



# Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: 10/27/2014  
Jurisdiction: City of Springfield  
Local file no.: ANX 14-0003  
DLCD file no.: 005-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/27/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)

DLCD FORM 2



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

DEPT OF

File No.: OCT 27 2014

Received:  
LAND CONSERVATION  
AND DEVELOPMENT

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Springfield

Local file no.: ANX14-00003

Date of adoption: 10/20/2014

Date sent: 10/22/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 8/22/2014

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes ☐ No ☒

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Andy Limbird, Senior Planner

Phone: 541-726-3784

E-mail: alimbird@springfield-or.gov

Street address: 225 Fifth Street

City: Springfield

Zip: 97477-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

#### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

#### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary



**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**If the comprehensive plan map change is an urban reserve amendment** including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from LDR/UF-10 to LDR Acres: 7.5

Change from to Acres:

Change from to Acres:

Change from to Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: UF-10 Acres added: Acres removed: 7.5

Location of affected property (T, R, Sec., TL and address): Map 18-02-04-00, Tax Lot 313 (portion)

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List affected state or federal agencies, local governments and special districts: Lane County, Willamalane Park & Recreation District, Willakenzie Rural Fire Protection District

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Adopted Annexation Ordinance 6328 and Exhibits attached

**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**

**THE CITY 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 August 15, 2014, said territory being a portion of Assessor's Map Township 18 South, Range 02 West, Section 04, Map 00, Tax Lot 313 which is vacant and not assigned a municipal address, 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 petitions 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 in accordance with SDC 5.7-130; 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 proposed annexation is consistent with applicable policies in the adopted *Metro Plan* and in any applicable Refinement Plan Districts [SDC 5.7-140.B]; 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 Cities of Eugene and Springfield would provide emergency response service directly to the area after it was annexed to the City [SDC 5.7-160.B]; and,

**WHEREAS**, on October 6, 2014, the Springfield City 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 City 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 more particularly described in **Exhibit A** to this Ordinance.

**SECTION 2:** 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.

**SECTION 3:** This Ordinance shall become effective 30 days from the date of its passage by the City Council and approval by the Mayor, or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever date is later.

**ADOPTED** by the City Council of the City of Springfield this 20 day of OCTOBER, 2014, by a vote of 5 for and 0 against.

**APPROVED** by the Mayor of the City of Springfield this 20 day of OCTOBER, 2014.

ATTEST:

Amy Sowa  
City Recorder

Christopher L. Long  
Mayor

REVIEWED & APPROVED  
AS TO FORM  
Joselyn J. Leach  
DATE: 9/16/14  
OFFICE OF CITY ATTORNEY

City of Springfield, Oregon

CERTIFIED TRUE COPY

Amy Sowa  
City Recorder

**Exhibit "A"**

A PORTION OF PARCEL III OF IN DEED DOCUMENT NO. 2013-041161, LANE COUNTY DEED RECORDS, LOCATED IN SECTION 4, TOWNSHIP 18 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF SPRINGFIELD, LANE COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE POINT OF INTERSECTION OF THE EAST LINE OF THAT 225 FOOT WIDE BONNEVILLE POWER ADMINISTRATION (BPA) TRANSMISSION LINE EASEMENT AS DESCRIBED IN BOOK 391, PAGE 573, LANE COUNTY DEED RECORDS AND THE NORTHERLY RIGHT OF WAY LINE OF MT. VERNON ROAD (AS DEFINED IN LANE COUNTY SURVEY FILE NO. 35074), 29.53 FEET (9.00 m) NORTHERLY OF THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO; THENCE NORTH 30°50'42" WEST, 399.53 FEET ALONG THE SOUTHWESTERLY BOUNDARY LINE OF THE PREVIOUS ANNEXATION LINE AS DESCRIBED IN LANE COUNTY BOUNDARY COMMISSION FILE NO. "C SP 78-24" TO THE **POINT OF BEGINNING**, SAID POINT BEING ON THE WESTERLY LINE OF SAID BPA EASEMENT AND NORTH 03°25'00" EAST, 332.78 FEET FROM SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 8 COURSES:

(1) THENCE CONTINUING ALONG SAID PREVIOUS ANNEXATION LINE, NORTH 30°50'42" WEST, 923.87 FEET TO A POINT ON THE WESTERLY LINE OF SAID PARCEL III;

(2) THENCE ALONG SAID WESTERLY LINE OF PARCEL III, SOUTH 00°06'41" WEST, 913.92 FEET TO THE NORTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO DAVID AND CLARETTA BIRDSEYE IN BOOK 409, PAGE 540, LANE COUNTY DEED RECORDS;

(3) THENCE ALONG THE NORTHERLY LINE OF SAID BIRDSEYE TRACT, SOUTH 89°48'22" EAST, 100.00 FEET TO THE NORTHEAST CORNER THEREOF;

(4) THENCE ALONG THE EASTERLY LINE OF SAID BIRDSEYE TRACT, SOUTH 00°31'38" WEST, 233.97 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID MT. VERNON ROAD;

(5) THENCE ALONG SAID NORTHERLY LINE NORTH 85°09'48" EAST, 144.07 FEET;

(6) THENCE NORTH 77°50'27" EAST, 25.73 FEET TO A POINT OF CURVATURE;

(7) THENCE ALONG THE ARC OF A 1673.23 FOOT (510.000 m) RADIUS CURVE CONCAVE TO THE SOUTHEAST THROUGH A CENTRAL ANGLE OF 06°28'48", (THE LONG CHORD BEARS NORTH 88°24'12" EAST, 189.14 FEET) AN ARC DISTANCE OF 189.24 FEET TO A POINT OF INTERSECTION OF SAID NORTHERLY RIGHT OF WAY LINE AND THE WESTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NO. 2006-076891, LANE COUNTY DEED RECORDS, ALSO BEING THE WESTERLY LINE OF SAID BPA EASEMENT;

(8) THENCE ALONG SAID WESTERLY LINE NORTH 03°25'00" EAST, 332.78 FEET TO THE POINT OF BEGINNING.

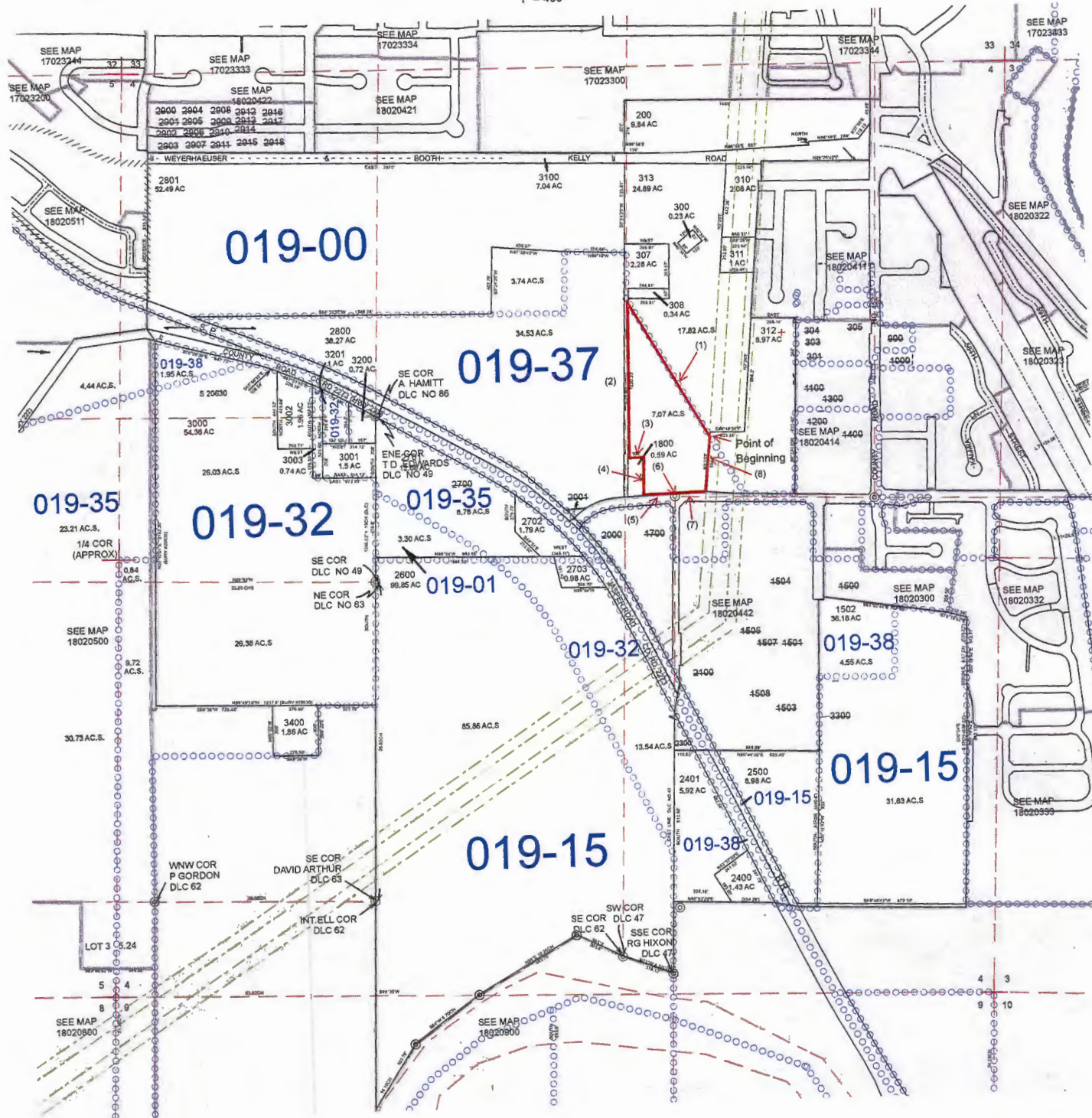
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 12, 2005  
ERIC D. LYNCH  
56544

RENEWAL: 12/31/14



FOR ASSESSMENT AND  
TAXATION ONLY



CANCELLED

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NOTE:  
NUMBERED COURSES COINCIDE  
WITH COURSE NUMBERS SHOWN ON  
THE LEGAL DESCRIPTION

REVISIONS  
08/21/2008 - LCAT 167 - CONVERT MAP TO GIS  
08/17/2010 - LCAT 167 - ADDED "CD RD 2777" TO JASPER RD  
08/13/2013 - LCAT 156 - CODE CHANGE TLA 3000, 3002, & 3201

SPRINGFIELD  
18020400

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:	Hayden Homes	Phone:	503-588-0985
Address:	2464 SW galier Place, Suite 110	Fax:	jlovrien@Hayden
	Redmond, Oregon 97756	E-mail:	Homes.com
Owner Signature:			
Owner Signature:			
Agent Name:	Michael Cerbone	Phone	503-419-2500
Company:	Cardno	Fax:	
Address:	5415 SW Westgate Drive, Portland, Oregon 97221	E-mail	michael.cerbone@Cardno.com
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 signatures of the owner of record are required, only the owner may sign the petition.			
ASSESSOR'S MAP NO:	18020400	TAX LOT NO(S):	313
Property Address:	North of Mt. Vernon Road and West of S. of 55th Place		
Area of Request:	Acres: 7.07	Square Feet:	320,695.2
Existing Use(s) of Property:	Vacant		
Proposed Use of Property:	Single Family Residential		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:	ANX14-00003	Date:	8/15/14
Application Fee:	\$17,960.83	Postage Fee:	543 <sup>00</sup>
		Tech Fee:	898 <sup>04</sup>
Reviewed By: (initials)	L. Miller		
Total Fee:	\$19,401.87		

Pre Submittal Case

Date Received: PRE14-00003

PRE14-00029

AUG 15 2014

Page 8 of 16

Original Submittal

ORDINANCE NO. 6328



**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:****Signature****Print****Date Received:**

AUG 15 2014

Original Submittal AL

**FORM 1**

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

Date Received:

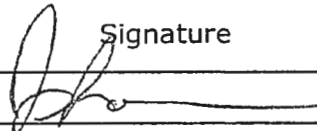
AUG 15 2014

Original Submittal LL

ORDINANCE NO. 6328

Exhibit B, Page 3 of 14

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. 		Jesse Lovrien, HH	2464 SW Glacier PL Redmond, Oregon 97756	18020400 TL 313	x	7.07
2.						
3.						
4.						
5.						

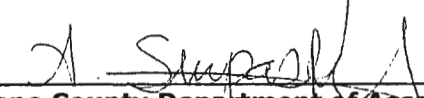
Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Michael Carbone (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.

x  (signature of circulator)

**CERTIFICATION OF OWNERSHIP**

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) 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

7-23-14  
Date Signed and Certified

RECEIVED

JUL 23 2014

Lane County  
Assessment & Taxation

**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
18020400 TL 313	Hayden Homes	7.07	\$1,605	N	Y	
TOTALS:		7.07	\$1,605			

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	1
NUMBER OF OWNERS WHO SIGNED	1
PERCENTAGE OF OWNERS WHO SIGNED	100%
TOTAL ACREAGE IN PROPOSAL	7.07+/-
ACREAGE SIGNED FOR	7.07 +/-
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	\$1,605
VALUE CONSENTED FOR	\$1,605
PERCENTAGE OF VALUE CONSENTED FOR	100%

Date Received:

AUG 15 2014

Revised 10/9/13 kl

13 of 16

Original Submittal *AS*

ORDINANCE NO. 6328



**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: Thatch Moyle

E-mail: Thatch.Moyle@cardno.com

**Supply the following information regarding the annexation area.**

- Estimated Population (at present): 0
- Number of Existing Residential Units: 0
- Other Uses: \_\_\_\_\_
- Land Area: 7.07 +/- total acres
- Existing Plan Designation(s): Lane County Rural Residential
- Existing Zoning(s): Low Density Residential
- Existing Land Use(s): Vacant
- Applicable Comprehensive Plan(s): Eugene-Springfield Metropolitan Area General Plan
- Applicable Refinement Plan(s): \_\_\_\_\_
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. \_\_\_\_\_

Please see narrative

- Are there development plans associated with this proposed annexation?

Yes \_\_\_\_\_ No X

If yes, describe.

- Is the proposed use or development allowed on the property under the current plan designation and zoning?

Yes X No \_\_\_\_\_

Date Received:

AUG 15 2014

- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).

The proposed annexation is contiguous to the city limits along the northeastern property line

Extending from the south-east diagonally to the north-west

Page 14 of 16

**FORM 4**

**WAIVER OF ONE YEAR TIME LIMIT  
FOR ANNEXATION PURSUANT TO ORS 222.173**

This waiver of the time limit is for the following described property:

1802400 TL 313

Map and Tax Lot Number  
(assigned)

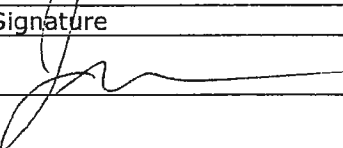
Street Address of Property (if address has been  
assigned)

**ONE WAIVER OF TIME LIMIT FOR EACH PARCEL, PLEASE**

We, the owner(s) of the property described above understand the annexation process can take more than one year but desire to annex to have City services. Therefore, we agree to waive the one-year time limitation on this petition to annex established by Oregon Revised Statutes 222.173, and further agree that this contract shall be effective ☒ indefinitely or [ ] until


\_\_\_\_\_.  
Date

**Signatures of Legal Owners**

Please print or type name	Signature	Date Signed
Jesse Lovrien		6/23/14

Date Received:

AUG 15 2014

Original Submittal 

LCOG: L:\BC\2008 BOUNCHARGE TRANSITION\APPLICATION FORMS\SPRINGFIELD\10-03-08 UPDATED FORMS\PRE-SUBMITTAL ANNEXATION APPLICATION 10-07-08.DOC  
Last Saved: October 27, 2010

# Pinehurst

## PHASE 2

### ANNEXATION REQUEST

Springfield, Oregon

An Application For:  
Land Annexation

Submitted June 3, 2014  
Resubmitted August 6, 2014

Property Owners:  
**Hayden Homes**  
2464 SW Glacier Place, Suite 100  
Redmond, Oregon 97756

Prepared by:  
**Cardno**  
5415 SW Westgate Drive, Suite 100  
Portland, Oregon 97221  
Phone: 503-419-2500  
Fax: 503-419-2600

Project #: 21304840

Date Received:

AUG 15 2014

Original Submittal AZ



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### EXHIBITS

EXHIBIT A	APPLICATION
EXHIBIT B	PUBLIC/PRIVATE UTILITY PLAN
EXHIBIT C	CADASTRAL MAP
EXHIBIT D	LEGAL DESCRIPTION AND PRELIMINARY ACCEPTANCE BY DEPARTMENT OF REVENUE
EXHIBIT E	PETITION / PETITION SIGNATURE SHEET AND CERTIFICATION OF OWNERSHIP
EXHIBIT F	OWNERS WORKSHEET
EXHIBIT G	SUPPLEMENTAL INFORMATION FORM
EXHIBIT H	ORS 222.173 WAIVER FORM
EXHIBIT I	COPY OF DEED
EXHIBIT J	COPY OF PRELIMINARY TITLE REPORT

Date Received:

AUG 15 2014

Original Submittal AF

## Project Summary

### General Information

Applicant/Owner     **Hayden Homes**  
2464 SW Glacier Place, Suite 110  
Redmond, Oregon 97756  
(503) 888-0985  
**Contact:** Jesse Lovrien

Applicant's  
Representative     **Cardno**  
5415 SW Westgate Drive; Suite  
Portland, Oregon 97221  
(503) 419-2500 phone  
(503) 419-2600 fax  
**Contact:** Michael Cerbone, AICP  
[michael.cerbone@cardno.com](mailto:michael.cerbone@cardno.com)


Tax Lot  
Information:     180204 0000313

Location:     Located north of Mt Vernon Road / west of South 55th Place

Proposed Use:     Single Family Residential Subdivision

Date Received:

AUG 15 2014

Original Submittal 

**Summary**

The Pinehurst subdivision is proposed as a two phased single family low density residential subdivision between Mt. Vernon Road and Glacier Drive, west of South 55<sup>th</sup> Place. The first phase includes 25 housing units located within the existing City of Springfield limits. The proposed project site is dissected by a northwest to southeast diagonal line. Phase II involves the property located south of the diagonal line, approximately 7.46 acres of vacant land, under the jurisdiction of Lane County but is still within the established City of Springfield's Urban Growth Boundary. This is shown on the following page in Exhibit 1.

It is proposed that the project site located in Lane County be annexed to the City of Springfield. This proposal is supported by the following four points:

- A. The proposed annexation is located within the City of Springfield's Urban Growth Boundary (UGB) and development of which would be best served under the City's jurisdiction.
- B. The proposed annexation is consistent with the Growth Management, Residential Housing and Land Use goals and policies outlined in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan).
- C. Key urban facilities and services can be provided in an orderly, efficient, and timely manner.
- D. The annexation will not pose any foreseen fiscal impacts on the City.

Date Received:

AUG 15 2014

Original Submittal AZ



AUG 15 2014

Original Submittal RZ

### Proposed Annexation Location

The UGB was determined by the City through land use evaluation and analysis to be suitable for future land development considerations. The below Exhibit shows the entire proposed project site (yellow) with the annexation of approximately 7.46 acres shaded in blue, outside of the Springfield city limits (purple line) but within established UGB (red line).

Exhibit 1. Project site in relation to Springfield City Limit and UGB



## **Eugene-Springfield Metropolitan Area General Plan**

The City requires that the proposed annexation is consistent with applicable policies in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and any applicable refinement plans or Plan Districts. There are several policies with indirect or assumed benefits that can be argued in support of the annexation, such as the economic value for the community tied to increasing the existing housing stock and enhancing work - life balance by providing an interconnected transportation system for the residents in the southern fringe of the City to the urban center. However, the applicant found that the following policies outlined in the Metro Plan directly apply and support the proposed development on the annexation.

### **Growth Management**

#### **Goals**

1. Use urban, urbanizable, and rural lands efficiently.
2. Encourage orderly and efficient conversion of land from rural to urban uses in response to urban needs, taking into account metropolitan and statewide goals.

#### **Policies**

8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:
  - a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.
  - b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan.

**Response:** The annexation of the proposed site is consistent with the intent of the House Bill 3337 and Oregon state land use policy, which mandates each city to establish a UGB in order to guide development that is compact, efficient and orderly to discourage discontinuous development. The proposed site is located within the UGB. Additionally, annexation is contiguous to city boundaries and public facilities and services can be easily provided through minimal effort and financial impact to the City, as shown in Exhibit B, the proposed utility plan for the site.

### **Residential Land Use and Housing**

#### **Goals**

1. Provide viable residential communities so all residents can choose sound, affordable housing that meets individual needs

#### **Policies**

#### **Residential Land Supply and Demand**

- A.3 Provide an adequate supply of buildable residential land within the UGB for the 20-year planning period at the time of Periodic Review.
- A.4 Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.

Pinehurst - Phase II  
Annexation Request

Date Received:

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AUG 15 2014

Cardno

Submitted June 3, 2014  
Resubmitted August 6, 2014

Original Submittal AL

**Response:** From the Comprehensive Plan, Chapter III Specific Elements-Residential Land Use and Housing Element, it was predicted that by 2015, the Eugene-Springfield Metropolitan UGB is projected to see a population increase of 29% from the 2000 Census. Base on this number there is a demand for 40,000 to 49,000 new housing units to adequately address the needs of projected population growth. This proposed residential community would provide 65 new housing units for the residents of the area, all ranging in sizes, price and type.

Annexation of the proposed Phase II site is directly supported by policy A.4, above. By annexing the currently vacant site for single family residential units, the City is moving closer to fulfilling the 20-year projected housing demand.

#### **Housing Type and Tenure**

- A.17 Provide opportunities for a full range of choice in housing type, density, size, cost, and location.
- A.18 Encourage a mix of structure types and densities within residential designations - by reviewing and, if necessary, amending local zoning and development regulations.

**Response:** The annexation and the proposed development of detached single family residential units will vary in size, type and cost, therefore, directly addressing Housing Type and Tenure policy A.17. The surrounding area is zoned light medium industrial or low density residential and the proposed use of the property site will be consistent with the rest of the comprehensive plan.

#### **Urban Facilities and Services**

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.

Resources of counties are typically more stressed than that of cities. Consequently, the applicant believes that the City of Springfield is better equipped to address facilities and services of a development with the density of the proposed use. Because the annexation will be an extension of Phase I, urban facilities will be made available to Phase II with the construction of Phase I, as shown in Exhibit B, the Composite Utility Plan.

Specifically, the water lines from Phase I will be extended south along S 55th Street through Phase II and down Mt Vernon in order to loop to the water main.

Phase I sanitary sewer lines will be constructed throughout 55th St. and Pinehurst St. to connect into the existing Jasper trunk line; phase II will be able to connect directly into this sewer line. (See Exhibit B).

Stormwater for the proposed project site will be collected at the stormwater pond, located in the southwest corner of the property. The pond is being constructed with Phase I and will be ready to receive a higher volume of runoff with the construction of Phase II. (See Exhibit B).

Additionally, if the annexation is approved, the residents of the City will be better served by the new roads that are to be included with the development. Depending on the street design,

**Pinehurst - Phase II**  
Annexation Request

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residents can access Jasper Road or Highway 222 easily from South 57<sup>th</sup> Street, a heavily utilized arterial street for residents, through the new development. This would provide better connectivity in South Springfield, East Main and Mid-Springfield neighborhoods. Currently, these are also where the industrial and commercial districts are located.

### **Fiscal Impact**

The City of Springfield requires that, where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council. [SDC Section 5.7-140, Criteria]. However, currently there are no foreseen fiscal impacts to the City due to the proximity of the proposed land for annexation to existing facilities and services. Therefore, mitigation efforts such as an Annexation Agreement have not been explored. If there are potential impacts after further review, the applicant will work with the City and City Council to address them.

Date Received:

AUG 15 2014

Original Submittal AZ

**Pinehurst - Phase II**  
*Annexation Request*

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**Cardno**  
Submitted June 3, 2014  
Resubmitted August 6, 2014

ORDINANCE NO. 6328



## TYPE IV – ANNEXATION STAFF REPORT AND RECOMMENDATION

**File Name:** Pinehurst Annexation

**Applicant:** Jesse Lovrien, Hayden Homes

**Case Number:** ANX14-00003

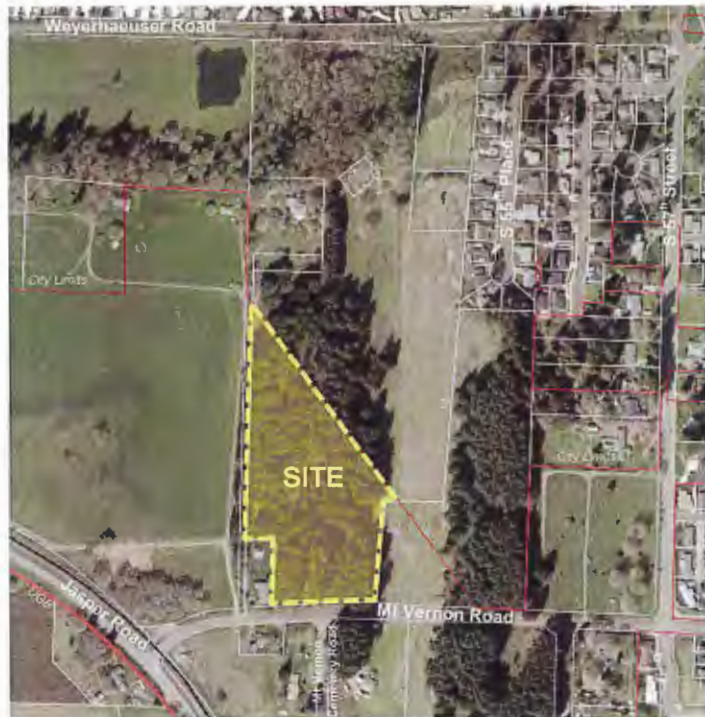
**Proposal Location:** Mt Vernon Road at  
Mt Vernon Cemetery Road (Portion of  
Assessor's Map 18-02-04-00, TL 313)

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

**Plan Designation:** LDR

**Applicable Comprehensive Plan:**  
*Metro Plan*

**Application Submittal Date:**  
Aug. 15, 2014



**Associated Applications:** PRE13-00032 (Development Issues Meeting for Annexation);  
PRE14-00029 (Pre-Submittal Meeting for Annexation); TYP214-00004 (Tentative Subdivision Plan  
for Pinehurst Phase I)

### 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	Jesse Lovrien Hayden Homes	503-588-0985	2464 SW Glacier Pl, Suite 110 Redmond OR 97756
Applicant's Representative	Thatch Moyle Cardno	503-419-2500	5415 SW Westgate Drive Portland OR 97221

**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 public agency and private landowner-initiated annexation applications.

Finding: A Development Issues Meeting for the subject annexation request was held on November 13, 2013.

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 owner who owns all of the land and real property, and full assessed value of real property in the contiguous territory, has filed an application and petition requesting annexation to the City of Springfield (Attachment 3).

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

**Site Information:** The territory requested for annexation is an irregular-shaped remainder portion of a parcel that is inside city limits and located on the north side of Mt Vernon Road at the intersection with Mt Vernon Cemetery Road. The subject site is inside the Springfield Urban Growth Boundary (UGB) and is contiguous to the Springfield city limits along the northeast edge. The requested annexation territory is vacant and comprises approximately 7.46 acres. Zoning for the property is Low Density Residential (LDR) with an Urbanizable Fringe Overlay (UF-10) applied. According to the applicant’s submittal, the subject annexation territory is intended to be developed with a future subdivision phase of the “Pinehurst” residential development area. Development of the property with single family housing would be subject to the Tentative Subdivision Plan process once the property is entirely within the City limits.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff, Springfield Police Department), schools (Springfield School District), roads (City of Springfield and Lane County), and Fire (Eugene/Springfield under contract with the Willakenzie Rural Fire Protection District). Springfield Utility Board (SUB) operates the water utility infrastructure that serves unincorporated areas in southeast Springfield, including the subject site. SUB also provides electrical service to the proposed annexation area. Upon annexation, the City of Springfield will be responsible for all 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 September 15, 2014, 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 proposed annexation 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 October 6, 2014 public hearing was published in *The Register-Guard* on September 22 and 29, 2014.

**Posted Notice.** Notice of the October 6, 2014 public hearing was posted in four public places in the City: at one location along the property frontage on Mt Vernon Road; at Springfield City Hall and in the Development and Public Works office; and on the City of Springfield website.

**Finding:** Upon annexation of the subject territory to the City the 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. Notification to DLCD regarding the proposed annexation was sent on August 22, 2014.

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

**Recommendation to City Council (SDC 5.7-135):** The 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 Eugene-Springfield Metropolitan Area General Plan (Metro Plan). The area requested for annexation abuts the Springfield city limits along the northeast boundary. Therefore, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

**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 annexation area 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 zoned and designated Low Density Residential (LDR) in accordance with the Springfield Zoning Map and the adopted *Metro Plan* diagram. 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 *Metro Plan* recognizes that as annexations to the City occur, the special district service areas will diminish incrementally and eventually will be dissolved.

**Finding:** The territory requested for annexation is within the Willakenzie Rural Fire Protection District. The Fire Protection District has a service arrangement with Eugene/Springfield for provision of fire response to unincorporated areas of north Springfield. After the public hearing and upon Council adoption of the annexation Ordinance, the annexation area will be withdrawn from the Willakenzie Rural Fire Protection

District consistent with ORS 222.510, 222.520, and 222.525 and the Cities of Eugene & Springfield will provide fire protection service directly to the annexation area.

Finding: After the public hearing and upon Council adoption of the annexation Ordinance, 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 Springfield Utility Board currently provides water service to incorporated areas of southeast Springfield. Upon annexation, the subject site would be served by the City by and through the Springfield Utility Board. The territory proposed for annexation is vacant, but the applicant is requesting annexation to facilitate development of the site with single family dwellings.

Electricity – SUB Electric provides service to developed properties in this area of southeast Springfield that are north of the Mt Vernon Road alignment, including the subject site. Upon annexation, the developer will be able to request electrical service for residential development of the property. Existing electrical system infrastructure within the adjacent public rights-of-way will be maintained by the affected utility providers.

Police Services – Springfield Police Department currently provides service to areas of southeast Springfield that are already inside the City limits. Because the City limits line splits the subject property, the annexation 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 Willakenzie Rural Fire Protection District. Upon annexation, the Eugene/Springfield Fire Department 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

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.

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 and the adopted Willamalane Comprehensive Plan.

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 the southeast area of Springfield. Based on characteristics of the applicant's development proposal it is expected that the annexation territory will generate additional school-age population in the future. According to the Springfield Public School boundaries map, the schools that would accommodate students within the subject annexation territory are Mt Vernon Elementary School, Agnes Stewart Middle School, and Thurston High School.

Sanitary Sewer – The annexation area is not currently served by sanitary sewer, but extension of public and private sewer lines from the Jasper Trunk Sewer line will be installed in conjunction with the Public Improvement Project (PIP) plans for the "Pinehurst" subdivision. Provisions for future participation in sanitary sewer facility improvements have been detailed in an Annexation Agreement for the property. The annexation territory can be served by extension of one or more sanitary sewer lines within the existing and proposed adjacent public street network.

Stormwater – The subject annexation territory is not currently served by a piped stormwater management system. Improvements to the public stormwater system will be required as development plans are advanced for the subject site. Provisions for future participation in stormwater facility improvements have been detailed in an Annexation Agreement for the property. The site is planned to be served by a combination of on-site treatment with a constructed detention pond and regulated discharge to the adjacent roadside ditch system along Mt Vernon Road.

Streets – The subject annexation area has frontage on Mt Vernon Road, which is classified as major collector street, but is not yet fully developed to urban standards. The applicant may be required to install street frontage improvements along Mt Vernon Road as development proceeds in the subject annexation territory. Street frontage improvements, if required, will be reviewed and approved through the Tentative Subdivision Plan and Public Improvement Project process.

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 of Springfield. 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 adopted *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 developer requesting annexation is well aware of the need for future connection and extension of urban utilities to serve the site and land beyond the annexation area, and the responsibility of the developer to fund such improvements. Staff has outlined the responsibilities and expectations of the developer in an Annexation Agreement to be executed by the developer and City. The City Council is asked to authorize City Manager execution of the attached Annexation Agreement prior to final annexation approval. Future on-site improvements will be reviewed and approved through the Tentative Subdivision Plan and Public Improvement Project process.

Conclusion: The proposal meets this criterion.

**DIRECTOR'S RECOMMENDATION:** The proposal complies with the annexation criteria of approval listed in SDC 5.7-140, and Council is within its authority to approve annexation of the subject territory to the City of Springfield and Willamalane Park and Recreation District; and withdrawal of the subject territory from the Willakenzie Rural Fire Protection District.

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

Finding: The City Council gave first reading to the annexation ordinance at a public hearing meeting on October 6, 2014. One person testified in support of the annexation request. Based on the staff analysis and recommendation, and on testimony provided at the Public Hearing, the City Council may take action to approve, modify or deny the Annexation Ordinance.

**Zoning (SDC 5.7-150):** The area requested for annexation is zoned and designated Low Density Residential in accordance with the Springfield Zoning Map and the adopted *Metro Plan* diagram. 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 (LDR) zoning.

**Effective Date and Notice of Approved Annexation (SDC 5.7-155):** If the annexation ordinance is given second reading and approved by the City Council on October 20, 2014, the Ordinance will become effective 30 days after adoption by the City Council and execution by the Mayor (anticipated on or around November 19, 2014), or upon acknowledgement of filing with the Secretary of State – whichever date is later.

**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 for 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 SUB (electric and water) and the Willakenzie Rural Fire Protection District (fire response). The Cities of Eugene/Springfield will provide fire and emergency services after annexation, and the City of Springfield by and through the Springfield Utility Board will continue to provide water and electric 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. \_\_\_\_\_.

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

**DEPT OF**

**JUL 27 2014**

**LAND CONSERVATION  
AND DEVELOPMENT**

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