



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

12/16/2013

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 008-13

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, December 27, 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> YA



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

FOR DLCD USE

File No.: 008-13 (20058)
[17704]
Received: 12/9/2013

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.: ANX13-00006

Date of adoption: 11/25/2013 Date sent: 12/6/2013

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): 10/18/2013☐ NoIs 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	to	. Acres:
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: 0.17

Location of affected property (T, R, Sec., TL and address): 1891 Hayden Bridge Rd (Map 17-03-25-21, TL 13200)

List affected state or federal agencies, local governments and special districts: Lane County, Rainbow Water District, Willamalane Park & Recreation 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 (UF-10) from the affected parcel. The annexation was requested due to a failed septic system on the property. The property retains its underlying Low Density Residential (LDR) zoning and designation.

PREVIOUS ZONING
PROPERTY AND PUBLIC STREET RIGHT-OF-WAY PROPOSED FOR ANNEXATION
1891 HAYDEN BRIDGE ROAD - MAP 17-03-25-21, TAX LOT 13200; AND,
APPROXIMATELY 235-FOOT SEGMENT OF HAYDEN BRIDGE ROAD RIGHT-OF-WAY



ZONING MAP LEGEND



Low Density Residential (LDR)



Urbanizable Fringe Overlay District






Springfield City Limits



**NEW ZONING WITH REMOVAL OF OVERLAY DISTRICT
PROPERTY AND PUBLIC STREET RIGHT-OF-WAY ANNEXED TO SPRINGFIELD
1891 HAYDEN BRIDGE ROAD - MAP 17-03-25-21, TAX LOT 13200; AND,
APPROXIMATELY 235-FOOT SEGMENT OF HAYDEN BRIDGE ROAD RIGHT-OF-WAY**



ZONING MAP LEGEND

-  Low Density Residential (LDR)
-  Urbanizable Fringe Overlay District (UF-10)
-  Springfield City Limits



ORDINANCE NO. 6308

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 RAINBOW WATER DISTRICT
AND DECLARING AN EMERGENCY

THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:

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

WHEREAS, a request to annex certain territory was submitted on October 8, 2013, said territory being Assessor's Map Township 17 South, Range 03 West, Section 25, Map 21, Tax Lot 13200, which is municipally addressed as 1891 Hayden Bridge Road and is generally depicted and more particularly described in **Exhibit A** to this Ordinance; and

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

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

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

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

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

WHEREAS, a Staff Report was presented to the City Council with the Director's recommendation to concurrently withdraw the annexation territory from the Rainbow Water District, as the City of Springfield acting by and through the Springfield Utility Board would provide water service directly to the area after it was annexed to the City [SDC 5.7-160.A]; and,

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

WHEREAS, without an Emergency Clause the effective date of annexation is delayed until 30 days following the second reading and adoption of the enacting Ordinance by the Common Council, which is on or around February 5, 2014; and,

WHEREAS, on November 25, 2013, the Springfield Common Council conducted a public hearing and is now ready to take action on this request for annexation based on the recommendation and findings in support of approving the annexation request, and the Rainbow 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 and Willamalane Park and Recreation District, said territory being Assessor's Map Township 17 South, Range 03 West, Section 25, Map 21, Tax Lot 13200, which is municipally addressed as 1891 Hayden Bridge Road, and is more particularly described in **Exhibit A** to this Ordinance.

SECTION 2: The withdrawal of territory described in Section 1 above from the Rainbow Water District shall become effective July 1, 2014.

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

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

ADOPTED by the Common Council of the City of Springfield this 25th day of November, 2013, by a vote of 6 for and 0 against.

APPROVED by the Mayor of the City of Springfield this 25th day of November, 2013.

ATTEST:

Amy Sowa
City Recorder

Chris L. Long
Mayor

REVIEWED & APPROVED
AS TO FORM
11/21/13
DATE: 11/21/13
OFFICE OF CITY ATTORNEY

ANNEXATION LEGAL DESCRIPTION

Situated in Lane County, State of Oregon, in the Northwest quarter of Section 25, Township 17 South, Range 3 West, Willamette Meridian, being further described as follows:

Being all those lands conveyed to Randy L. Fackler and Jessica Fackler in that Warranty Deed recorded on September 17, 2013 as Reception Number 2013-050349 in Lane County Oregon Official Records, and also including a portion of the right of way of Hayden Bridge Road in Springfield Oregon, from the intersection of said Road with 19th Street to a point that is approximately 230 feet west of the west margin of said 19th Street; the outer boundary of said lands being more particularly described as follows: **Beginning** at the Initial Point of LOUGHEAD TRACT as platted and recorded in Book 16, Page 14 in the Lane County Oregon Plat Records;

Thence on the east boundary of said TRACT the following course:

1. **South 0°14'00" West 65.00 feet;**

Thence leaving said east boundary on the following course:

2. **South 89°21'00" East 116.00 feet** to the west right of way margin of said Street;

Thence on said west right of way margin the following course:

3. **North 48.78 feet;**

Thence continuing on said west right of way margin, as extended, the following course:

4. **North 105.85 feet**, more or less, to a point where said west right of way margin intersects the east boundary of Lot 10 of KING HENRY COURT as platted and recorded as Reception Number 2007-028086 in Lane County Oregon Plat Records;

Thence on said east boundary of Lot 10 the following course:

5. **South 39°07'29" West 31.45 feet**, more or less;

Thence on the south boundary of said KING HENRY COURT, said boundary also being the north margin of said Road, the following courses:

6. **North 89°21'00" West 150.00 feet,**
7. **South 89°28'58" West 64.43 feet;**

Thence leaving said south boundary and said north margin the following course:

8. **South 0°39'00" West 63.69 feet** to the south margin of said Road;

Thence on said south margin the following course:

9. **South 89°21'00" East 119.26 feet** to the **Point of Beginning**.

Containing 22,985 square feet (0.53 acres).

The Basis of Bearings for this description is County Survey File Number 9932, as filed in the office of the Lane County Oregon Surveyor.

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

3



Annexation Application Type IV

Application Type		(Applicant: Check one)	
Annexation Application Pre-Submittal:	<input checked="" type="checkbox"/>		
Annexation Application Submittal:	<input checked="" type="checkbox"/>		
Required Proposal Information		(Applicant: Complete This Section)	
Property Owner:	Randy & Jessica Fackler	Phone:	
Address:	223-3 Ming Shui Street Peoples Republic of China	Fax:	
		E-mail:	rfackler@gmail.com
Owner Signature:	See Attached Power of Attorney		
Owner Signature:			
Agent Name:	Mitchell Janisse	Phone	541-912-1324
Company:	Building Contractor LCB #103548	Fax:	
Address:	2425 34th St. Springfield OR 97477	E-mail	Mitchelljanisse@yahoo.com
Agent Signature:	<i>[Signature]</i>		
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:	17-03-25-21	TAX LOT NO(S):	13200
Property Address:	1891 Hayden bridge Rd. Springfield OR 97477		
Area of Request:	Acres: 0.17	Square Feet:	
Existing Use(s) of Property:	Single Family Residence		
Proposed Use of Property:	Single Family Residence		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:	ANX13-00006	Date:	10/8/2013
		Reviewed By: (initials)	ACJ
Application Fee:	1155.00	Postage Fee:	543.00
		Total Fee:	1698.00

Date Received:

PRJ13-00024

OCT - 8 2013

Page 8 of 16

Original Submittal *AF*

Ordinance No. 6308

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:

Print

Date Received:

OCT - 8 2013

Original Submittal AZ



ON-SITE SEWAGE SYSTEM (OSS) REPORT OF SYSTEM STATUS

Date of Inspection: 8/22/13 Site Address: 1891 Hayden Bridge Rd
City: Springdale State: OR Zip: 97477

Operational Status: ☐ Satisfactory ☐ Maintenance Needed ☒ Failure
OSS Source: ☒ Single Family ☐ Community ☐ Food Service ☐ Other (type) _____
Septic tank pumping recommended? ☐ No ☐ Yes

Septic Tank

Tank Location: SW corner of house 10' S 12' E 10' center
Tank Material: ☒ Concrete ☐ Plastic ☐ Metal ☐ Wood ☐ Other _____
Volume 1000 Gallons estimated # of Compartments _____
Depth of Scum: 1st compartment _____ inches 2nd Compartment _____ inches
Depth of sludge: 1st compartment 10 inches 2nd Compartment _____ inches
Inlet baffle Condition: ☐ Satisfactory ☐ Needs Repair unknown ✓
Outlet Baffle Condition: ☐ Satisfactory ☐ Needs Repair unknown ✓
Watertight: ☐ Yes ☒ No
Risers/Lids in good condition, lids secure, & watertight ☐ Satisfactory ☐ Needs Repair ☐ Not Present
Comments: Tank leaking no liquid in tank can't run flow test

Pump Tank

Tank Material: ☐ Concrete ☐ Plastic ☐ Metal ☐ Wood ☐ Other _____
Volume _____ Gallons
Vault Screen: ☐ Satisfactory ☐ Needs Repair ☐ Not Present ☐ Cleaned
Watertight: ☐ Yes ☐ No
Risers/Lids in good condition, lids secure, & watertight ☐ Satisfactory ☐ Needs Repair ☐ Not Present
Depth of scum _____ inches Depth of sludge _____ inches
Comments: _____

Distribution Box: Surface access ☐ Yes ☒ No Equal Distribution ☐ Yes ☐ No
Distribution Box service Recommended ☐ Yes ☐ No ☒ Not Accessible

Drainfield Flow Test

Total Number of Bedrooms Served by OSS: _____
Ran test for _____ minutes; Approximately _____ gallons ran through system
Level in septic tank rose approximately _____" Returned to original level in _____ minutes
Evidence of dye and/or effluent surfacing ☐ Yes ☐ No no liquid in tank can't run flow test
Gallons pumped in to drainfield _____

I certify that I have performed the OSS evaluation on the above referenced property. The information submitted in this report is true and correct. Findings and determinations of this evaluation reflect conditions as they existed on the day the OSS was evaluated.

Tim Hadversen
Signature

Tim Hadversen
Print

8/22/13
Date

BEST SEPTIC, INC

541-484-0844

PO BOX 40606

Date Received: EUGENE, OR 97404

OCT - 8 2013

Original Submittal RZ

Mitchell Janisse

Building Contractor

2425 N. 34th St. Springfield, OR 97477

CCB# 103548

541-912-1324

September 27th 2013

City of Springfield
Development Services

RE: 1891 Hayden Bridge Road - Private Utility Plan and Justification of annexation

City staff:

Private Utility Plan

My annexation proposal / application is for the sole purpose of connection this residence to city sewer service. The listed house and septic system was built approximately in 1950 and has a failing septic tank. The property is already serviced by SUB electric and Rainbow water Dist. There are two (2) sewer stubs inside the property, one from 19th St and one from Hayden Bridge Rd. I would like to connect this house and property to one of these sewer stubs. No other services are needed and no other changes to the property are will take place. with this application.

Narrative Justification

The affected terititory proposed to be annexed

Is in The Urban Growth Boundary of Springfield

Is separated from city limits by Hayden Bridge Road to the immediate north.

Is near to city limits on the west and south separated by several city blocks

The proposed annexation is consistent with policies in the Metro and refinement plans.

The proposed annexation will result in the final urban facility and service (sewer) being provided to this property, all other services are currently resident there. Sewer connection services can be provided in an efficeient and timely manner due to (2) sewer stubs existing inside the property already.

There is no fiscal impact to the City of Springfield other than the application process and has been mitigated by the annexation agreement and associated fees.

Thank you for your help and consideration.

Mitch Janisse

Power of Attorney

Effective Date: September 17, 2013

I, Randy L. Fackler, US citizen, currently residing in China, on 223-3 Ming Shui Street, Changchun, Jilin Province, People's Republic of China. 130021

And Jessica Fackler, US citizen, currently residing in China, on 223-3 Ming Shui Street, Changchun, Jilin, Province, People's Republic of China. Zip code 130021

Do Hereby Appoint Mitchell Paul Janisse, a resident of Springfield, Lane County, OR Located at 2425 N 34th Street, Springfield, OR 97477

As my attorney-in-fact to act on my behalf for the following purpose(s):

For all business related to and including management of the real property at 1891 Hayden Bridge Road, Springfield, Oregon 97477, excluding selling the property.

This power of attorney is to start to be effective on September 17, 2013, and shall remain effective until terminated by principle.

I do hereby grant my attorney-in-fact complete and full authority to act in any reasonable and necessary manner for the purpose of exercising the above-mentioned powers. I also, ratify all the lawfully performed acts by my attorney-in-fact in exercising those powers. I fully understand and agree that any third party who is given a copy of this Power of Attorney may act relying on it. I also, agree that revocation of this Power of Attorney is effective as to a third party only when they receive receipt of an actual notice by the principle.

Applicable Law

This contract shall be governed by the laws of the State of Oregon, in Lane County and any applicable Federal Law.

Randy L. Fackler Jessica Fackler Date 9-18-13
Signature of Principles

By accepting this appointment and acting under it, I the attorney-in-fact ("Agent") do hereby assume the legal responsibilities of an agent.

[Signature] Date 9-16-13
Signature of Attorney-in-Fact

Subscribed and sworn to before me on September 16th, 2013 (date)

[Signature] Notary Public, Lane (County)
Oregon (State) My commission expires 2-11-17



Date Received:


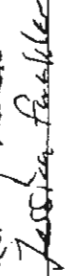
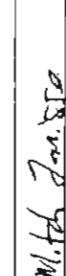

OCT - 8 2013

Original Submittal AF

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. 	9-17-13	Randy Fackler	2133 N.W. Hwy 8th St Payson, Oregon 97131	17-03-25-41-13400	✓	0.17 100%
2. 	9-17-13	Jessica Fackler	" " " " " "	17-03-25-41-13400	✓	0.17 100%
3. _____	_____	_____	_____	_____	_____	_____
4. 	9-17-13	Mitch Anderson	2425 3rd St. Springfield	17-03-25-41-13400	_____	_____
5. 	_____	_____	_____	_____	_____	_____

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

I, Mitchell Anderson (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 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 10.0 (%) 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

9-30-13
Date Signed and Certified

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
17-03-25-21-1320	Randy Puckler	0.17	116,000		✓	
17-03-25-21-1320	Jessica Puckler	0.17	116,000		✓	
TOTALS:		0.17	116,000		1	

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	1
NUMBER OF OWNERS WHO SIGNED	1
PERCENTAGE OF OWNERS WHO SIGNED	100%
TOTAL ACREAGE IN PROPOSAL	0.17
ACREAGE SIGNED FOR	0.17
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	116,000
VALUE CONSENTED FOR	116,000
PERCENTAGE OF VALUE CONSENTED FOR	100%

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: Mitchell Janisse

E-mail: Mitchelljanisse@yahoo.com

Supply the following information regarding the annexation area.

- Estimated Population (at present): 0
- Number of Existing Residential Units: 1
- Other Uses: None
- Land Area: 0.17 total acres
- Existing Plan Designation(s): Single Family Residence
- Existing Zoning(s): LAR
- Existing Land Use(s): Single Family Residence
- Applicable Comprehensive Plan(s):
- Applicable Refinement Plan(s):
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. No Comp or refn plan. Annexation for sale purpose to hook up to city sewer services

- Are there development plans associated with this proposed annexation?

Yes No ☒

If yes, describe.

- 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 inside Urban growth boundary of Springfield and next to city boundary/limits

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

Yes ☒ No ☐

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

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

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

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

<i>Mitchell Jansse</i>	_____
(Name)	(Name)
<i>2425 34th St.</i>	_____
(Address)	(Address)
<i>Springfield OR 97477</i>	_____
(City) (Zip)	(City) (Zip)
_____	_____
(Name)	(Name)
_____	_____
(Address)	(Address)
_____	_____
(City) (Zip)	(City) (Zip)

*do not sent notes or communication to Applicant/owners,
they live out of county - China. Direct all communication
to the above.*

M. Jansse

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:

17-03-25-21-13200 1891 Hayden Bridge Rd Springfield OR 97477
 Map and Tax Lot Number Street Address of Property (if address has been assigned)

ONE WAIVER OF TIME LIMIT FOR EACH PARCEL, PLEASE

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

Date _____

Signatures of Legal Owners

Please print or type name	Signature	Date Signed
Dandy Fackler		
Jason Fackler		
Mark Janice	<i>[Signature]</i>	9-17-13
* on behalf for & by way of power of Attorney doc.		

TYPE IV – ANNEXATION STAFF REPORT AND RECOMMENDATION



File Name: Fackler Annexation

Applicant: Randy & Jessica Fackler

Case Number: ANX13-00006

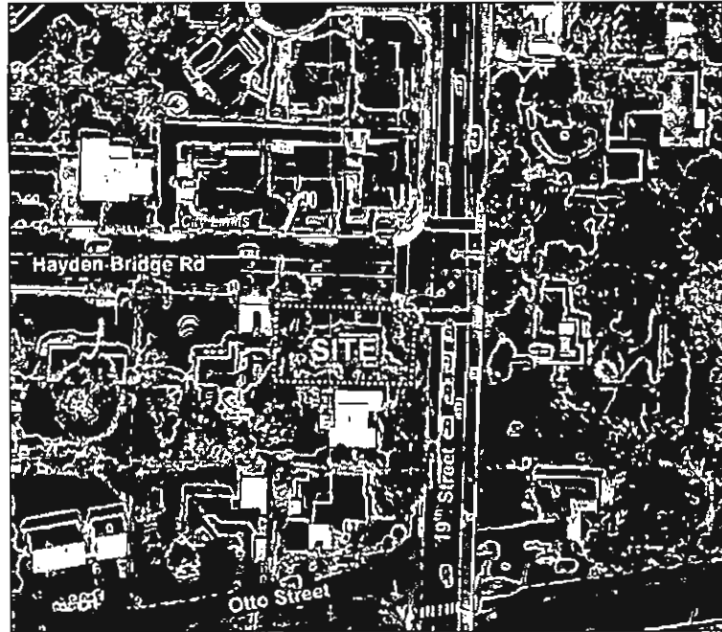
Proposal Location: 1891 Hayden Bridge Road (Map 17-03-25-21, Tax Lot 13200)

Current Zoning:

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

Plan Designation: LDR

Applicable Comprehensive Plan:
Metro Plan



Application Submittal Date: Oct. 8, 2013

Associated Applications: PRE13-00029 (Pre-submittal meeting for annexation)

CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW COMMITTEE

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

APPLICANT'S DEVELOPMENT REVIEW TEAM

POSITION	NAME	PHONE	MAILING ADDRESS
Applicant	Mitchell Janisse	541-912-1324	2425 34 th Street Springfield, OR 97477
Owners	Randy & Jessica Fackler	N/A	223-3 Ming Shui Street Changchun, Jilin Province People's Republic of China 130021

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

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

Finding: Staff conducted an informal Development Issues Meeting for the subject annexation request at no cost and on an expedited time line at the Development & Public Works office on September 30, 2013. Because the subject request to annex is to address a potential public health hazard and the necessary services are available along the property frontage, the applicant's representative was advised to proceed directly to the Annexation application pre-submittal step.

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

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

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

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

Site Information: The property requested for annexation is a 0.18 acre parcel with corner frontage on 19th Street along the east boundary and Hayden Bridge Road along the north boundary. The subject site is inside the Springfield Urban Growth Boundary (UGB) and is currently developed with a single family dwelling. Annexation is requested to facilitate connection to City sewer service due to a failed septic system on the property.

Staff is recommending concurrently annexing a 250-foot long segment of Hayden Bridge Road west of its intersection with 19th Street to avoid creating a gap in 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 19), roads (Lane County and City of Springfield), water (Rainbow Water District), electricity (Springfield Utility Board), and Fire (Cities of Eugene & Springfield). Upon annexation, the City of Springfield will be responsible for urban services, including sewer, water, electricity and police/fire response to the subject area.

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

Mailed Notice. Notice of the annexation application was mailed November 4, 2013, which is at least 14 days prior to the public hearing date, to the affected property owner(s); owners and occupants of properties located within 300 feet of the perimeter of the affected territory; affected neighborhood groups or community organizations officially recognized by the city that includes the affected territory; affected special districts and all other public utility providers; and the Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.

Newspaper Notice. Notice of the November 25, 2013 public hearing was published in *The Register-Guard* on November 11 and 18, 2013.

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Posted Notice. Notice of the November 25, 2013 public hearing was posted in five public places in the City: along the property frontage on Hayden Bridge Road; along the property frontage on 19th Street; at Springfield City Hall and in the Development & Public Works office; and on the City of Springfield website, on or before November 11, 2013.

Finding: Upon annexation of the subject territory to the City the current Low Density Residential zoning will be retained, but the Urbanizable Fringe Overlay District (UF-10) will no longer apply. Due to this change, the Oregon Department of Land Conservation and Development (DLCD) was notified in writing of the annexation proceedings prior to the public hearing. DLCD notification was sent on October 18, 2013, which is 38 days prior to the hearing date. The notification meets the DLCD requirement for 35-day advance notice of proposed zoning map amendments.

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

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

Criteria (SDC 5.7-140): The application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- A. The affected territory proposed to be annexed is within the City's urban growth boundary; and is**
- 1. Contiguous to the city limits; or**
 - 2. Separated from the City only by a public right of way or a stream, lake or other body of water.**

Finding: The subject annexation territory is located within the acknowledged urban growth boundary (UGB) of the City of Springfield as modified on the Metropolitan Area General Plan diagram (*Metro Plan*). The site is on the south side of Hayden Bridge Road, directly across from the nearest territory within the Springfield City limits. Therefore, because the subject property is only separated from the City by public right-of-way, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

Finding: Staff is recommending concurrently annexing a 250-foot long segment of Hayden Bridge Road right-of-way to avoid a gap in the City limits line. With the concurrent annexation of right-of-way, the subject site will be contiguous with territory lying within the City limits.

Conclusion: The proposal meets this criterion.

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

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

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

Finding: The continued annexation of properties and public street rights-of-way to the City of Springfield is consistent with the *Metro Plan*, which will result in the elimination of special districts within the urbanizable

area. The City's adopted comprehensive plans recognize that as annexations to the City occur, the special district service areas will diminish incrementally and eventually will be dissolved.

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 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 – SUB Water provides water service to incorporated areas of north Springfield. Upon annexation, the Hayden Bridge Road 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 – The subject site is currently served by the City by and through the Springfield Utility Board. Existing electrical system infrastructure within the adjacent public rights-of-way will be maintained by the affected utility providers.

Police Services – The Springfield Police Department currently provides service to areas of 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 Eugene/Springfield Fire Department under contract with the Rainbow Water and Fire District. Upon annexation, the City will continue to provide fire and emergency services to the subject territory.

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

Parks and Recreation – Park and recreation services are provided to the City of Springfield by the Willamalane Park and Recreation District. The park district operates several indoor recreation facilities, such as the

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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. The closest park and recreation facilities to the subject property are Page Park (1300 Hayden Bridge Road, just west of the annexation area) and the EWEB pathway (south of the annexation area).

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

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

Schools – The Springfield School District serves this area of north Springfield, including both annexed and non-annexed properties. The subject property is within the school boundaries of Yolanda Elementary School (east of the subject property at 2350 Yolanda Street), Briggs Middle School (2355 Yolanda Street) and Springfield High School (875 7th Street).

Sanitary Sewer – The annexation area can be served by connection to an existing sanitary sewer lateral along the property frontage. A public sanitary sewer line runs within Hayden Bridge Road and connects with a sanitary sewer main in 19th Street. Because the lateral has been stubbed to the property frontage, no extension or upgrade to the public system is required with this annexation request. The applicant has obtained necessary City permits and connected the house to the existing sewer lateral.

Stormwater – The subject annexation territory is served by a piped stormwater management system within 19th Street and Hayden Bridge Road. However, there are no immediate planned changes to the public stormwater management system associated with this annexation request.

Streets – The subject annexation area has frontage on both Hayden Bridge Road along the north boundary, and 19th Street along the east boundary. Along the north property frontage, Hayden Bridge Road is classified as a major collector street and is currently under Lane County jurisdiction. The street is developed to urban standards with paving, curb and gutter, lane striping, bicycle lanes, sidewalks, street trees, street lighting, and a piped storm sewer system. There are no immediate planned or required street improvements to Hayden Bridge Road associated with this annexation request.

Along the east property frontage, 19th Street is classified as a major collector street and is currently under Lane County jurisdiction. The street is improved to urban standards with paving, curb and gutter, lane striping, bicycle lanes, sidewalks, street trees, and street lighting. There are no immediate planned or required street improvements to 19th Street associated with this annexation request.

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

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

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

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

Conclusion: The proposal meets this criterion.

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

Finding: The property owners requesting annexation have been informed of the requirements for connection of urban utilities to serve the site and understand the responsibility of the developer to fund such improvements. Because there are no significant fiscal impacts to the City for providing a minimum level of key urban services, an Annexation Agreement is not required for this request. Connection of utilities to serve the annexation area will be undertaken through the City's standard permitting process.

Finding: The applicants have already paid City fees and obtained necessary permits to connect the dwelling to sanitary sewer service, thereby alleviating the potential public health hazard.

Conclusion: The proposal meets this criterion.

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

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

Finding: On November 25, 2013, the City Council will conduct a Public Hearing and reading of this Annexation Ordinance. Based on the staff analysis and recommendation to adopt as an emergency ordinance, and on testimony provided at the Public Hearing, the City Council may direct a second reading of the Ordinance to occur on November 25, 2013. The Council may order modifications to this Ordinance in consideration of evidence in the record.

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

Effective Date and Notice of Approved Annexation (SDC 5.7-155): If the annexation is approved by the City Council after a second reading on November 25, 2013, the Ordinance will become effective immediately after adoption by the City Council and signature of the Mayor, and upon acknowledgement of filing with the Secretary of State.

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

Finding: The annexation area is within the delineated service territory of the Rainbow Water and Fire District. Eugene/Springfield Fire & Life Safety will continue to provide emergency response service after annexation. The City, by and through the Springfield Utility Board, will provide water service to the annexation area upon annexation. Consistent with SDC 5.7-160, notice was provided, a public hearing was held, and the City Council

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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. _____.



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

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