



Oregon

Theodore R. Kubongoski, 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



NOTICE OF ADOPTED AMENDMENT

09/19/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 005-13

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: Wednesday, October 02, 2013

This amendment was submitted to DLCD for review prior to adoption with less than the required 35-day notice. 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Andy Limbird, City of Springfield
Gordon Howard, DLCD Urban Planning Specialist
Ed Moore, DLCD Regional Representative

<paa> YA



PROF **2**

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

SEP 13 2013

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Springfield**

Local file number: **ANX13-00004**

Date of Adoption: **7/22/2013**

Date Mailed: **9/11/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 6/7/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

Annexation of a single residential lot removed the Urbanizable Fringe Overlay District (UF-10) from the property. The underlying zoning and plan designation for the property remains Low Density Residential (LDR).

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **LDR/UF-10**

to: **LDR**

Location: **827 S. 57th Street (Map 18-02-04-14, Tax Lot 100)**

Acres Involved: **0.67**

Specify Density: Previous: **1-10**

New: **1-10**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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 file No. 005-13 (19882) [17610]

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

Lane County; Willamalane Park & Recreation District; Willakenzie Rural Fire Protection District

Local Contact: **Andy Limbird**

Phone: (541) 726-3784 Extension:

Address: **225 Fifth Street**

Fax Number: **541-726-3689**

City: **Springfield**

Zip: **97477-**

E-mail Address: **alimbird@springfield-or.gov**

ADOPTION SUBMITTAL REQUIREMENTS

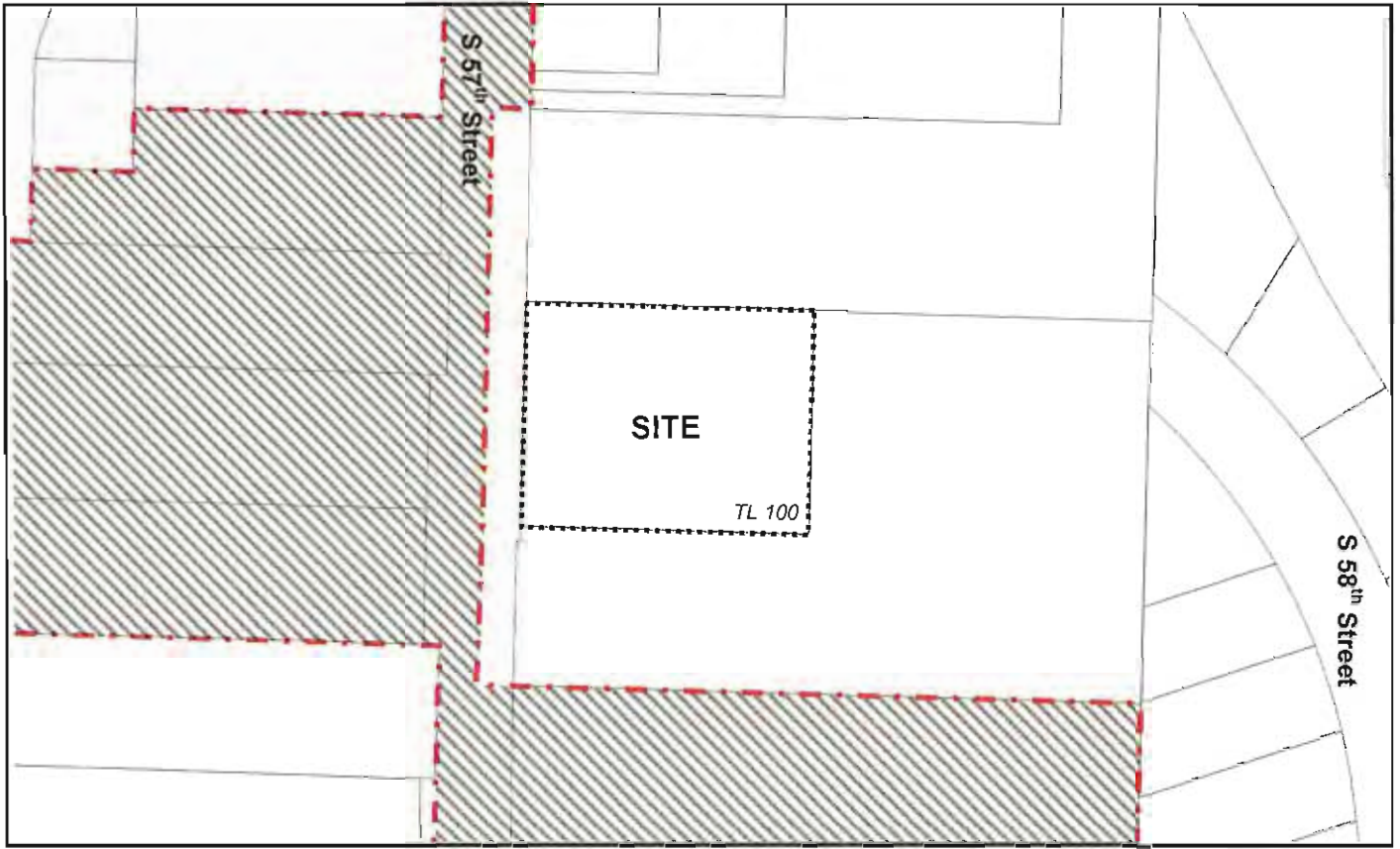
This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:




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

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

NEW ZONING FOR ANNEXED PROPERTY
827 SOUTH 57TH STREET - MAP 18-02-04-14, TAX LOT 100



ZONING MAP LEGEND

-  Low Density Residential (LDR)
-  Urbanizable Fringe Overlay District
-  Springfield City Limits



AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK AND RECREATION DISTRICT; AND WITHDRAWING THE SAME TERRITORY FROM THE WILLAKENZIE RURAL FIRE PROTECTION DISTRICT AND DECLARING AN EMERGENCY

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

WHEREAS, the City Council is authorized by Springfield Development Code (SDC) Article 5.7-100 and ORS Chapter 222 to accept, process, and act on annexations to the City; and

WHEREAS, a request to annex certain territory was submitted on May 29, 2013, said territory being Assessor's Map Township 18 South, Range 02 West, Section 04, Map 14, Tax Lot 100, which is municipally addressed as 827 South 57th Street and is generally depicted and more particularly described in Exhibit A to this Ordinance; and

WHEREAS, in accordance with SDC 5.7-125.A and ORS 222.111, the property owner initiated the annexation action by submittal of the required application forms and petition for annexation attached hereto as Exhibit B to this Ordinance; and

WHEREAS, this annexation has been initiated in accordance with SDC 5.7-125.A and ORS 222 and has been set for public hearing; and,

WHEREAS, the territory requested to be annexed is within the City's urban growth boundary and is contiguous to the City limits [SDC 5.7-140.A]; and,

WHEREAS, the minimum level of key urban facilities and services can be provided in an orderly and efficient manner as outlined in the *Metro Plan*, and there is a logical area and time within which to deliver urban services and facilities [SDC 5.7-140.C]; and,

WHEREAS, a Staff Report (Exhibit C) was presented to the City Council with the Development & Public Works Director's recommendation to concurrently annex the subject territory to the Willamalane Park and Recreation District, as this Special District is a service provider for the City [SDC 5.7-140.B]; and is consistent with the intergovernmental agreement between Lane County and Springfield regarding boundary changes dated May 21, 2008; and,

WHEREAS, a Staff Report was presented to the City Council with the Director's recommendation to concurrently withdraw the annexation territory from the Willakenzie Rural Fire Protection District, as the City of Springfield would provide Fire and Life Safety services directly to the area after it was annexed to the City [SDC 5.7-160.A]; and,

WHEREAS, the Common Council of the City of Springfield has determined that the provision of City services to the subject area are necessary immediately for the health and safety of the public because the septic system on the property has failed; and,

WHEREAS, without an Emergency Clause the effective date of annexation is delayed until 30 days following the second reading and adoption of the enacting Ordinance by the Common Council, which is on or around October 22, 2013; and,

WHEREAS, on July 22, 2013, the Springfield Common Council conducted a public hearing and is now ready to take action on this request for annexation based on the recommendation and findings in support of approving the annexation request, and the Willakenzie Rural Fire Protection District's withdrawal as set forth in

the aforementioned Staff Report to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

SECTION 1: The Common Council of the City of Springfield does hereby approve annexation of the following described territory to the City of Springfield and Willamalane Park and Recreation District, said territory being Assessor's Map Township 18 South, Range 02 West, Section 04, Map 14, Tax Lot 100, which is municipally addressed as 827 South 57th Street, and is more particularly described in **Exhibit A** to this Ordinance.

SECTION 2: The withdrawal of territory described in Section 1 above from the Willakenzie Rural Fire Protection District shall become effective July 1, 2014.

SECTION 3: It is hereby found and determined that matters relating to the provision of City services are matters affecting the public health, safety, and welfare and that an emergency therefore exists and this Ordinance shall take effect immediately upon adoption by the Council and approval of the Mayor.

SECTION 4: The City Manager or the Development and Public Works Director shall send copies of this Ordinance to affected State and local agencies as required by SDC 5.7-155.

ADOPTED by the Common Council of the City of Springfield this 22nd day of July, 2013, by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 22nd day of July, 2013.

ATTEST:

Amy Sowa
City Recorder

Christie L. Long
Mayor

REVIEWED & APPROVED
AS TO FORM
CORIN J. LEAHY
DATE: 6/21/13
OFFICE OF CITY ATTORNEY

City of Springfield, Oregon
CERTIFIED TRUE COPY

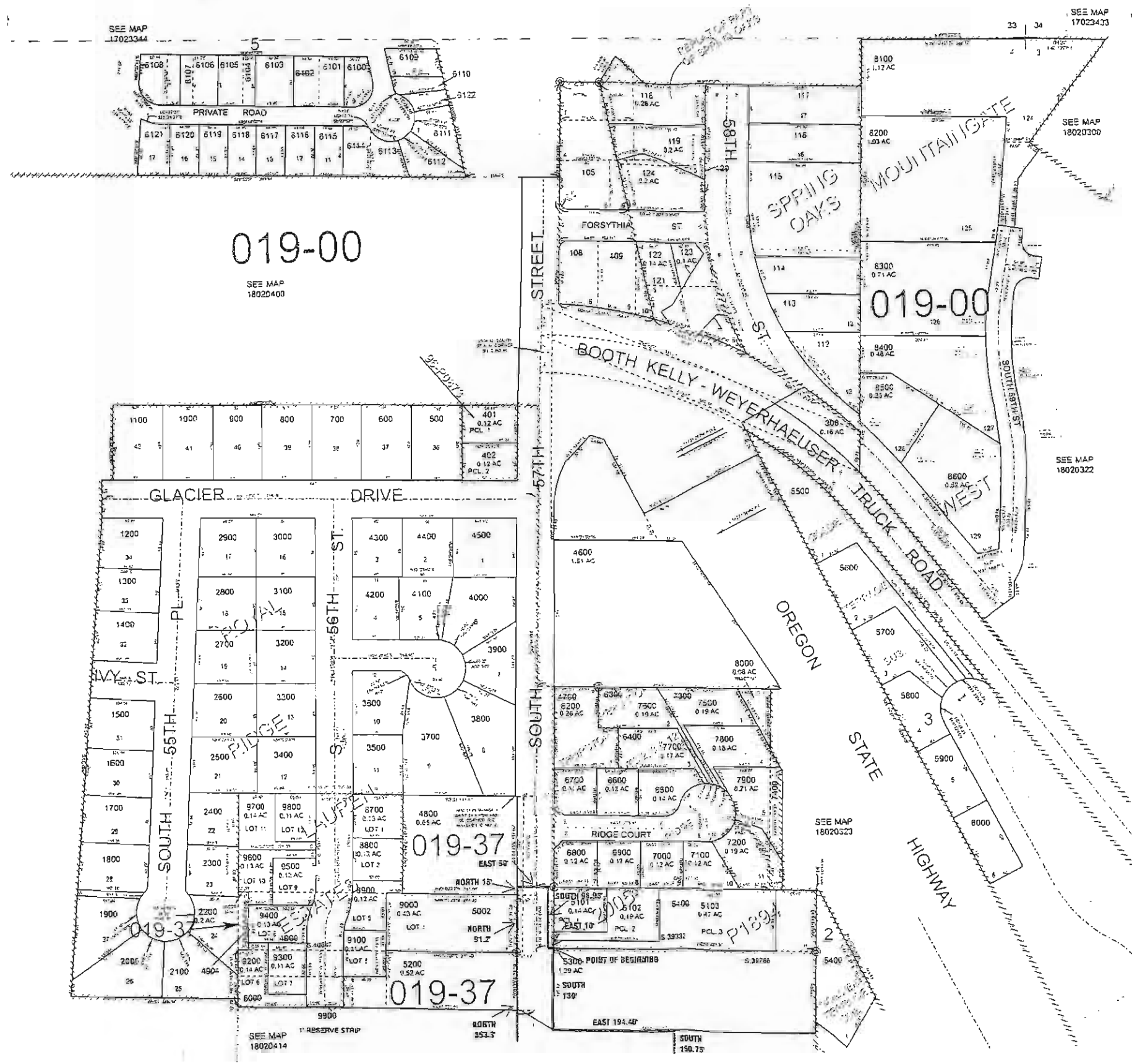
Amy Sowa
City Recorder

Date Received: 7/24/2013
Planner: AL

N.E. 1/4 N.E. 1/4 SEC. 4 T.18S. R.2W. W.M.
Lane County
1" = 100'

18020411

FOR ASSESSMENT AND
TAXATION ONLY



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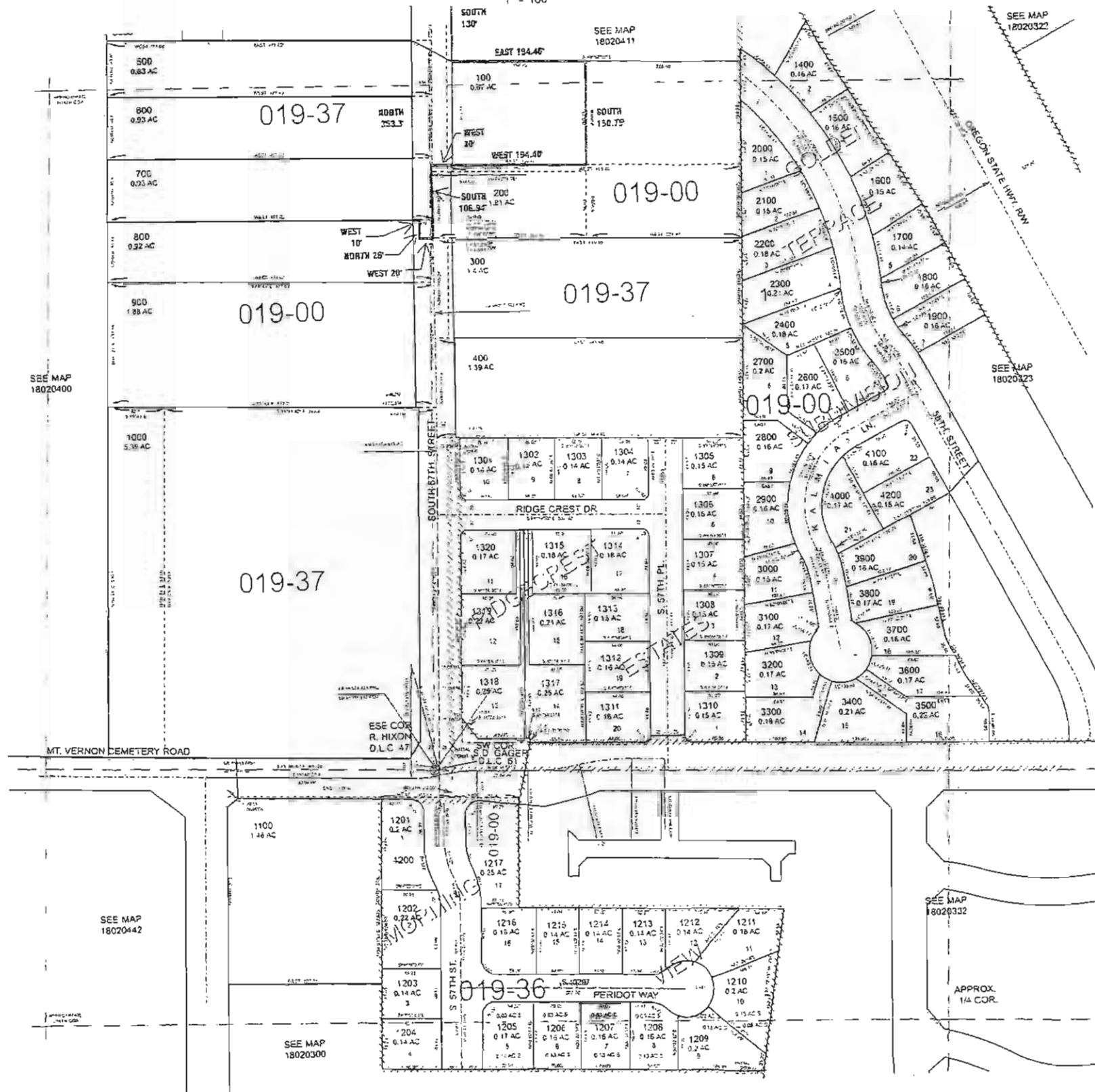
Date Received: 7/24/2013
Planner: AL

18020414
SPRINGFIELD

FOR ASSESSMENT AND
TAXATION ONLY

S.E. 1/4 N.E. 1/4 SEC. 4 T.18S. R.2W. W.M.
Lane County
1" = 100'

LCAT# 18020414 18020414



CANCELLED
1200
1300

REVISED: LCAT# 18020414 - CORRECT MAP TO BE
SUBMITTED TO LCAT# 18020414 - CORRECT CHANGE TO LCAT# 18020414

SPRINGFIELD
18020414

Date Received: 7/24/2013
Planner: AL

LEGAL DESCRIPTION

Tax Lot 100 of Lane County Oregon Assessor's Map 18-02-04-14, and a portion of the right of way of South 57th Street in Springfield, Oregon; being more completely described as follows:

Beginning at the Southwest corner of Parcel 3 of Land Partition Plat No. 2005-P1894, as filed for public record in the Office of the Lane County, Oregon Surveyor, in County Surveyor's File No. 39332, on June 20, 2005, said point being on the east right of way line of South 57th Street, said point being at an angle point on the Springfield City Limits line;

thence on the Springfield City Limits line and the east right of way line of South 57th Street **South 130 feet**;

thence leaving said east right of way line and continuing on said City Limits line **East 194.40 feet**;

thence continuing on said City Limits line **South 150.75 feet**;

thence continuing on said City Limits line **West 194.40 feet** to a point on said east right of way line;

thence leaving said east right of way line and continuing on said City Limits line **West 30 feet, more or less** to the centerline of South 57th Street;

thence continuing on said City Limits line and on said centerline **South 106.94 feet, more or less**;

thence leaving said City Limits line and said centerline **West 20 feet, more or less** to a point on the Springfield City limits line;

thence continuing on said City Limits line **North 26 feet, more or less**;

thence continuing on said City Limits line **West 10 feet, more or less** to a point on the west right of way line of South 57th Street;

thence leaving said City Limits line and continuing on said west right of way line **North 353.3 feet, more or less** to point on the Springfield City Limits line;

thence continuing on said City Limits line and continuing on said west right of way line **North 91.2 feet**;

Date Received: 7/24/2013
Planner: AL

thence leaving said City Limits line and continuing on said west right of way line North 16 feet, more or less, to a point on the Springfield City Limits line;

thence leaving said west right of way line and continuing on said City Limits line East 50 feet, more or less;

thence continuing on said City Limits line South 96.93 feet;

thence continuing on said City Limits line East 10 feet, more or less to the Point of Beginning.

Basis of bearing for this description is Partition Plat 2005-P1894.

Assessor's Map and Tax Lot numbers are current as of the date of this description.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Christopher J. Moorhead

OREGON
JANUARY 8, 2007
CHRISTOPHER J. MOORHEAD
01380LS

RENEWAL DATE: DECEMBER 31, 2014

signed 6/18/13

Date Received: 7/24/2013
Planner: AL

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477

3



Annexation Application Type IV

Application Type (Applicant: Check one)

Annexation Application Pre-Submittal:	<input type="checkbox"/>
Annexation Application Submittal:	<input checked="" type="checkbox"/>

Required Proposal Information (Applicant: Complete This Section)

Property Owner:	Don m. HORTON	Phone:	(541) 517-3059
Address:	780 So 57 TH street Springfield, OR. 97478	Fax:	(541) 736-1602
Owner Signature:	<i>[Signature]</i>	E-mail:	don m horton @ Gmail.com
Owner Signature:			

Agent Name:		Phone	
Company:		Fax:	
Address:		E-mail	
Agent Signature:			

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf, except where a signature of the owner of record are required, only the owner may sign hereon.

ASSESSOR'S MAP NO:	18-02-04-14	TAX LOT NO(S):	100
Property Address:	827 So 57 TH street, Springfield, OR 97478		
Area of Request:	Acres: .67	Square Feet:	

Existing Use(s) of Property:	Residential
Proposed Use of Property:	Residential

Required Property Information (City Intake Staff: Complete This Section)

Case No.:	Anx 13-00004	Date:	May 29, 2013	Reviewed By:	Tara
Application Fee:	3668.73	Postage Fee:	543.00	Total Fee:	4395.17

Check Fee: \$183.44

Date Received: ORS 13-00012

MAY 29 2013

Original Submittal RF Date Received: 7/24/2013
 Planner: AL

Owner Signatures

This application form is used for both the required pre-submittal meeting and subsequent complete application submittal. Owner signatures are required at both stages in the application process.

An application without the Owner's original signature will not be accepted.

Pre-Submittal

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Pre- Submittal Meeting. If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf. I/we do hereby acknowledge that I/we are legally responsible for all statutory timelines, information, requests and requirements conveyed to my representative.

Owner: _____ Date: _____

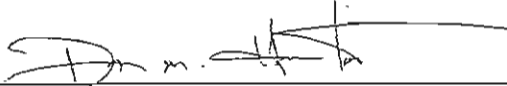
Signature _____

Print _____

Submittal

I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Pre-Submittal Meeting, I affirm the information identified by the City as necessary for processing the application is provided herein or the information will not be provided if not otherwise contained within the submittal, and the City may begin processing the application with the information as submitted. This statement serves as written notice pursuant to the requirements of ORS 227.178 pertaining to a complete application.


Owner: _____ Date: 5/29/13

Signature 

Print Don m. HORTON

Date Received:

MAY 29 2013

Original Submittal 

FORM 1

PETITION/PETITION SIGNATURE SHEET
 Annexation by Individuals
 [SDC 5.7-125(2)(b)(I)/ORS 222.170(1)]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to Lane County Metropolitan Wastewater Service District and Willamalane Parks and Recreation District, as deemed necessary:

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner ✓	Acres (qty)
1. <i>Lauren E. Horton</i>	5/21/13	Lauren E. HORTON	780 So 57th Street Springfield, OR. 97478	18-02-04-11-05000	✓	.67
2. <i>Donald M. Horton</i>	5/21/13	Donald M. HORTON			✓	.67
3.						
X <i>A. Kashyap</i>	5/27/13	ANANTH KASHYAP	827 So 57th St. Springfield, OR. 97478	18-02-04-14-00100	elector	
5.						

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

Donald M. HORTON
Donald M. Horton (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
 X *Donald M. Horton* (signature of circulator)

CERTIFICATION OF OWNERSHIP

The total landowners in the proposed annexation are _____ (qty). This petition reflects that _____ (qty) landowners (or legal representatives) listed on this petition represent a total of _____ (%) of the landowners and _____ (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity that may not yet be reflected on the A&T computerized tax roll.

Lane County Department of Assessment and Taxation

Date Signed and Certified

Date Received: 7/24/2013
 Planner: AL

Exhibit B. Page 3 of 6

FORM 2

OWNERSHIP WORKSHEET

(This form is **NOT** the petition)

(Please include the name and address of ALL owners regardless of whether they signed an annexation petition or not.)

OWNERS

Property Designation (Map/lot number)	Name of Owner	Acres	Assessed Value	Imp. Y/N	Signed Yes	Signed No
18-07-04-14-100	Donald Horton	.67	168,400	Y	Y	
"	Lauren Horton	"	"	"	"	X
TOTALS:						

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	2
NUMBER OF OWNERS WHO SIGNED	2
PERCENTAGE OF OWNERS WHO SIGNED	100
TOTAL ACREAGE IN PROPOSAL	.67
ACREAGE SIGNED FOR	.67
PERCENTAGE OF ACREAGE SIGNED FOR	100
TOTAL VALUE IN THE PROPOSAL	168,400
VALUE CONSENTED FOR	168,400
PERCENTAGE OF VALUE CONSENTED FOR	100

Date Received: 7/24/2013
 Planner: AL

FORM 3

SUPPLEMENTAL INFORMATION FORM

(Complete all the following questions and provide all the requested information. Attach any responses that require additional space, restating the question or request for information on additional sheets.)

Contact Person: Don Horton
 E-mail: don m horton @Gmail.com

Supply the following information regarding the annexation area.

- Estimated Population (at present): 7
- Number of Existing Residential Units: 1
- Other Uses: none
- Land Area: 0.67 total acres
- Existing Plan Designation(s): LDR
- Existing Zoning(s): LDR
- Existing Land Use(s): Residential
- Applicable Comprehensive Plan(s): metro plan
- Applicable Refinement Plan(s): N/A
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. Annexation required to obtain city sewer service
- Are there development plans associated with this proposed annexation?
 Yes No
 If yes, describe. possible future partition
- Is the proposed use or development allowed on the property under the current plan designation and zoning?
 Yes No
- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).
North boundary

Date Received: 7/24/2013
 Planner: AL

Does this application include all contiguous property under the same ownership?

Yes No

If no, state the reasons why all property is not included:

- Check the special districts and others that provide service to the annexation area:

- | | |
|--|--|
| <input type="checkbox"/> Glenwood Water District | <input type="checkbox"/> Rainbow Water and Fire District |
| <input type="checkbox"/> Eugene School District | <input type="checkbox"/> Pleasant Hill School District |
| <input checked="" type="checkbox"/> Springfield School District | <input type="checkbox"/> McKenzie Fire & Rescue |
| <input type="checkbox"/> Pleasant Hill RFPD | <input checked="" type="checkbox"/> Willakenzie RFPD |
| <input type="checkbox"/> EPUD | <input checked="" type="checkbox"/> SUB |
| <input checked="" type="checkbox"/> Willamalane Parks and Rec District | <input type="checkbox"/> Other _____ |

- Names of persons to whom staff notes and notices should be sent, in addition to applicant(s), such as an agent or legal representative.

NONE

(Name)

(Address)

(City) (Zip)

(Name)

(Address)

(City) (Zip)

(Name)

(Address)

(City) (Zip)

(Name)

(Address)

(City) (Zip)

Date Received: 7/24/2013
Planner: AL

**TYPE IV – ANNEXATION
STAFF REPORT AND RECOMMENDATION**



File Name: Horton Annexation

Applicant: Don & Lauren Horton

Case Number: ANX13-00004

Proposal Location: 827 South 57th Street
(Map 18-02-04-14, Tax Lot 100)

Current Zoning:
Low Density Residential (LDR) with
Urbanizable Fringe Overlay (UF-10)

Plan Designation: LDR

Applicable Comprehensive Plan:
Metro Plan



Application Submittal Date: May 29, 2013

Associated Applications: PRE13-00014 (Pre-submittal meeting for annexation)

CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW COMMITTEE

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Public Works Civil Engineer	Streets and Utilities	Clayton McEachern	541-736-1036
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-2293
Building Official	Building	David Bowsby	541-736-1029

APPLICANT'S DEVELOPMENT REVIEW TEAM

POSITION	NAME	PHONE	MAILING ADDRESS
Applicant	Don Horton	541-517-3059	780 South 57 th Street Springfield, OR 97478
Owners	Don & Lauren Horton	541-517-3059	780 South 57 th Street Springfield, OR 97478

Date Received: 7/24/2013
Planner: AL

Review Process (SDC 5.7-115): The subject annexation request is being reviewed under Type IV procedures, without Planning Commission consideration.

Development Issues Meeting (SDC 5.7-120): A Development Issues Meeting (DIM) is required of all third-party annexation applications.

Finding: Staff conducted an informal Development Issues Meeting for the subject annexation request at no cost and on an expedited time line at the Development & Public Works office on May 9, 2013. Because the subject request to annex is to address a potential public health hazard and the necessary services are available along the property frontage, the applicant was advised to proceed directly to the Annexation application pre-submittal step.

Conclusion: The requirement in SDC 5.7-120 is met.

Annexation Initiation and Application Submittal (SDC 5.7-125): In accordance with SDC 5.7-125.B.2.b.i and ORS 222.170(1), an annexation application may be initiated by "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 consent in writing to the annexation of their land".

Finding: The property owners who own all of the land and real property, and full assessed value of real property in the contiguous territory, have filed an application and petition requesting annexation to the City of Springfield (Attachment 4, Exhibit B).

Conclusion: The application requirements in SDC 5.7-125 have been met.

Site Information: The property requested for annexation is a 0.67 acre parcel on the east side of South 57th Street just south of Ridge Court. The subject site is inside the Springfield Urban Growth Boundary (UGB) and is currently developed with a single family dwelling. Annexation is requested to facilitate connection to City sewer service due to a failed septic system on the property.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff, Springfield Police Department), schools (Springfield School District 19), roads (Lane County and City of Springfield), water and electricity (Springfield Utility Board), and Fire (Cities of Eugene & Springfield and Willakenzie Rural Fire Protection District). Upon annexation, the City of Springfield will be responsible for urban services, including sewer, water, electricity and police/fire response to the subject area.

Notice Requirements (SDC 5.7-130): Consistent with SDC 5.7-130, notice was provided as follows:

Mailed Notice. Notice of the annexation application was mailed June 13, 2013, which is at least 14 days prior to the public hearing date, to the affected property owner(s); owners and occupants of properties located within 300 feet of the perimeter of the affected territory; affected neighborhood groups or community organizations officially recognized by the city that includes the affected territory; affected special districts and all other public utility providers; and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

Newspaper Notice. Notice of the July 1, 2013 public hearing date was published in *The Register-Guard* on June 17 and 24, 2013.

Posted Notice. Notice of the July 1, 2013 public hearing was posted in four public places in the City: at one location along the property frontage on South 57th Street; at Springfield City Hall and in the Development & Public Works office; and on the City of Springfield website, on or before June 18,

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Planner: AL

2013. Staff posted a notice of postponed hearing at the Council Chambers on July 1, 2013 advising that the hearing date was moved to July 22, 2013. No public input or written testimony has been received in the interim.

Finding: Upon annexation of the subject territory to the City the current Low Density Residential zoning will be retained, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to this change, the Oregon Department of Land Conservation and Development (DLCD) was notified in writing of the annexation proceedings prior to the public hearing. Because of the urgency of the request, staff confirmed with DLCD that less than the full 35 days advance notice was acceptable for the proposed annexation action. DLCD notification was sent on June 7, 2013, which is 24 days prior to the initially scheduled hearing date.

Conclusion: Notice of the public hearing was provided consistent with SDC 5.7-130.

Recommendation to City Council (SDC 5.7-135): The Development & Public Works Director shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in Section 5.7-140, which are provided as follows with the SDC requirements, findings, and conclusions. The Director's recommendation follows SDC 5.7-140, Criteria.

Criteria (SDC 5.7-140): The 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.

Finding: The subject annexation territory is located within the acknowledged urban growth boundary (UGB) of the City of Springfield as modified on the Metropolitan Area General Plan diagram (*Metro Plan*). The site is contiguous to the City limits on three sides. Therefore, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

Finding: Staff is recommending concurrently annexing a segment of South 57th Street right-of-way to eliminate irregular gaps in the City limits line. With the concurrent annexation of right-of-way, the subject site will be surrounded by territory lying within the City limits.

Conclusion: The proposal meets this criterion.

- B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans or Plan Districts;

Finding: The *Metro Plan* was acknowledged by the Land Conservation and Development Commission (LCDC) in August, 1982 and has been subsequently amended. The territory requested for annexation is located within the acknowledged UGB of the *Metro Plan*. Territory within the delineated UGB ultimately will be within the City of Springfield.

Finding: The territory requested for annexation is not located in an adopted Refinement Plan area and there are no proposed changes to the current zoning or plan designation.

Finding: The continued annexation of properties and public street rights-of-way to the City of Springfield is consistent with the Metro Plan, which will result in the elimination of special districts within the urbanizable area. The City's adopted comprehensive plans recognize that as annexations to the City occur, the special district service areas will diminish incrementally and eventually will be dissolved.

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Finding: The territory requested for annexation is within the Willakenzie Rural Fire Protection District. The Fire District has a service arrangement with Eugene/Springfield Fire & Life Safety for provision of fire response to certain unincorporated areas of southeast Springfield. After the public hearing and if determined by the City Council that withdrawal is in the best interest of the City, the annexation area will be withdrawn from the Willakenzie Rural Fire Protection District consistent with ORS 222.510, 222.520, and 222.525 and Eugene/Springfield Fire & Life Safety will provide emergency response service directly to the annexation area.

Finding: After the public hearing and if determined by the City Council that annexation is in the best interest of the City, the annexation area will be annexed into the Willamalane Park and Recreation District as authorized by an intergovernmental agreement between the City of Springfield and Lane County. The park district provides park and recreation facilities and services to territory within the City of Springfield.

Conclusion: The proposal meets this criterion.

- C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner; and

Finding: The *Metro Plan* recognizes annexation as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas.

Finding: The territory requested for annexation will take advantage of urban service delivery systems that are already in place or can be logically extended to serve this area. In addition to urban utilities, the following facilities and services are either available or can be extended to this annexation area:

Water – The subject site is currently within the service area of the City by and through the Springfield Utility Board. Existing water infrastructure within the vicinity will be maintained by the affected utility providers.

Electricity – SUB Electric provides service to developed properties in portions of southeast Springfield that are north of the Mt. Vernon Road alignment, including the subject site. Existing electrical system infrastructure within the adjacent public rights-of-way will be maintained by the affected utility providers.

Police Services – The Springfield Police Department currently provides service to areas of southeast Springfield that are already inside the City. The subject territory is within the joint jurisdiction of Springfield Police Department and Lane County Sheriff's Department. Upon annexation, this area will receive Springfield Police services on an equal basis with other properties inside the City.

Fire and Emergency Services – Fire protection is currently provided to the annexation area by Eugene/Springfield Fire Department under contract with the Willakenzie Rural Fire Protection District. Upon annexation, the City will continue to provide fire and emergency services to the subject territory.

Emergency medical transport (ambulance) services are provided on a regional basis by the Eugene/Springfield Fire Department, and Lane Rural Fire/Rescue to central Lane County. The annexation area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide backup coverage for each other's jurisdictions.

Parks and Recreation – Park and recreation services are provided to the City of Springfield by the Willamalane Park and Recreation District. The park district operates several indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Memorial Building Community Center, and Willamalane Adult Activity Center. The park district offers various after-school and other programs for

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children at schools and parks throughout the community. Also available are pathways and several categories of parks, including community parks, sports parks, special use parks, and natural area parks. Willamalane has recently started construction of a new neighborhood park on the east side of Bob Straub Parkway, just to the southeast of the subject property.

Concurrent with annexation to the City of Springfield, the subject area will be annexed to the Willamalane Park and Recreation District consistent with City policy, if the City Council determines that annexation to the special district is in the best interest of the City.

Library Services – Upon annexation to the City of Springfield, the subject area will be within the service area of the Springfield Public Library.

Schools – The Springfield School District serves this area of southeast Springfield, including both annexed and non-annexed properties. The School District has recently outlined plans for a future school building at a site on the east side of Bob Straub Parkway, just to the southeast of the subject property.

Sanitary Sewer – The annexation area can be served by connection to an existing sanitary sewer lateral along the property frontage. A public sanitary sewer line runs within South 57th Street, and no extension or upgrade to the public system is required with this annexation request. The applicant has depicted the sanitary sewer connection point on a utility servicing plan (Attachment 3).

Stormwater – The subject annexation territory is served by a piped stormwater management system within South 57th Street. However, there are no immediate planned changes to the public stormwater management system associated with this annexation request.

Streets – The subject annexation area has frontage on South 57th Street, which is classified as a major collector street and is currently under Lane County jurisdiction. Along the property frontage, South 57th Street is improved with curb and gutter, curbside sidewalk, lane striping, bicycle lane, and street lighting. There are no immediate planned or required street improvements associated with this annexation request.

Solid Waste Management – The City and Sanipac have an exclusive franchise arrangement for garbage service inside the City limits. Upon annexation, solid waste disposal service can be provided by Sanipac.

Communication Facilities – Various providers offer both wired and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to this area.

Land Use Controls – The annexation area is within Springfield's urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Springfield, the City already has planning and building jurisdiction for unincorporated areas within the Springfield urban growth boundary. The City will continue to administer land use controls after annexation.

Finding: The minimum level of key urban facilities and services, as outlined in the *Metro Plan* are either immediately available or can be provided within a reasonable future time frame as needed.

Conclusion: The proposal meets this criterion.

D. Where applicable fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council.

Finding: The property owners requesting annexation have been informed of the requirements for connection of urban utilities to serve the site and understand the responsibility of the developer to fund such improvements.

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Because there are no significant fiscal impacts to the City for providing a minimum level of key urban services, an Annexation Agreement is not required for this request. Connection of utilities to serve the annexation area will be undertaken through the City's standard permitting process.

Conclusion: The proposal meets this criterion.

DIRECTOR'S RECOMMENDATION: Approve the annexation of the subject territory to City of Springfield and Willamalane Park and Recreation District.

City Council Decision (SDC 5.7-145): City Council approval of the annexation application shall be by Ordinance.

Finding: On July 22, 2013, the City Council will conduct a Public Hearing and reading of this Annexation Ordinance. Based on the staff analysis and recommendation to adopt as an emergency ordinance, and on testimony provided at the Public Hearing, the City Council may direct a second reading of the Ordinance to occur on July 22, 2013. The Council may order modifications to this Ordinance in consideration of evidence in the record.

Zoning (SDC 5.7-150): The annexation area is zoned and designated Low Density Residential in accordance with the adopted *Metro Plan*. Properties that are outside the City limits have the Urbanizable Fringe Overlay District (UF-10) applied to the zoning. Upon the effective date of the annexation, the UF-10 overlay will be automatically removed and the site will retain the Low Density Residential zoning.

Effective Date and Notice of Approved Annexation (SDC 5.7-155): If the annexation is approved by the City Council after a second reading on July 22, 2013, the Ordinance will become effective immediately after adoption by the City Council and signature of the Mayor, and upon acknowledgement of filing with the Secretary of State.

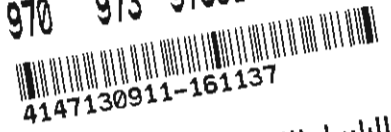
Withdrawal from Special Service Districts (SDC 5.7-160): Withdrawal from special districts may occur concurrently with the approved annexation Ordinance or after the effective date of the annexation of territory to the City. The Director shall recommend to the City Council consideration of the withdrawal of the annexed territory from special districts as specified in ORS.222. In determining whether to withdraw the territory, the City Council shall determine whether the withdrawal is in the best interest of the City. Notice of the withdrawal shall be provided in the same manner as the annexation notice in Section 5.7-150.

Finding: The annexation area is within the delineated service territory of the Willakenzie Rural Fire Protection District. Eugene/Springfield Fire & Life Safety will provide emergency response service after annexation. Consistent with SDC 5.7-160, notice was provided, a public hearing was held, and the City Council determined that withdrawal from the Willakenzie Rural Fire Protection District was in the best interest of the City. The withdrawal decision was codified in Ordinance No. 6295.

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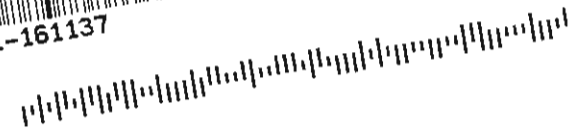
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SEP 13 2013

LAND CONSERVATION
AND DEVELOPMENT

CITY OF SPRINGFIELD
DEVELOPMENT SERVICES DEPARTMENT
225 5th ST
SPRINGFIELD, OR 97477



Attention: Plan Amendment Specialist
Dept. Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540