



Oregon

Kate Brown, 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



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

Date: October 20, 2015
Jurisdiction: City of Springfield
Local file no.: ANX 15-00001
DLCD file no.: 001-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/19/2015. 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 36 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.

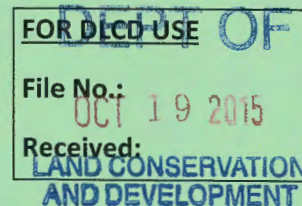
DLCD Contact

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

DLCD FORM 2



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



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.: **ANX15-00001**

Date of adoption: 9/21/2015

Date sent: 10/12/2015

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): 7/30/2015

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: 3.7
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: 3.7

Location of affected property (T, R, Sec., TL and address): 18-02-05-23, TL 300 - vacant and no assigned address

List affected state or federal agencies, local governments and special districts: Willamalane Park and 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.

Annexation to the City of Springfield removed the Urbanizable Fringe Overlay District from a 3.7 acre parcel, but the base Low Density Residential zoning remains unchanged. Enclosed please find the adopted Annexation Ordinance with attached exhibits including application materials and staff report.

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 July 17, 2015, said territory being Assessor's Map Township 18 South, Range 02 West, Section 05, Map 23, Tax Lot 300 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 entirely within the City's urban growth boundary and is contiguous to the City limits along the western boundary [SDC 5.7-140.A]; and,

WHEREAS, the southeast boundary of the territory requested for annexation is coterminous with the delineated urban growth boundary; 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 September 8, 2015, 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 21 day of SEPTEMBER, 2015, by a vote of 5 for and 0 against. (1 ABSENT VAN GORDON)

APPROVED by the Mayor of the City of Springfield this 21 day of SEPTEMBER, 2015.

ATTEST:

Amy Sowa
City Recorder

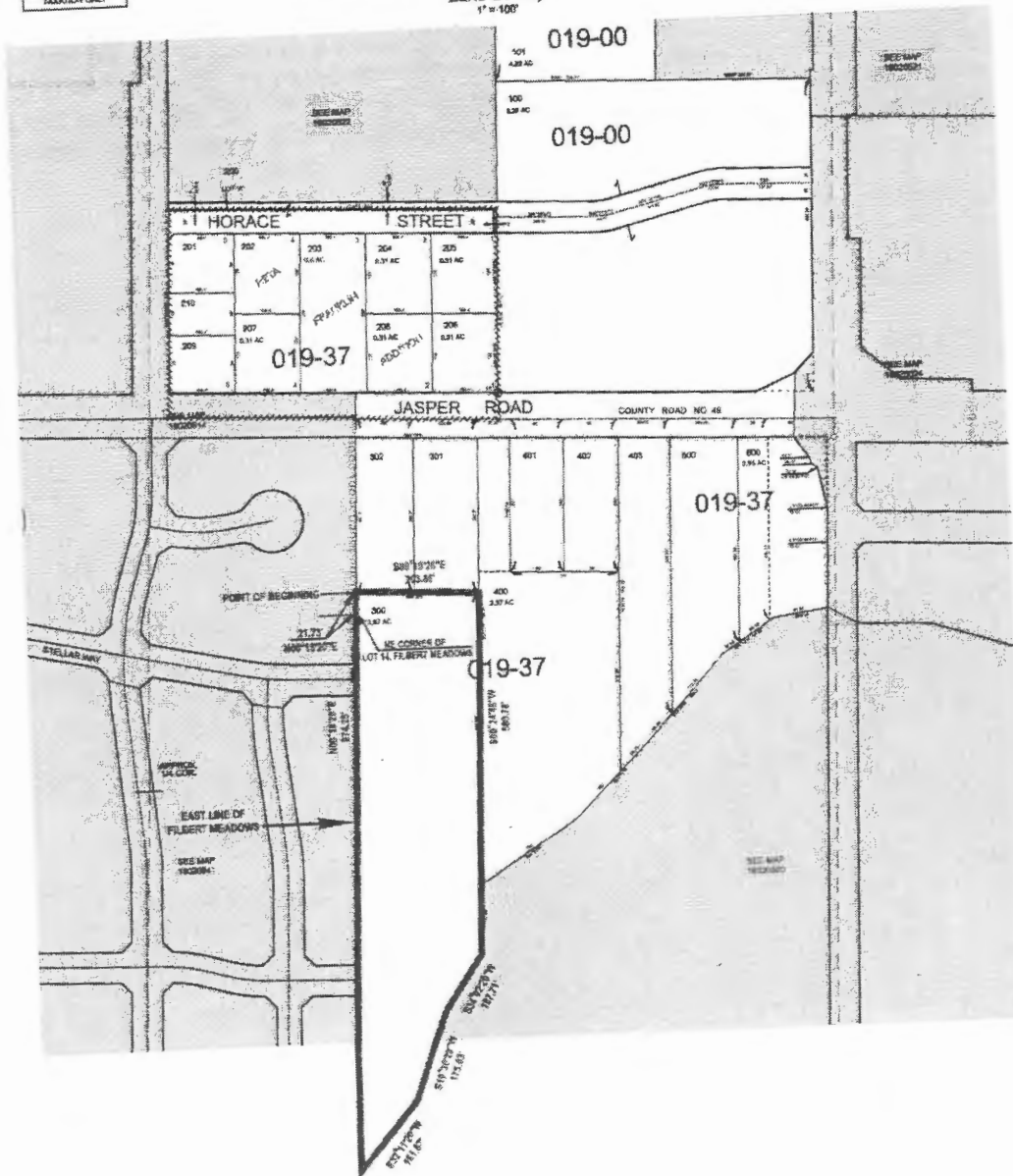
Christa L. Long
Mayor

REVIEWED & APPROVED
AS TO FORM
Vanoyke
DATE: 8/24/15
LEGAL COUNSEL

QIS DATA
4/7/2008 8:52:39 AM Logout
CANCEL: YES.

FOR ASSESSMENT AND
TAXATION ONLY

S.W. 1/4 N.W. 1/4 SEC. 5 T. 18S. R. 2W. W.M.
Lane County
1" = 100'



SPRINGFIELD
18020523

LEGAL DESCRIPTION

Beginning at a point on the East boundary of FILBERT MEADOWS as platted and recorded in Document Number 2007-003390 Lane County Deeds and Records, said point being North 00° 18' 20" East a distance of 21.73 feet from the northeast corner of Lot 14; thence South 89° 19' 26" East a distance of 203.86 feet; thence South 00° 24' 45" West a distance of 580.78 feet; thence South 34° 02' 20" West a distance of 107.71 feet ; thence South 19° 30' 20" West a distance of 175.03 feet; thence South 32° 11' 20" West a distance of 161.67 feet; thence North 00° 18' 20" East a distance of 974.25 feet to the point of beginning, all in Lane County, Oregon.

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:	☐		
Annexation Application Submittal:	☒		
Required Proposal Information		(Applicant: Complete This Section)	
Property Owner:	BRUCE WIERHOFF Custom Homes, INC	Phone:	541-686-9458
Address:	3073 SKYVIEW LANE EUGENE, OR 97405	Fax:	
		E-mail:	
Owner Signature:			
Owner Signature:			
Agent Name:	ANTHONY J. FAVREAU	Phone	541-683-7048
Company:	THE FAVREAU GROUP	Fax:	
Address:	3750 NORWICH AVE	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 signatures of the owner of record are required, only the owner may sign the petition.			
ASSESSOR'S MAP NO:	18-02-05-23-30	TAX LOT NO(S):	300
Property Address:	-		
Area of Request:	Acres: 3.0 ACRES	Square Feet:	
Existing Use(s) of Property:	VACANT		
Proposed Use of Property:	RESIDENTIAL SUBDIVISION		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:	PRE15-00031	Date:	7/16/15
Application Fee:	\$10389.90	Postage Fee:	\$554.00
	tech fee \$579.50	Total Fee:	\$11463.40
		Reviewed By:	L. Miller
		(initials)	SM

Date Received:

JUL 17 2015

Original Submittal
ORDINANCE NO. 6342

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:

Signature

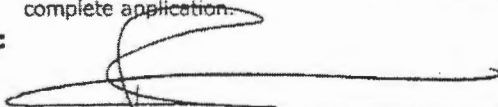
Date:

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:

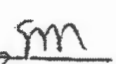

Signature

Date: 7-2-15

BRUCE WIECHERT
Print

Date Received:

JUL 17 2015

Original Submittal 
ORDINANCE NO. 6342

FILBERT MEADOWS FIRST ADDITION ANNEXATION NARRATIVE:

Date: June 1, 2015

Assessor's Map: 18-02-05-23 Tax Lot 300

Applicants: Bruce Wiechert Custom Homes, Inc.
3073 Skyview Lane
Eugene, OR 97405
(541) 686-9458

Applicant's Representative: The Favreau Group
3750 Norwich Ave.
Eugene, OR 97408
541-683-7048
Attn: Tony Favreau

Annexation Criteria:

1. The annexation area is within the City's urban growth boundary and is contiguous to the city limits or separated from the city only by a public right-of-way or a stream, lake, or other body of water.
Response: The subject property is contiguous to the city limits along the west boundary line.
2. 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.
Response: The subject property is designated as low density residential zoned land within the Metro Plan.
3. 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.
Response: The proposed annexation boundary extends the current city limits line that is on the west boundary to the east. All key urban facilities and services are available to the property and surrounding areas at this time.
4. 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]
Response: An Annexation Agreement prepared by City staff will be signed by the developer.

Date Received:

JUL 17 2015

Original Submittal
ORDINANCE NO. 6342

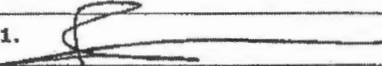
gm

Application #: C SP 2009 - _____
For City Use Only

FORM 1

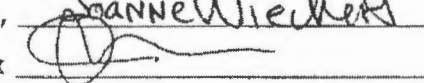
Date Received
JUL 17 2015
gmPETITION/PETITION SIGNATURE SHEET
Annexation by Individuals
[SDC 5.7-125(2)(b)(i)/ORS 222.170(1)]

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. 	07/01/15	BRUCE WIECHERT		18-02-05-23-300	✓	3
2.						
3.						
4.						
5.						

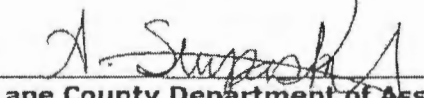
Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Joanne Wiechert (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

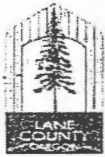
7-2-15
Date Signed and Certified

RECEIVED

JUL 02 2015

LANE COUNTY
ASSESSMENT & TAXATION

Exhibit B-4 of 9



LANE COUNTY

Exhibit B-5 of 9

Property Account Summary

As Of 7/2/2015 Status: Active

Account No.: 0561546 - Alternate Property Number: 1802052300300
Account Type: Real Property
TCA: 01937
Situation Address: ADDRESS UNKNOWN
OR
Legal: Township 18 Range 02 Section 05 Quarter 23 TL 00300

Parties:

Role	Name & Address
Owner	BRUCE WIECHERT CUSTOM HOMES INC 3073 SKYVIEW LN EUGENE OR 97405
Taxpayer	BRUCE WIECHERT CUSTOM HOMES INC 3073 SKYVIEW LN EUGENE OR 97405

Property Values:

Value Name	2014	2013	2012	2011	2010
MKTTL	\$195,975	\$195,975	\$202,297	\$97,049	\$99,725
AVR	\$71,496	\$69,414	\$67,392	\$65,429	\$63,523
TVR	\$71,496	\$69,414	\$67,392	\$65,429	\$63,523

Property Characteristics:

Tax Year	Characteristic	Value
2014	Property Class	190 Potential dev vacant
	Change Property Ratio	1XX Residential
	Size	3.87
	Code Split	N
	Neighborhood	191500

Exemptions:

(End of Report)

Date Received:

JUL 17 2015

Original Submittal sm

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
18-02-05-23-300	BRUCE WIECHERT CUSTOM HOMES, INC.	3.7	\$300,000	N	Y	
TOTALS:						

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	1
NUMBER OF OWNERS WHO SIGNED	1
PERCENTAGE OF OWNERS WHO SIGNED	100
TOTAL ACREAGE IN PROPOSAL	3.7
ACREAGE SIGNED FOR	3.7
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	\$300,000
VALUE CONSENTED FOR	100% \$300,000
PERCENTAGE OF VALUE CONSENTED FOR	100%

Date Received:

JUL 17 2015 13 of 16

SM

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: TONY FAVREAU

E-mail: FAVREAU@GROUP@MSN.COM

Supply the following information regarding the annexation area.

- Estimated Population (at present): 0
- Number of Existing Residential Units: 0
- Other Uses: VACANT
- Land Area: 3.7 total acres
- Existing Plan Designation(s): LOW DENSITY RESIDENTIAL
- Existing Zoning(s): LOW DENSITY RESIDENTIAL
- Existing Land Use(s): VACANT
- Applicable Comprehensive Plan(s): METRO PLAN
- Applicable Refinement Plan(s): NONE
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. THE SUBJECT PROPERTY IS ZONE LOW DENSITY RESIDENTIAL IN THE METRO PLAN

- Are there development plans associated with this proposed annexation?

Yes X No

If yes, describe.

17-LOT RESIDENTIAL SUBDIVISION

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

Yes X No

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

THE SITE ADJUTS THE CITY LIMITS ON THE WEST SIDE, #

Date Received:

JUL 17 2015

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

Yes X 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:

- | | |
|---|--|
| ☐ Glenwood Water District | ☐ Rainbow Water and Fire District |
| ☐ Eugene School District | ☐ Pleasant Hill School District |
| ☒ Springfield School District | ☐ McKenzie Fire & Rescue |
| ☐ Pleasant Hill RFPD | ☐ Willakenzie RFPD |
| ☐ EPUD | ☒ SUB |
| ☐ Willamalane Parks and Rec District | ☐ 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.

BRUCE WIECHERT
(Name)

3073 SKYVIEW LANE
(Address)

EUGENE, OR 97405
(City) (Zip)

(Name)

(Address)

(City) (Zip)

(Name)

(Address)

(City) (Zip)

(Name)

(Address)

(City) (Zip)

Date Received:

JUL 17 2015

Original Submittal CM
Page 15 of 16

FORM 4

Exhibit B-9 of 9

**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:

18-02-05-23-300

Map and Tax Lot Number
assigned)

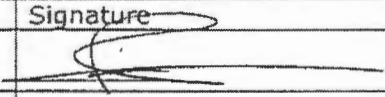
Street Address of Property (if address has been

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

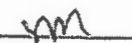
Signatures of Legal Owners

Please print or type name	Signature	Date Signed
BRUCE WIECHERT		7-1-15

Date Received:

LCDG: L:\BCL\2008 BOUNDCHANGE TRANSITION\APPLICATION FORMS\SPRINGFIELD\10-03-08 UPDATED FORMS\PRE-SUBMITTAL ANNEXATION APPLICATION 10-07-08.DOC
Last Saved: April 9, 2014

JUL 17 2015

Original Submittal 

Revised 4/8/14 BJ

Page 16 of 16

ORDINANCE NO. 6342

TYPE IV – ANNEXATION STAFF REPORT AND RECOMMENDATION



File Name: Filbert Meadows Phase 2 Annexation

Applicant: Bruce Wiechert Custom Homes

Case Number: ANX15-00001

Proposal Location: South of Jasper Road and east of South 41st Place and Stellar Way (Assessor's Map 18-02-05-23, TL 300)

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

Plan Designation: LDR

Applicable Comprehensive Plan:
Metro Plan

Application Submittal Date:
July 17, 2015



Associated Applications: PRE15-00022 (Development Issues Meeting for Annexation); PRE15-00031 (Pre-Submittal Meeting for Annexation); PRE15-00039 (Pre-Submittal Meeting for Tentative Subdivision Plan)

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	Bruce Wiechert Bruce Wiechert Custom Homes Inc.	541-686-9458	3073 Skyview Lane Eugene OR 97405
Applicant's Representative	Tony Favreau, PE The Favreau Group Engineering	541-683-7048	3750 Norwich Avenue Eugene OR 97408

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 May 21, 2015.

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 a wedge-shaped parcel that is immediately east of South 41st Place and Stellar Way, and south of Jasper Road. The subject site is inside the Springfield Urban Growth Boundary (UGB) and is contiguous to the Springfield city limits along the western edge. The requested annexation territory is vacant and comprises approximately 3.7 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 existing "Filbert Meadows" 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 south 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 August 18, 2015, 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 September 8, 2015 public hearing was published in *The Register-Guard* on August 24 and 31, 2015.

Posted Notice. Notice of the September 8, 2015 public hearing was posted in five public places in the City: at two locations along the western boundary of the annexation territory (at the terminus of Stellar Way just east of South 41st Place, and at the terminus of Richland Street just east of South 41st Place); 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 July 30, 2015.

Finding: At the regular meeting on September 8, 2015, the City Council conducted a public hearing and gave first reading to the Annexation Ordinance. One person testified in opposition to the requested annexation, citing traffic concerns on South 41st Street and Jasper Road that could be exacerbated by the addition of new residential lots in the neighborhood. Staff advises that traffic patterns in the neighborhood – particularly traffic on Jasper Road and South 41st Street associated with Mt. Vernon Elementary School – should not be appreciably changed or adversely impacted by the addition of 19 homes to the Filbert Meadows development area. The incremental number of increased trips does not exceed the threshold for the two local roads (South 40th Street and South 41st Street) that provide primary access to the neighborhood. Additionally, the developer has provided for a future road connection from Filbert Meadows to Jasper Road just west of the intersection with South 42nd Street. The future road extension is also consistent with the City's adopted Conceptual Street Plan that seeks to promote improved street connectivity south of Jasper Road and west of South 42nd Street.

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 western 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 southeast boundary of the subject parcel is coterminous with the delineated UGB. Therefore, the territory requested for annexation is entirely within the City's acknowledged UGB.

Finding: The territory requested for annexation is 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 south 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 south 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 south Springfield, 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 south Springfield that are already inside the City limits. The annexation territory is currently within the jurisdiction of the 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 Springfield High School.

Sanitary Sewer – The annexation territory is not currently served by sanitary sewer, but extension of public sewer lines from the adjacent Filbert Meadows subdivision will be installed in conjunction with the Public Improvement Project (PIP) plans for the proposed development area. 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 an existing vegetated stormwater management facility in the adjacent Filbert Meadows subdivision, which has an outfall that discharges to the Jasper Slough.

Streets – The subject annexation area is at the terminus of two public streets that stub out at the property boundary (Stellar Way and Richland Street). The public streets providing frontage for the subject annexation territory are classified as local streets. The applicant will be required to extend Stellar Way to the east boundary of the subject annexation territory, and to extend Richland Street to an intersection with Stellar Way. Street frontage improvements 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: On September 8, 2015, the City Council held a Public Hearing for the subject annexation request and gave first reading to the Annexation Ordinance. 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 is granted a second reading on September 21, 2015, the Ordinance will become effective 30 days after adoption by the City Council and execution by the Mayor (anticipated on or around October 21, 2015), 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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DEVELOPMENT SERVICES DEPARTMENT
225 5th ST
SPRINGFIELD, OR 97477

DEPT OF
OCT 19 2015
**LAND CONSERVATION
AND DEVELOPMENT**

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