Procedures

Table 4.1.100 Summary of Approvals by Type of Review Procedure		
Approvals*	Review Procedures	Applicable Regulations
Annexation and Withdrawal	Type IV	Chapter 4.10
Appeal of a Land Use Decision	Type III	Section 4.1.400
Building Permit	N/A	Building Code
Code Interpretation	Type II	Chapter 4.8
Comprehensive Plan Amendment	Type IV	Comprehensive Plan
Conditional Use Permit	Type III	Chapter 4.4
Development Code Amendment	Type IV	Chapter 4.7
Extraterritorial Extension of Water or Sewer	Type IV	Chapter 4.11
Flood Plain Development Permit	Type I/II/III	Chapter 2.7, may combine with other permits
Home Occupation exceeding the criteria in Section 2.2.200	Type III	Chapter 4.9
Land Use District Map Change		Chapter 4.7
<ul style="list-style-type: none"> ▪ Quasi-Judicial (no plan amendment required) ▪ Legislative (plan amendment) 	Type III Type IV	
Land Use Review	Type I/II	Chapter 4.2, Building Code
Lot Consolidations	Type I	Chapter 4.3
Lot of Record Determination	Type I	Chapter 5.3
Master Planned Development	Type III	Chapter 4.5
Modification to Approval, Minor	Type I/II	Chapter 4.6
Modification to Approval, Major	Type II/III	Chapter 4.6
New Building in Historic Core	Type II	Chapter 2.2.140
Non-Conforming Use or Development Confirmation	Type I/II	Chapter 5.2
Parking Demand Analysis	Type II	Chapter 3.3.300, may combine with other permits
Partition		Chapter 4.3
<ul style="list-style-type: none"> ▪ Preliminary Plat ▪ Final Plat 	Type II Type I	
Property Line Adjustment	Type I/II	Chapter 4.3
Site Design Review	Type III	Chapter 4.2
Development in Riparian & Wetland Protection Overlay	Type III	Chapter 2.10, may combine with other permits
Subdivision		Chapter 4.3
<ul style="list-style-type: none"> ▪ Preliminary Plat ▪ Final Plat 	Type III Type I	
Temporary Use Permit	Type II/III	Chapter 4.9
Temporary Use Permit, Temporary Sales Office or Model Home	Type I	Chapter 4.9

**Table 4.1.100
Summary of Approvals by Type of Review Procedure**

Approvals*	Review Procedures	Applicable Regulations
Tree Removal	Type I/II	Chapter 3.2. may combine with other permits
Variance		
Class A	Type I/II	Chapter 5.1
Class B	Type II	Chapter 5.1
Class C	Type III	Chapter 5.1

To be added to pages 4-20 and 4-26, Creswell Development Code

Chapter 4.1 Types of Review Procedures

Section 4.1.500 Type IV Procedure (Legislative)

D. Notice of Hearing

1. **Required hearings.** A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications (e.g., rezonings and Comprehensive Plan amendments). A joint Planning Commission-City Council public hearing meets this requirement. Annexation, **withdrawal, and extraterritorial extension** petitions require a hearing by only the City Council.

6. **Annexation and Withdrawal notice.** Notifications for annexations **and withdrawals, including legal notice and final action**, shall follow the provisions of this Chapter **and Chapter 4.10, Annexations and Withdrawals**.

K. Final Decision and Effective Date. The decision of the hearings body on any Type IV application is final for purposes of appeal on the date it is signed by the decision-maker. The decision is effective on the day after the appeal period expires. If an appeal is filed, the decision becomes effective on the day after all appeals are decided. The notification and hearings procedures for Type IV applications on appeal to the City Council shall be the same as for the initial hearing. An appeal of a land use decision to LUBA must be filed within 21 days of the City Council's written decision. City Council decisions are subject to review by LUBA and an appeal to LUBA does not stay a City's decision; any development or land use activity that commences prior to resolution of the appeal is at the owner/applicant's risk.

For annexations, the City Council's decision is the City's final decision either on the date the decision is made, or 30 days after the decision is made if there is no emergency clause in the adopting Ordinance. Notwithstanding the effective date of an ordinance as specified above, the effective date of annexations shall be as prescribed in ORS 222.040, 222.180, or 222.465. Notice of decision is mailed to the applicant, property owner, those persons who submitted written or oral testimony, those who requested notice, and as required by ORS 222 and Section 4.10.180.

To be added to page 4-78, Creswell Development Code

Chapter 4.6 Modifications to Approved Plans and Conditions of Approval

4.6.200 Applicability

- B.** This Chapter does not apply to Comprehensive Plan amendments, land use district changes, text amendments, annexations **or withdrawals**, temporary use permits, or other permits not listed in subsection A.

Chapter 4.10 — Annexations and Withdrawals

Sections:

- 4.10.100 Purpose**
- 4.10.110 Applicability**
- 4.10.120 Review and Recommendation**
- 4.10.130 Annexation Initiation**
- 4.10.140 Application Requirements**
- 4.10.150 Notice**
- 4.10.160 Criteria**
- 4.10.170 Application of Zoning Districts**
- 4.10.180 Effective Date and Notice of Approved Annexation**
- 4.10.190 Withdrawals Authorized by ORS 222**
- 4.10.200 Appeals**

4.10.100 Purpose. The purpose of this Chapter is to establish procedures relating to the annexation of territory into the City of Creswell and provide a process for the subsequent withdrawal of territory from special districts in accordance with applicable state statutes.

4.10.110 Applicability

- A.** These regulations apply to annexation applications as specified in Chapter 4.10, Annexations and Withdrawals.
- B.** Other proposals permitted by ORS 222 shall be processed as provided in ORS 222.

4.10.120 Review and Recommendation. Annexation applications are reviewed under Type IV procedure per Section 4.1.500, without Planning Commission consideration. The City Administrator shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 4.10.160. The City Council shall make a recommendation by Ordinance.

4.10.130 Annexation Initiation. An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided for in this Chapter below.

4.10.140 Application Requirements

- A.** In addition to the provisions specified in other sections of this Code, an annexation application shall include the following:
 - 1.** A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:

- a. The affected tax lots, including the township, section and range numbers;
 - b. The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);
 - c. A list of all eligible electors registered at an address within the affected territory; and
 - d. Signed petitions, as may be required.
2. Written consents on City approved petition forms that are:
 - a. Completed and signed, in accordance with ORS 222.125, by:
 - (1) All of the owners within the affected territory; and
 - (2) Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or
 - b. Completed and signed, in accordance with ORS 222.170, by:
 - (1) More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory [ORS 222.170(1)]; or
 - (2) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land. [ORS 222.170(2)]
 - (3) Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.
 3. A City Council resolution to initiate a boundary change, including but not limited to rights-of way.
 4. In lieu of a petition form described in Subsection 2 above, an owner's consent may be indicated on a previously executed Consent to Annex form that has not yet expired as specified in ORS 222.173.
 5. Verification of Property Owners form signed by the Lane County Department of Assessment and Taxation.
 6. A Certificate of Electors form signed by the Lane County Elections/Voter Registration Department including the name and address of each elector.
 7. An ORS 197.352 waiver form signed by each owner within the affected territory.

8. A waiver form signed by each owner within the affected territory as allowed by ORS 222.173.
9. A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.
10. A Lane County Assessor's Cadastral Map to scale highlighting the affected territory and its relationship to the city limits.
11. A list of the special districts providing services to the affected territory.
12. A public/private utility plan describing how the proposed affected territory can be served by key facilities and services.
13. A signed Annexation Agreement, if required by the City Administrator, to resolve fiscal impacts upon the City caused by the proposed annexation. The Annexation Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.
14. A written narrative addressing the proposal's consistency with the approval criteria specified in Section 4.10.160.

4.10.150 Notice. In addition to the requirements of Section 4.1.500.D.2, Legislative notification requirements, the following are also required for annexations:

A. Mailed Notice. Notice of the annexation application shall be mailed to:

1. The applicant, property owner and active electors in the affected territory;
2. Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;
3. Affected special districts and all other public utility providers; and
4. Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

B. Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in four public places in the City for two successive weeks prior to the hearing date.

4.10.160 Criteria. An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary, and is;
 - 1. Contiguous to the City limits; or
 - 2. Separated from the City only by a public right-of-way or a stream, lake or other body of water.
- B. The proposed annexation is consistent with applicable policies in the Creswell Comprehensive Plan and in any applicable refinement plans;
- C. The proposed annexation will result in a boundary in which key services can be provided.
- D. Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

4.10.170 Application of Zoning Districts

- A. Currently, all urbanizable land within the City's Urban Growth Boundary is designated in compliance with the Creswell Comprehensive Plan. Upon approval of the annexation by the City Council, the underlying Comprehensive Plan designation and current zoning consistent with the Comprehensive Plan designation shall apply.
- B. An applicant may submit for a zoning map and Comprehensive Plan map amendment. The City Administrator will not deem an application complete for a zoning map amendment until the annexation has been approved by the City Council and becomes effective, as that term is described in Chapter 1.3, Definitions, and Section 4.10.180 that follows.

4.10.180 Effective Date and Filing of Approved Annexation

- A. The effective date of an approved annexation shall be set in accordance with ORS 222.040, 222.180 or 222.465. See also Section 4.10.500.K, Final Decision and Effective Date.
- B. Filing of Approved Annexation.
 - 1. Not later than 10 working days after the passage of an Ordinance approving an annexation, the City Administrator shall:
 - a. Send by certified mail a notice to public utilities (as defined in ORS 757.005), electric cooperatives, and telecommunications carriers (as defined in ORS 133.721) operating within the City; and
 - b. Mail a notice of the annexation to the Secretary of State, Department of Revenue, Lane County Clerk, Lane County Assessor, affected districts, and owners and electors in the affected territory. The notice shall include:

- (1) A copy of the Ordinance approving the annexation;
 - (2) A legal description and map of the annexed territory;
 - (3) The findings; and
 - (4) Each site address to be annexed as recorded on Lane County assessment and taxation rolls or found in RLID.
- c. The notice to the Secretary of State will also include copies of the petitions signed by electors and/or owners of the affected territory as required in this Section.
2. If the effective date of an annexation is more than one year after the City Council passes the Ordinance approving it, the City Administrator shall mail a notice of the annexation to the Lane County Clerk not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.

4.10.190 Withdrawals Authorized by ORS 222

- A.** Withdrawal from special districts may occur concurrently with the approved annexation Ordinance or after the effective date of the annexation of territory to the City. The City Administrator shall recommend to the City Council for consideration of the withdrawal of the annexed territory from special districts as specified in ORS 222.
- B.** Withdrawal from special districts processed separate from the process annexing the territory to the City requires a Public Hearing with notice as required in this Section and Section 4.1.500, Type IV Procedure (Legislative).
- C. Criteria.** In determining whether to withdraw the territory, the City Council shall determine whether the withdrawal is in the best interest of the City.
- D. Effective Date.** The effective date of the withdrawal shall be as specified in ORS 222.465.
- E. Notice of Withdrawal.** Notice will be provided in the same manner as specified in this Section and Section 4.1.500, Type IV Procedure (Legislative).

4.10.200 Appeals. Appeals of the City Council decision shall be to the Land Use Board of Appeals, as specified in Section 4.1.600.H, Appeal Process.

Chapter 4.11 — Extraterritorial Extension of Water and Sewer Service

Sections:

- 4.11.100 Purpose**
- 4.11.110 Applicability**
- 4.11.120 Application Requirements**
- 4.11.130 Criteria**

4.11.100 Purpose

- A.** These regulations govern the approval of requests for the extension of water service or sewer service outside of the city limits or extensions that go beyond the city limits and urban growth boundary to reach property within the city limits. These regulations are intended to accomplish the orderly development of land within the community, ensure the adequate provision of public facilities and services, protect the public health and safety of the community, and enable development to occur consistent with applicable provisions of the Comprehensive Plan.
- B.** The City shall not extend water or sanitary sewer service outside the city limits, unless a health hazard, as defined in ORS 222.840 - 222.915 is determined to exist. Annexation of the territory so served is required if the territory is within the urban growth boundary and is contiguous to the city limits. An alternative to annexation, if agreed to by the City and the owners of the affected property, may occur in the place of annexation. The City may extend water or sanitary sewer facilities outside the city limits or urban growth boundary to provide these services to properties within the city limits.
- C.** Extraterritorial Service/Facility Contracts between a property owner and the City shall be initiated at the sole discretion of the City Council. The provisions of this contract shall be as directed by the City Council in response to the circumstances and conditions within the affected territory which are causative of the request for extraterritorial service.
Extraterritorial extension of water or sewer service applications are reviewed under Section 4.1.500, Type IV Procedure (Legislative).

4.11.110 Applicability. Regulations within Chapter 4.11 apply to applications requesting the extension and/or connection of water service or sewer service outside of the city limits and within the urban growth boundary.

4.11.120 Application Requirements

In addition to the provisions specified in this Code, an extraterritorial extension of water or sewer service application shall include the following:

- A.** A list of all tax lots proposed to be served, including street addresses and property owner names;
- B.** A legal description of the property to be served,

- C. A signed Consent to Annex form for the property proposed to be served;
- D. A map drawn to scale showing the proposed extension of sanitary and/or water lines to include the proposed number of service connections and their sizes and locations; and
- E. A written narrative addressing the proposal's consistency with the approval criteria in Section 4.11.130.

4.11.130 Criteria. The City Administrator shall forward a written recommendation on the proposed application for extraterritorial extension of sewer or water service to the City Council based on the approval criteria specified in A – G of this Section:

- A. The property proposed for service is located within the city's urban growth boundary;
- B. Annexation of the property proposed to be served is currently not possible due to the inability to meet the criteria for annexation specified in Section 4.10.160;
- C. The property proposed for service is not vacant;
- D. The provision of service will not prolong uses which are nonconforming uses as specified in Section 5.2, Non-Conforming Uses and Development;
- E. In the case of an application for extension of water service, the property to be served is connected with an approved means of sewage disposal;
- F. The proposed extension is consistent with adopted resolutions, policies, plans, and ordinances concerning extraterritorial extensions; and
- G. Even if a proposed extension is inconsistent with the criteria above, the City may approve an extraterritorial extension of water or sewer service:
 - 1. Where a communicable disease hazard exists and the extension is the only practical remedy as specified in ORS 222.840 - 222.915; or
 - 2. To property within a dissolved water district within which the City is providing service to some properties.
- H. Even if a proposed extension is inconsistent with the criteria above, where the City currently provides water outside the Urban Growth Boundary, the City shall consider new service connection requests only when an applicant can demonstrate that a health condition exists that will negatively impact the City of Creswell.

EXHIBIT C

Findings of Compliance with Applicable Statewide Planning Goals – Comprehensive Land Use Plan Policies and Creswell Development Code Amendments for Boundary Changes

December 10, 2007 & December 27, 2007

1. Beginning on January 1, 2008, the City of Creswell will be responsible for processing boundary changes within the Creswell Urban Growth Boundary (e.g., annexations, withdrawals, and extraterritorial extensions) subject to the provisions of ORS, Chapter 222. Previously, boundary changes were under the jurisdiction of the Lane County Local Government Boundary Commission and processed under ORS, Chapter 199.
2. The City's Comprehensive Land Use Plan (Plan) and Development Code are acknowledged by the State of Oregon to be in compliance with all applicable statewide planning goals and administrative rules. The proposed amendments to the Development Code and Plan policies related to urbanization are intended to implement the provisions of Senate Bill 417 and comply with the statewide planning goals. A detailed analysis of how these amendments and policies comply is provided below.

Goal 1. Citizen Involvement

“To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.”

The following is a summary of public involvement opportunities:

1. Public hearing notice of the proposed amendments and policies were advertised in the Creswell Chronicle on December 6, 2007 and December 13, 2007; in the Register Guard on December 14; and posted to the City of Creswell website on December 3, 2007 and December 11, 2007.
2. The City Council held a publicized work session on November 13, 2007.
3. The Planning Commission discussed the proposed boundary change process at its November 15, 2007 meeting and the December 10 & 27, 2007, joint public hearings.
4. The City Council and Planning Commission conducted joint public hearings on December 10, 2007 & December 27, 2007.
5. Notice of the proposed amendments and policies was sent to the Department of Land Conservation and Development on September 26, 2007.

Goal 2. Land Use Planning

“To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.”

The Development Code amendments proposed in Ordinance No. 451 establish a process and methods for boundary changes (Chapter 4.10) or extraterritorial extensions (Chapter 4.11) to the City of Creswell, including:

1. Requiring an application for a boundary change or extraterritorial extension.
2. Notice of the proposed boundary change or extraterritorial extension and public hearing.
3. Criteria of approval for a boundary change or extraterritorial extension.
4. Notice of the approved boundary change or extraterritorial extension.

The Plan policies provide the overarching framework for implementation of the Development Code and the process noted above.

Goal 3, Agricultural Lands, and Goal 4, Forest Lands

This goal does not apply within adopted acknowledged urban growth boundaries. The City of Creswell does not have any agricultural or forest zoning districts.

Goal 5. Open Spaces Scenic and Historic Areas and Natural Resources

“To protect natural resources and conserve scenic and historic areas and open spaces.”

The Development Code amendments and Plan policies proposed in Ordinance No. 451 related to boundary changes and extraterritorial extensions do not repeal replace or void existing Plan policies or Development Code regulations with respect to any identified natural resources. To the contrary, natural areas are provided further protection with the addition of a policy that allows “areas with designated environmental constraints or assets to be annexed and utilized as functional wetlands, parks, open space and related uses.” No changes to supporting ordinances or policy documents adopted to comply with Goal 5 are affected by these amendments or policies.

Goal 6. Air, Water and Land Resources Quality

“To maintain and improve the quality of the air, water and land resources of the state.”

The Development Code amendments and Plan policies proposed in Ordinance No. 451 related to boundary changes or extraterritorial extensions will have no affect on the City’s ability to maintain conformance with state or federal air or water quality standards.

Goal 7. Areas Subject to Natural Disasters and Hazards

“To protect people and property from natural hazards.”

Sites within Creswell subject to natural hazards (floodplain, floodway, erosion, landslides, earthquakes, weak foundation soils, etc.) are inventoried through a variety of sources. The Development Code amendments proposed in Ordinance No. 451 do not remove or exempt compliance with all other Creswell Development Code standards that may apply to the site upon a boundary change or extraterritorial extension.

Goal 8. Recreational Needs

“To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.”

Recreational needs and facilities are based on existing and projected populations, which have been programmed and adopted as part of the *Creswell Parks and Open Space Master Plan* (2005). The Development Code amendments and Plan policies proposed in Ordinance No. 451 do not impact or affect population projections or the City's ability to acquire land for parks and recreation. These amendments and policies will allow the orderly provision of services to parks and recreation as needed.

Goal 9. Economic Development

“To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.”

The Development Code amendments and Plan policies proposed in Ordinance No. 451 will enable and provide a structure for service extensions to be provided to industrial and commercial sites consistent with economic development policies contained in the Plan. These will preserve and enhance economic development activities within the area.

Goal 10. Housing

“To provide for the housing needs of citizens of the state.”

The Development Code amendments and Plan policies proposed in Ordinance No. 451 will facilitate the provision of housing by allowing land that is not serviced to annex to the City and receive necessary services to enable urban density development.

Goal 11 Public Facilities and Services II

“To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

Urban facilities and services include the appropriate types and levels of police protection; sanitary facilities; storm drainage facilities; planning, zoning, and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services. The Development Code amendments and Plan policies proposed in Ordinance No. 451 will enable timely, orderly, and efficient provision of these services to land ready for conversion from rural to urban use.

Goal 12. Transportation

“To provide and encourage a safe, convenient and economic transportation system.”

The Development Code amendments and Plan policies proposed in Ordinance No. 451 have no direct relationship to this goal; however, urbanization requires the comprehensive assessment of all services in a coordinated fashion, therefore development cannot proceed in the absence of any service, including water, stormwater, sewer, and streets.

Goal 13. Energy Conservation

“To conserve energy.”

The Development Code amendments and Plan policies proposed in Ordinance No. 451 will facilitate the logical and orderly provision of urban services, which is consistent with the intent of this goal.

Goal 14. Urbanization

“To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

The Development Code amendments proposed in Ordinance No. 451 are consistent with the intent of this goal because a land use process for boundary changes and extraterritorial extensions is established and development standards provide for the orderly and efficient transition from rural to urban uses once lands have been annexed into the city limits. The Plan policies proposed in Ordinance 451 authorize the City Council to approve boundary changes consistent with the Urbanization-related policies of the Plan.

Goal 15. Willamette River Greenway

“To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.”

No areas of the Willamette River Greenway are located inside the Creswell city limits.

Goal 16, Estuarine Resources; Goal 17, Coastal Shorelands; Goal 18, Beaches and Dunes; and Goal 19, Ocean Resources

These goals do not apply within the boundary of the adopted, acknowledged Creswell Comprehensive Land Use Plan.

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