



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

09/19/2013

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Springfield Plan Amendment
DLCD File Number 002-12

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, October 02, 2013

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

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

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

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

<paa> N



FORM **2**

DLCD

Notice of Adoption

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

☐ In person ☐ electronic ☐ mailed

DEPT OF

SEP 13 2013

LAND CONSERVATION AND DEVELOPMENT

DATE STAMP

For Office Use Only

Jurisdiction: **City of Springfield**

Local file number: **ANX12-00001**

Date of Adoption: **11/19/2012**

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

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 9/12/2012

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☒ Zoning Map Amendment

☐ New Land Use Regulation

☐ Other:

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

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

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

Plan Map Changed from:

to:

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

to: **LDR**

Location: **2576 16th Street (Map 17-03-24-34, Tax Lot 105)**

Acres Involved: **0.2**

Specify Density: Previous: **5 upa**

New: **5 upa**

Applicable statewide planning goals:

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

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD file No. 002-12 (19502) [17609]

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

Oregon Dept. of Environmental Quality; Oregon Dept. of Revenue; Lane County; Rainbow Water District; Springfield Utility Board

Local Contact: **Andy Limbird**

Phone: **(541) 726-3784** Extension:

Address: **225 Fifth Street**

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

City: **Springfield**

Zip: **97477-**

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

ADOPTION SUBMITTAL REQUIREMENTS

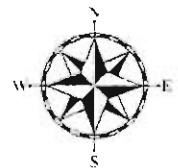
This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

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

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

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

NEW ZONING FOR 2576 16TH STREET AND PORTION OF STREET RIGHT-OF-WAY
MAP 17-03-24-34, TAX LOT 105
CASE NO. ANX12-00001



ORDINANCE NO 6282

AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF SPRINGFIELD, LANE COUNTY METROPOLITAN WASTEWATER SERVICE DISTRICT, AND WILLAMALANE PARK AND RECREATION DISTRICT; AND WITHDRAWING THE SAME TERRITORY FROM THE RAINBOW WATER AND FIRE DISTRICT

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

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

WHEREAS, a request to annex certain territory was submitted on August 30, 2012, said territory being described as follows:

A portion of the 16th Street right-of-way and Lot 4, Block 4 of the plat of FIRST ADDITION TO DELROSE ADDITION, within Township 17 South, Range 03 West, Section 24, Map 34 as generally depicted and more particularly described in and on file in City Case Number C SP 2012 – ANX12-00001 and attached hereto as Exhibit A to this Ordinance; and

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

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

WHEREAS, the territory proposed to be annexed is within the *Eugene-Springfield Metropolitan Area General Plan* (more commonly known as the *Metro Plan*) urban growth boundary and is contiguous to the City limits [SDC 5.7-140.A]; and,

WHEREAS, the annexation is consistent with Policy 10, page II-C-4; Policy 16, page II-C-5; and Policy 21, page II-C-6, in the *Metro Plan* [SDC 5.7-140.B] requiring annexation to the City of Springfield as the highest priority for receiving urban services; and

WHEREAS, the minimum level of key urban facilities and services can be provided in an orderly and efficient manner as required in *Metro Plan* Policy 8, page II-C-4, and there is a logical area and time within which to deliver urban services and facilities [SDC 5.7-140.C]; and,

WHEREAS, provision of City urban services to the subject property has been arranged through preparation of a utility servicing plan to meet the City's requirements for the provision of the minimum level of key urban services and facilities (Exhibit C); and,

WHEREAS, a Staff Report (Exhibit D) was presented to the City Council with the Director's recommendation to concurrently annex the subject territory to the Lane County Metropolitan Wastewater Service District and Willamalane Park and Recreation District, as these special districts are service providers 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 Rainbow Water and Fire District as the Springfield Utility Board would provide water utility service directly to the area after it was annexed to the City [SDC 5.7-160.B]; and,

Date Received: 12/10/2012
Planner: AL

WHEREAS, on November 5, 2012, the Springfield Common Council conducted a public hearing and is now ready to take action on this application based on the recommendation and findings in support of approving the annexation request, and the Rainbow Fire and Water District's withdrawal as set forth in the aforementioned Staff Report to the Council, incorporated herein by reference, and the evidence and testimony presented at this public hearing held in the matter of adopting this Ordinance.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

SECTION 1: The Common Council of the City of Springfield does hereby approve annexation of the following described territory to the City of Springfield, Lane County Metropolitan Wastewater Service District and Willamalane Park and Recreation District, said territory being described as follows:

A portion of the 16th Street right-of-way and Lot 4, Block 4 of the plat of FIRST ADDITION TO DELROSE ADDITION, within Township 17 South, Range 03 West, Section 24, Map 34 as generally depicted and more particularly described in Exhibit A.

SECTION 2: The withdrawal of territory described in Section 1 above from the Rainbow Water and Fire District shall become effective on June 30, 2013.

SECTION 3: 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 4: 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 Common Council of the City of Springfield this 19th day of November, 2012, by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 19th day of November, 2012.

ATTEST:

Amy Iowa
City Recorder

Christopher L. King
Mayor

REVIEWED & APPROVED
AS TO FORM
JOSEPH J. LEAHY
DATE: 10/11/12
OFFICE OF CITY ATTORNEY

City of Springfield, Oregon

CERTIFIED TRUE COPY

Amy Iowa
City Recorder

S.E.1/4 S.W.1/4 SEC.24 T.17S. R.3W. W.M.

Lane County

1" = 100'

FOR ASSESSMENT AND
TAXATION ONLY

POINT OF BEGINNING,
SOUTHWEST CORNER OF
LOT 4, LEGACY ESTATES

NOTE:

NUMBERED COURSES COINCIDE
WITH COURSE NUMBERS SHOWN ON
THE LEGAL DESCRIPTION FOR THE
APPROPRIATE TRACT.

SEE MAP
17032432

APPROXIMATE
WIDTH CORNER

DELROSE AVE

DELROSE

DELROSE

363
PCL D

Exhibit A-1

ATTACHMENT 1 - 1

Date Received
Planner: AL

12/10/2012

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



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:	Diane Mattison-Nottage & John Nottage	Phone:	541-913-7635
Address:	2315 W. 21 st Avenue, Eugene, OR 97405	Phone:	541-285-1054
		E-mail:	dl.matt1954@gmail.com
Owner Signature:	<i>Diane K Mattison</i>		
Owner Signature:	<i>John Nottage</i>		
Agent Name:	N/A	Phone	
Company:		Fax:	
Address:		E-mail	
Agent Signature:			
If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf, except where signatures of the owner of record are required, only the owner may sign the petition.			
ASSESSOR'S MAP NO:	17-03-24-34	TAX LOT NO(S):	105
Property Address:	2576 16 th Street		
Area of Request:	Acres: 0.20	Square Feet:	8,712 ft ²
Existing Use(s) of Property:	Residential		
Proposed Use of Property:	Same		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:	ANX12-00001	Date:	8/30/2012
		Reviewed By: (initials)	<i>AL</i>
Application Fee:	2474.01	Postage Fee:	543.00
		Total Fee:	3017.01

Date Received:

AUG 30 2012

Date Received: 12/10/2012

Planner: AL

ATTACHMENT 1 - 1

Original Submittal

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:** 8/29/2012**Signature****Print**

Date Received:

AUG 30 2012

Original Submittal AF

8/14/2012

John Nottage and Diane Mattison-Nottage

Annexation narrative for 2576 16th Street

During the process of planning an addition to our house we had the septic system inspected and discovered the tank had cracked and the system had failed. We are within 300' of an existing sewer system and Oregon state law requires that we connect to that system. We contacted Lane County and the City of Springfield and it was determined that we needed to build a lateral connection to the sewer. As part of that process we are also required to be annexed into the city.

Date Received:

AUG 30 2012

Original Submittal az

FORM 1

PETITION/PETITION SIGNATURE SHEET

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

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

Signature	Date Signed -m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	✓ Land Owner	Acres (qty)
1. <i>[Signature]</i>	8/29/12	Dawn K. Mathison-Nottage	2315 W. 21 st Ave. Eugene 97405	17-03-24-34-00105	✓	0.2
2. <i>[Signature]</i>	8/29/12	John D Nottage	2315 W. 21 st Ave. Eugene 97405	17-03-24-34-00105	✓	0.2
3.						
4.						

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, Diane K Mathison-Nottage (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.
x *[Signature]* (signature of circulator)

CERTIFICATION OF OWNERSHIP

The total landowners in the proposed annexation are 2 (qty). This petition reflects that 2 (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.

[Signature]
Lane County Department of Assessment and Taxation

9-27-2012
Date Signed and Certified

Date Received: 12/10/2012
Planner: AL

RECEIVED
SEP 26 2012
Lane County
Assessment & Taxation

Exhibit B-4
Letter Received:
AUG 30 2012
Original Submittal 07

FORM 2

Date Received:

AUG 30 2012

OWNERSHIP WORKSHEET

Original Submittal 07(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
17-03-24-34-00105	Diane Mattison-Nottage	0.2	\$127,966	Y	Y	
17-03-24-34-00105	John Nottage	0.2	\$127,966	Y	Y	
TOTALS:		0.2	\$127,966			--

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	2
NUMBER OF OWNERS WHO SIGNED	2
PERCENTAGE OF OWNERS WHO SIGNED	100%
TOTAL ACREAGE IN PROPOSAL	0.2
ACREAGE SIGNED FOR	0.2
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	\$127,966
VALUE CONSENTED FOR	\$127,966
PERCENTAGE OF VALUE CONSENTED FOR	100%

File # 55
Date Received:

FORM 3

AUG 30 2012

SUPPLEMENTAL INFORMATION FORM

Original Submittal 07

(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: Diane Mattison-Nottage

E-mail: di.matt1954@gmail.com

Supply the following information regarding the annexation area.

- Estimated Population (at present): 4
- Number of Existing Residential Units: 1
- Other Uses: None
- Land Area: 0.2 total acres
- Existing Plan Designation(s): Low Density Residential
- Existing Zoning(s): Low Density Residential
- Existing Land Use(s): Residential
- 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. Property is inside the Springfield Urban Growth Boundary and is zoned and designated for low density residential development
- Are there development plans associated with this proposed annexation?
Yes ☒ No ☐
If yes, describe.
Connection of existing residence to City sanitary sewer system
- Is the proposed use or development allowed on the property under the current plan designation and zoning?
Yes ☒ No ☐
- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).
Property is contiguous to the current City Limits upon concurrent annexation of a portion of 16th Street right-of-way

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

Yes ☒ No ☐

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

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

- | | |
|--|---|
| ☐ 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.

(Name)

(Address)

(City)

(Zip)

(Name)

(Address)

(City)

(Zip)

(Name)

(Address)

(City)

(Zip)

(Name)

(Address)

(City)

(Zip)

Date Received:

AUG 30 2012

Original Submittal AL

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:

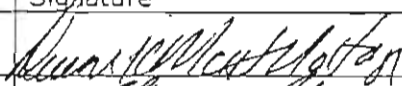
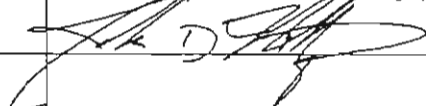
17-03-24-34-00105 2576 16th Street
Map and Tax Lot Number Street Address of Property

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 August 13, 2013.

Date

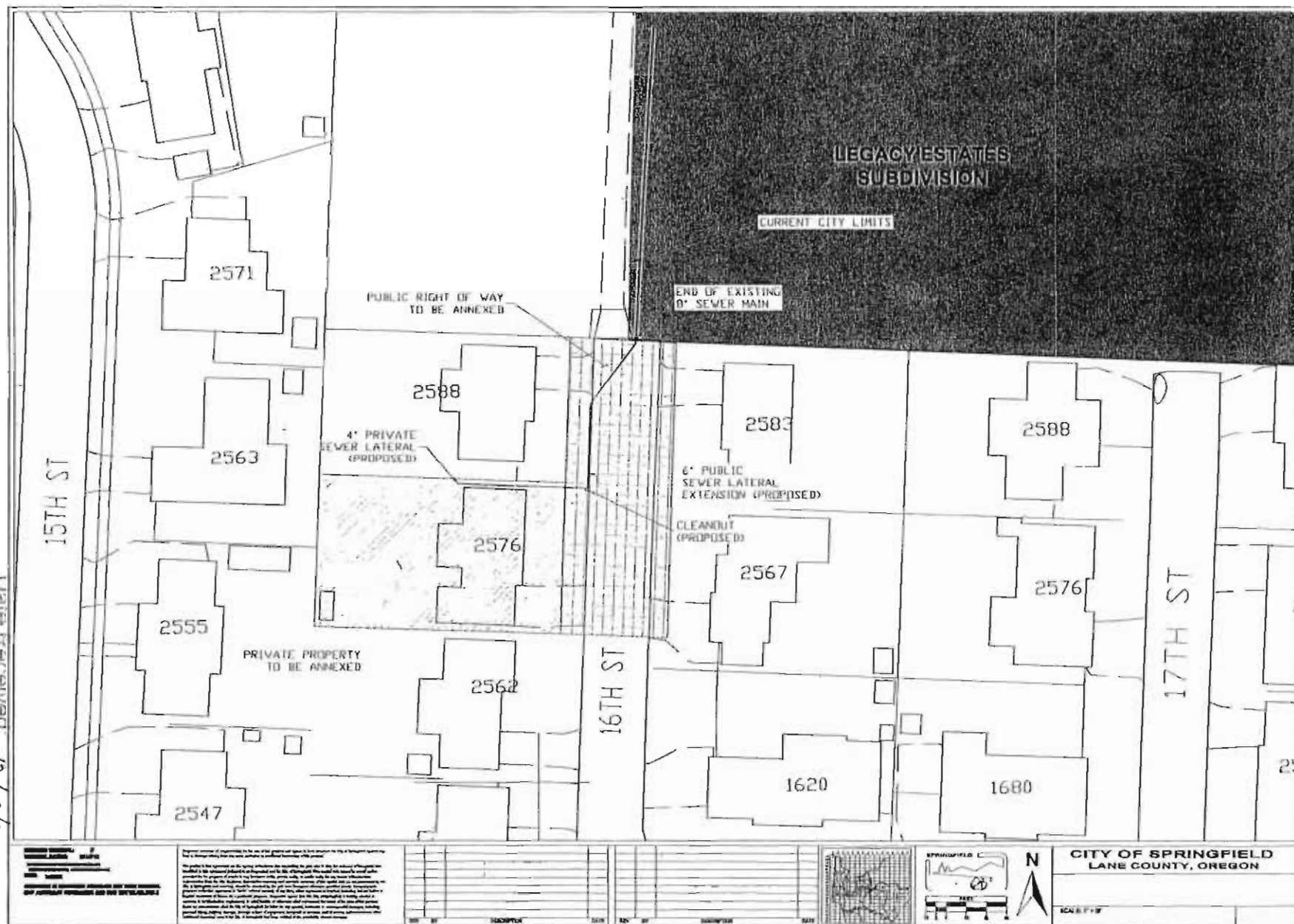
Signatures of Legal Owners

Please print or type name	Signature	Date Signed
Diane Mattison-Nottage		8/29/2012
John Nottage		8/29/12

Date Received:

AUG 30 2012

Original Submittal AL



TYPE IV – ANNEXATION STAFF REPORT AND RECOMMENDATION



File Name: 2576 16th Street Annexation

Owner(s)/Applicant(s):
John Nottage and Diane Mattison-Nottage

Case Number: C SP 2012 – ANX12-00001

Proposal Location:
Portion of 16th Street right-of-way and residential lot municipally addressed as 2576 16th Street (Map 17-03-24-34, Tax Lot 105)

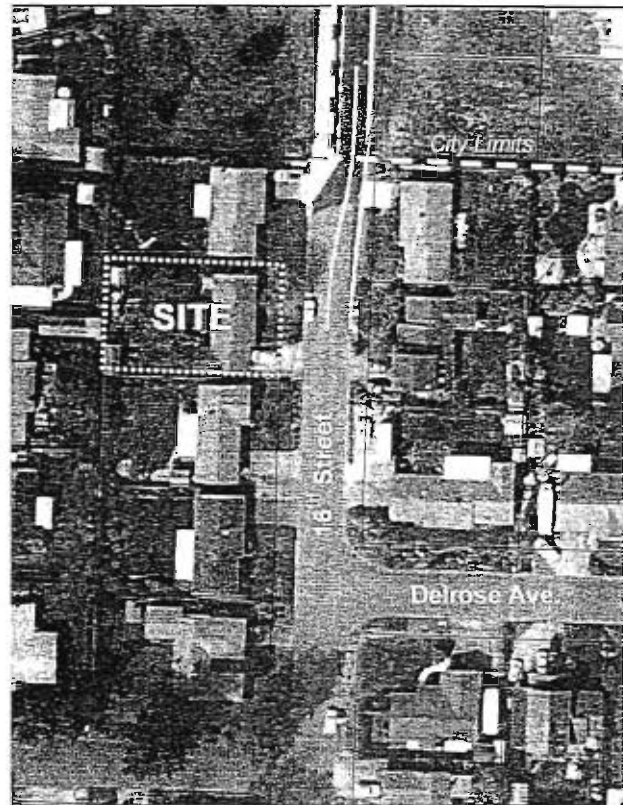
Existing Zoning: Low Density Residential (LDR) with Urbanizable Fringe Overlay (UF-10)

Zoning After Annexation: LDR

Metro Plan Designation: LDR

Refinement Plan Designation: N/A

Application Submittal Date: August 30, 2012



Associated Applications: 811-SPR2012-01516 (Plumbing permit for connection to sanitary sewer)

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 Bowlsby	541-736-1029

APPLICANT'S DEVELOPMENT REVIEW TEAM

POSITION	NAME	PHONE	MAILING ADDRESS
Applicants & Owners	John Nottage Diane Mattison-Nottage	541-913-7635	2315 W 21 st Avenue Eugene, OR 97405

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

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

Finding: The property owners met with City staff when the failed septic system was first discovered in August, 2012. Because the failed septic system was deemed to be a potential health hazard, staff considers the initial meeting to be a *de facto* Development Issues Meeting for the purpose of proceeding with annexation of the subject territory. Staff did not charge a Development Issues Meeting fee for the initial meeting.

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

Annexation Initiation and Application Submittal (SDC 5.7-125): In accordance with SDC 5.7-125.B.2.b.i and ORS 222.170(1), an annexation application may be initiated by "more than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land".

Finding: The property owners, who own all of the land and real property, and full assessed value of real property in the contiguous territory have filed an application and petition requesting annexation to the City of Springfield (Attachment 3).

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

Site Information: The annexation territory includes a residential lot and a linear segment of 16th Street extending north from the property frontage to the portion of 16th Street within Map 17-03-24-32, which is inside the City limits. Annexation of a portion of the 16th Street right-of-way is recommended to create contiguity of the subject lot to the existing City limits. The dimensions of the segment of 16th Street right-of-way proposed for annexation are approximately 60 feet wide by 148 feet long. The annexation territory comprises approximately 17,620 ft² (0.4 acre) and it abuts the Springfield City limits along the north boundary. At present, along the subject property frontage 16th Street is developed with paving, curb and gutter, but lacks sidewalks and street lighting. The subject annexation territory is intended to remain as public right-of-way and no additional street frontage improvements will be required at this time.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff, Springfield Police Department), schools (Springfield School District), roads (Lane County and City of Springfield), and Fire (City of Springfield under contract). Rainbow Water and Fire District provides water and contracts with the City for provision of fire service to the proposed annexation area. Upon annexation, the City of Springfield will be entirely responsible for urban services, including electricity, water and 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 October 19, 2012, which is at least 14 days prior to the public hearing date, to the affected property owner(s); owners and occupants of properties located within 300 feet of the perimeter of the affected territory; affected neighborhood groups or community organizations officially recognized by the city that includes the affected territory; affected special districts and all other public utility providers; and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

Newspaper Notice. Notice of the November 5, 2012 public hearing was published in *The Register-Guard* on October 22 & 29, 2012.

Posted Notice. Notice of the November 5, 2012 public hearing was posted in five public places in the City: in two locations along the subject property frontage and 16th Street right-of-way; at the Springfield City Hall and in the Development and Public Works office; and on the City of Springfield website, on October 22, 2012.

Finding: Upon annexation of the subject property to the City the current LDR 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 more than 45 days prior to the public hearing. Notification to DLCD was sent on September 12, 2012.

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 is located within the acknowledged urban growth boundary (UGB) of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). The annexation area abuts the Springfield city limits along the north boundary and therefore meets the statutory definition of contiguity as found in ORS 222.111(1).

Finding: The legal description for the annexation area has been confirmed with the state Department of Revenue to ensure there are no gaps or overlaps of territory between the existing City limits (located along the north boundary of 16th Street) and the annexation area.

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 UGB ultimately will be within the City of Springfield.

Finding: The *Metro Plan* recognizes that, ultimately, all territory within the UGB will be annexed to an existing city (Policy #10, page II-C-4; Policy #16, page II-C-5; and Policy #21, page II-C-6). Springfield is the unit of government identified in the *Metro Plan* to provide urban services to annexed territory.

Finding: The *Metro Plan* recognizes that as annexations to the City occur, existing special service districts within the UGB will be dissolved (Policy #18, page II-C-6). 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 several special districts within the urbanizable area.

Finding: The annexation area is within the Rainbow Water and Fire District. The water district also has service arrangements with Springfield for provision of fire response to unincorporated areas of north Springfield. After the public hearing and if determined by the City Council that withdrawal is in the best interest of the City, the annexation area will be withdrawn from the Rainbow Water and Fire District consistent with ORS 222.510, 222.520, and 222.525 and Springfield Utility Board will provide water service directly to the annexation area.

Finding: After the public hearing and if determined by the City Council that annexation is in the best interest of the City, the annexation area will be annexed into the Lane County Metropolitan Wastewater Service District as authorized by an Intergovernmental Agreement (IGA) between the City of Springfield and Lane County. This special district was formed to provide the financing for the regional wastewater treatment plant serving wastewater users within the City of Springfield.

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

Finding: The subject annexation territory is not located in an adopted Refinement Plan area, and there are no proposed changes to the current LDR zoning.

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 (Policies #8 and #10, page II-C-4).

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 – SUB Water provides water service to incorporated areas of north Springfield. Upon annexation, the 16th Street right-of-way is not expected to require water service, but existing and future water line connections may be expected within the subject area as development and/or annexation proceeds on adjacent properties. Existing water infrastructure within the vicinity will be maintained by the affected utility providers.

Electricity – SUB Electric provides service to developed properties in this area of Springfield. Upon annexation, the subject territory is not expected to require additional electrical service. 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 north Springfield that are already inside the City. The subject territory is within the joint jurisdiction of Springfield Police Department and Lane County Sheriff's Department. Upon annexation, this area will receive Springfield Police services on an equal basis with other properties inside the City.

Fire and Emergency Services – Fire protection is currently provided to the annexation area by the City of Springfield Fire & Life Safety under contract with Rainbow Water and Fire District. Upon annexation, the City will continue to provide fire and emergency services to the subject territory. The nearest Springfield fire station (Fire Station #3) is located on 28th Street at the intersection with Centennial Boulevard.

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. Indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Memorial Building Community Center, and Willamalane Adult Activity Center will be available to the property owners and residents of 2576 16th Street. 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. The closest developed neighborhood park to the requested annexation area is Page Park at 1300 Hayden Bridge Road. Other existing and future parks in the vicinity include Harvest Landing and Pierce Park (currently undeveloped).

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

Library Services – Upon annexation to the City of Springfield, the residents and property owners of 2576 16th Street will be able to obtain a free library card from the Springfield Public Library. Staff advises that early "City" status was already granted to the residents of 2576 16th Street for the purpose of obtaining a Library card.

Schools – Springfield School District serves the north Springfield area. Existing schools – Yolanda Elementary, Briggs Middle, and Springfield High School serve the neighborhood, including the subject annexation area.

Sanitary Sewer – The annexation area can be served by extension of a public sanitary sewer line from the Legacy Estates subdivision north of the subject property. Because of the potential health hazard of a failed septic system, the sanitary sewer connection has already been installed to serve the residential dwelling. A Y-connection and an 8-inch sanitary sewer lateral were installed to provide sewer service to the subject property and also to afford connections for the intervening dwellings (2567, 2583 and 2588 16th Street), should these properties annex in the future.

Concurrent with annexation to the City of Springfield, the subject area will be annexed to the Lane County Metropolitan Wastewater Service District, if the City Council determines that annexation to the special district is in the best interest of the City.

Stormwater – The subject annexation territory is served by existing catch basins and public stormwater lines within 16th Street to the north and south of the site. The existing public stormwater system is adequate to serve the development area, and there are no planned changes to the stormwater management system associated with this annexation request.

Streets – The subject annexation area includes a segment of local street that is currently improved with a paved surface, curb and gutter. The portion of 16th Street requested for annexation represents the public street

frontage for three intervening properties (municipally addressed as 2567, 2583 and 2588 16th Street). These properties will have contiguity to the City limits upon annexation of the subject territory. However, there are no planned or required street improvements associated with this annexation request.

Solid Waste Management – The City and Sanipac have an exclusive franchise arrangement for residential 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 portion of the urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Springfield, the City already has planning and building jurisdiction for this property. The City will continue to administer land use controls after annexation.

Finding: The minimum level of key urban facilities and services, as defined on page V-3 of the Metro Plan, are either immediately available or can be provided within a reasonable future time frame as needed. The property owners have obtained necessary City permits and installed the required sanitary sewer connection for the existing dwelling.

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 residential lot requested for annexation is within a mature neighborhood with a full range of utilities excepting sanitary sewer. The property owners have installed the necessary sanitary sewer connection to serve the existing dwelling, and there are no other required infrastructure improvements. Therefore, an Annexation Agreement is not required for this request.

Conclusion: The proposal meets this criterion.

DIRECTOR'S RECOMMENDATION: Approve the annexation of the subject territory to City of Springfield, Lane County Metropolitan Wastewater Service District, and Willamalane Park and Recreation District, and withdraw the requested annexation area from the Rainbow Water and Fire District.

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

Finding: On November 5, 2012, the City Council held a Public Hearing for the subject annexation request and gave first reading to the Annexation Ordinance. No one submitted testimony for or against the annexation at the public hearing. Based on the staff analysis and recommendation, and on the absence of 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 annexation area is within a region of north Springfield designated as Low Density Residential (LDR) in the *Metro Plan*. The current zoning for contiguous properties is LDR with Urbanizable Fringe Overlay District (LDR/UF-10). The contiguous property to the north of the annexation territory is zoned LDR and lies inside the City limits.

Finding: Upon the effective date of the annexation, the UF-10 overlay will be automatically removed and the subject territory will retain the LDR zoning, which is consistent with the *Metro Plan* designation.

Effective Date and Notice of Approved Annexation (SDC 5.7-155): If the annexation is granted a second reading and approved by the City Council on November 19, 2012, the Ordinance will become effective 30 days after adoption by the City Council and execution by the Mayor (anticipated on or around December 20, 2012), 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 Rainbow Water and Fire District. Consistent with SDC 5.7-160, notice was provided, a public hearing was held, and the City Council determined that withdrawal from the Rainbow Water and Fire District was in the best interest of the City. The withdrawal decision was codified in Ordinance No. _____.

Exhibit:

- A. Assessor's Map showing property requested for annexation (redlined) and numbered survey courses contained in legal description

EXHIBIT A

S.E. 1/4 S.W. 1/4 SEC. 24 T. 17S. R. 3W. W.M.
Lane County

1" = 100'

NOTE:

NUMBERED COURSES COINCIDE
WITH COURSE NUMBERS SHOWN ON
THE LEGAL DESCRIPTION FOR THE
APPROPRIATE TRACT.

FOR ASSESSMENT AND
TAXATION ONLY

SEE MAP
17032432

APPROXIMATE
W/18TH CORNER

POINT OF BEGINNING,
SOUTHWEST CORNER OF
LOT 4, LEOACY ESTATES

DELROSE AVE.

363
PCL 'D'

EXHIBIT A

Legal Description

A portion of the 16th Street right of way and Lot 4, Block 4 of the plat of FIRST ADDITION TO DELROSE ADDITION, as filed for public record in the Office of the Lane County, Oregon Surveyor, in Book 50, Page 22, on January 18, 1967; being more completely described as follows:

Beginning at the Southwest corner of Lot 4 of the plat of LEGACY ESTATES, as filed for public record in the Office of the Lane County, Oregon Surveyor, in County Surveyor's File No. 40689, on September 14, 2007; thence on the following eight (8) numbered courses:

- 1) North 89° 42' 35" West a distance of 55.00 feet, more or less, on the Southerly line of LEGACY ESTATES, and its Westerly extension, said line also being the Northerly line of FIRST ADDITION TO DELROSE ADDITION, to a point on the West right of way line of 16th Street; thence
- 2) on the West right of way of 16th Street, South 00° 00' 00" East a distance of 73.61 feet to the Northeast corner of Lot 4, Block 4, FIRST ADDITION TO DELROSE ADDITION; thence
- 3) leaving the West right of way line of 16th Street, on the North line of said Lot 4, Block 4, North 90° 00' 00" West a distance of 118.27 feet; thence
- 4) on the West line of said Lot 4, Block 4, South 00° 12' 30" West a distance of 74.00 feet; thence
- 5) on the South line of said Lot 4, Block 4, South 90° 00' 00" East a distance of 118.54 feet to a point on the West right of way line of 16th Street; thence
- 6) continuing South 90° 00' 00" East a distance of 60.00 feet to a point on the East right of way line of 16th Street; thence
- 7) on the East right of way line of 16th Street, North 00° 00' 00" West a distance of 147.61 feet, more or less, to a point on the South line of Lot 4, LEGACY ESTATES; thence
- 8) on the South line of Lot 4, LEGACY ESTATES, North 89° 42' 35" West a distance of 5.00 feet, more or less, to the point of beginning.

Basis of bearing for this description is the plat of FIRST ADDITION TO DELROSE ADDITION.

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DEPT OF

SEP 13 2013

LAND CONSERVATION
AND DEVELOPMENT

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

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