



# City Council Agenda

**City Manager:**  
Nancy Newton  
**City Recorder:**  
Allyson Pulido  
541-726-3700

City Hall  
225 Fifth Street  
Springfield, Oregon 97477  
541-726-3700  
Online at [www.springfield-or.gov](http://www.springfield-or.gov)

*Mayor*  
Sean VanGordon

*City Council*  
Michelle Webber, Ward 1  
Steve Moe, Ward 2  
Kori Rodley, Ward 3  
Beth Blackwell, Ward 4  
Victoria Doyle, Ward 5  
Joe Pishioneri, Ward 6

These meetings will be available via phone, internet using Zoom and in person. Members of the public wishing to attend these meetings electronically can call in or attend virtually by following the directions below. This information can also be found on the City's website.

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available, as well as an Induction Loop for the benefit of hearing aid users.

To arrange for these services, call 541-726-3700.

**Meetings will end prior to 10:00 p.m. unless extended by a vote of the Council.**

All proceedings before the City Council are recorded.

November 4, 2024  
Monday

6:30 p.m. Work Session  
Council Meeting Room  
or

Virtual Attendance

Registration Required:

Attend from your computer, tablet or smartphone:

Zoom

Meeting ID: 869 5954 2833

[https://us06web.zoom.us/webinar/register/WN\\_2sMXCdxqZG4HVeljbHhZA](https://us06web.zoom.us/webinar/register/WN_2sMXCdxqZG4HVeljbHhZA)

To dial in using your phone in Listen Only Mode:

Dial 1 (971) 247-1195

Toll Free 1 (877) 853-5247

Oregon Relay/TTY: 711 or 800-735-1232

(Council work sessions are reserved for discussion between Council, staff and consultants; therefore, Council will not receive public input during work sessions. Opportunities for public input are given during all regular Council meetings)

## CALL TO ORDER

ROLL CALL -- Mayor VanGordon \_\_\_\_, Councilors Webber \_\_\_\_, Moe \_\_\_\_, Rodley \_\_\_\_, Blackwell \_\_\_\_, Doyle \_\_\_\_, and Pishioneri \_\_\_\_.

1. Planning Application Fees  
Mark Rust

(30 mins)

## ADJOURNMENT

AMENDED AGENDA:

amended to add information to item 5c on the Consent Calendar

7:00 p.m. Regular Meeting

Council Meeting Room

or

Virtual Attendance

Registration Required:

Attend from your computer, tablet or smartphone:

Zoom

Meeting ID: 869 5954 2833

[https://us06web.zoom.us/webinar/register/WN\\_2sMXCdxQZG4HVeIjbHhZA](https://us06web.zoom.us/webinar/register/WN_2sMXCdxQZG4HVeIjbHhZA)

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## CALL TO ORDER

ROLL CALL -- Mayor VanGordon\_\_\_, Councilors Webber \_\_\_\_, Moe\_\_\_, Rodley\_\_\_, Blackwell \_\_\_\_, Doyle \_\_\_\_, and Pishioneri \_\_\_.

## PLEDGE OF ALLEGIANCE

## SPRINGFIELD UPBEAT

## CONSENT CALENDAR

1. **Claims**
2. **Minutes**
3. **Resolutions**
4. **Ordinances**
  - a. Woodland Ridge Driveway Annexation
5. **Other Routine Matters**
  - a. Arts Commission Applicant Appointments and Arts Commissioner re-appointment
  - b. CDAC Bylaws Update
  - c. P41059 IGA Amendment 2 For Natural Resources Inventories And Protections For Springfield 2019 UGB Expansion Areas.
  - d. Bicycle And Pedestrian Advisory Committee Appointments
  - e. Library Advisory Baord Appointments

## MOTION: APPROVE/REJECT THE CONSENT CALENDAR

## ITEMS REMOVED FROM THE CONSENT CALENDAR

**PUBLIC HEARINGS** - Please limit comments to 3 minutes. Request to speak cards are available at the entrance. Please present cards to City Recorder. Speakers may not yield their time to others.



1. Comcast Franchise Extension  
Nathan Bell (5 mins)

**NO ACTION REQUESTED, FIRST READING ONLY**

2. 2024 Justice Assistance Grant  
Jessica Crawford (5 mins)

**BUSINESS FROM THE AUDIENCE - Limited to 20 minutes. Please limit comments to 3 minutes. Request to speak cards are available at the entrance. Please present cards to City Recorder. Speakers may not yield their time to others.**

**COUNCIL RESPONSE**

**CORRESPONDENCE AND PETITIONS**

**BIDS**

**ORDINANCES**

1. Springfield Development Code Amendments: Annexations  
Haley Campbell (5 mins)

**MOTION: ADOPT/NOT ADOPT AN ORDINANCE AMENDING THE SPRINGFIELD DEVELOPMENT CODE RELATED TO ANNEXATION, ADOPTING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.**

**RESOLUTIONS**

**BUSINESS FROM THE CITY COUNCIL**

**BUSINESS FROM THE CITY MANAGER**

**BUSINESS FROM THE CITY ATTORNEY**

**ADJOURNMENT**

<b>AGENDA ITEM SUMMARY</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Work Session
	<b>Staff Contact/Dept:</b>	Mark Rust/Community Development
	<b>Staff Phone No:</b>	
	<b>Estimated Time:</b>	30 Minutes
<b>S P R I N G F I E L D C I T Y C O U N C I L</b>	<b>Council Goals:</b>	Financially Responsible and Stable Government Services

**ITEM TITLE:**

Planning Application Fees

**ACTION REQUESTED:**

Receive information on the Planning Application Fees and provide input prior to finalizing recommendations for a public hearing.

**ISSUE STATEMENT:**

The City recognizes there is a need to reevaluate the Planning Application fees following the adoption of a major update to the Springfield Development Code in an effort to right size the fees for service in processing development applications.

**DISCUSSION/FINANCIAL IMPACT:**

The City last conducted a comprehensive planning and development fee analysis in 2010. With the adoption of significant updates to the Springfield Development Code (SDC) in June 2022, as well as process changes that have taken place since, it is an important time to re-assess the development application fees.

Staff was last before the Council on this topic on May 28, 2024. Additionally, staff presented to Council specifically on the Annexation Comprehensive Planning Fee on September 9, 2024. The initial study just focused on planning time spent on processing applications. It did not take into account time spent by other work groups including engineering, transportation, survey, etc. The direction given by Council has been to assess the total cost of processing development applications, including engineering, transportation, survey to account for 100% cost recovery.

Adjusting the planning application fees will have impacts to the General Fund. Comparing the planning application fee revenue to the cost of the program for the last four years, the General Fund on average has supplemented the current planning program.

FY21	FY22	FY23	FY24
(\$164,270)	(\$100,535)	(\$325,794)	\$266,646

Rightsizing the current planning application fees will likely have an increase in revenue for the General Fund. However, since the number and type of development applications that are submitted each year vary, it is uncertain.

The attached Council Briefing Memo outlines in more detail some of the proposed changes and questions for the Council to provide direction on moving forward.

**Attachments**

1. Council Briefing Memo
2. Cost of Service Analysis
3. Fee Schedule
4. Revenue Impact Analysis

**MEMORANDUM**

**City of Springfield**

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**Date:** November 4, 2024

**To:** Nancy Newton, City Manager **COUNCIL**

**From:** Mark Rust, Planning Manager, Current Planning **BRIEFING**  
 Jeff Paschall, Community Development Director

**Subject:** Planning Application Fees **MEMORANDUM**

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**ISSUE:**

The City recognizes there is a need to reevaluate the Planning Application fees following the adoption of a major update to the Springfield Development Code in an effort to right size the fees for service in processing development applications.

**COUNCIL GOALS/MANDATE:**

Provide Financially Responsible and Innovative Government Services

**BACKGROUND:**

Staff was last before Council on this topic on May 28, 2024. Additionally, staff presented to Council specifically on the Annexation Comprehensive Planning Fee on September 9, 2024.

State law allows collection of fees for processing permits in two different ways, either the actual or average cost of providing the service. The model the City of Springfield (and most other jurisdictions in the state) use is the average cost of service. (ORS 227.175). The fee study analyzes the average cost of providing the service to processing planning applications and in some cases recommends transitioning to and actual cost of service.

Direction received from the Council has included:

1. Account for 100% cost recovery of providing current planning services in the processing of development applications.
2. Include the cost of engineering, transportation, survey, administrative staff time, customer service staff time and other applicable work groups time in one fee for processing development applications.
3. Consider the time estimated for completing tasks is often underestimated. Compare estimated times to actual time to complete processing tasks.
4. Evaluate the need for increased fees for processing applications in the UGB (Urban Growth Boundary), that are outside of the city limits, due to coordination requirements with the County in the fees for those application types.
5. Simplify the fee schedule so that it is not complex.
6. Look for alternative ways of charging fees to fund a portion of the Comprehensive Planning Program.

Adjusting the planning application fees will have impacts to the General Fund. In FY21 the General Fund supplemented the current planning program by \$164,270. In FY22 the General Fund supplemented the current planning program by \$100,535. In FY 23 the General Fund supplemented the current

planning program by \$325,794. In FY 24 the current planning program brought in significantly more fees than the program cost, supplementing the General Fund by \$266,646.

## **DISCUSSION**

Building from the initial planning fee study performed by Portland State University (PSU) in 2023 and taking the direction from Council, staff has studied the costs associated with 100% cost recovery for processing development applications. This includes the time spent by other work groups outside of current planning such as Engineering, Transportation, Survey, etc.

Staff utilized the same questionnaire/survey that was prepared by PSU to gain information from the other work groups that spend significant time on processing development applications. In addition to the survey, key personnel kept track of their time working on each different application for a period of months. This data was utilized to truth check the survey responses.

Based on this additional research, staff has added the additional staff time/costs to the Cost of Service Analysis spreadsheet (Attachment 2). This has resulted in the 100% cost recovery fee numbers for development applications.

This fee study does not include analysis of Building Permit fees, Land and Drainage Alteration Permit (LDAP) fees, or System Development Charges (SDC's). It only looks at direct cost for processing development applications.

### **Changes in fees**

While the initial planning fee study showed significant fee reductions, the initial analysis did not include the full cost recovery of processing a development application. The initial report presented to Council [June 20, 2023](#) only included planning time. It did not include Engineering, Transportation, Survey and other cost for processing development applications.

The revised Cost of Service Analysis spreadsheet (Attachment 2) includes the costs associated with 100% cost recovery for processing development applications. As such, now the total application fee is higher than previously stated. In many cases the fees are proposed to be increased. However, some are still proposed to be decreased. Staff finds that the right sizing of the fees to accurately reflect the amount of time spent on processing the development applications is needed at this time.

It is still recommended that a certain list of application types be transitioned to an "actual cost of service" model rather than the existing "average cost of service" model used now. This would require the establishment of an accurate time tracking program as well as establishing deposit amounts for the actual cost of service applications. Any excess amount of the deposit that wasn't used for processing the application would then be refunded at the completion of the planning review. As discussed below, a new time tracking process has been established for each planning application to keep track of the actual amount of time that is spent on every application by multiple staff members that work on the applications.

Staff has provided a proposed simplified planning fee schedule based on the work performed. See Attachment 3.

***QUESTION FOR COUNCIL: Does the structure of the simplified fee schedule meet Council expectations for being easier to use and understand? Are the proposed revised fees acceptable for proceeding to a public hearing on?***

**Financial Model/Revenue Impact Analysis**

Previous Council direction included a request for a financial model to be prepared to show the difference the new fees would make on the overall revenue from planning application fees. Staff reviewed all the planning applications submitted in FY 24 and applied the proposed new fees. With the proposed new fee’s FY24 development application revenue increased 4% over the revenue collected from currently adopted development application fees. See Attachment 4 for specific details about the revenue impact analysis.

**Comparison of Springfield fees to other Cities**

At the [June 20, 2023](#) Council Work Session staff presented numbers on the proposed fee changes including comparison to four other city jurisdictions (Eugene, Medford, Corvallis, and Albany). Staff has not reevaluated if the comparable cities fees have increased since the initial PSU study. However, since the work was done over a year ago, staff assumes that at the very least the other cities fees have been increased to account for annual inflation. City of Springfield Planning fees have not been adjusted/increased in the last two years for annual inflation.

**Comprehensive Planning Fee per acre for Annexations**

Council suspended collection of the per acre fee for annexation, effective July 1, 2023, that supported the Comprehensive Planning Program work. This fee had historically helped supplement the Comprehensive Planning Program by an average of about 5% per year for the last 4 full years that the fee was collected.

**Comprehensive Planning Program Budget by Year**

FY	Actual total cost of program	Amount of total program cost covered by General Fund	Amount of annexation comprehensive planning fee	Percent of GF Budget	
2024	\$ 539,809*	\$ 192,291*	Suspended		
2023	\$ 616,391*	\$ 319,337*	\$ 880*	.3%*	
2022	\$ 484,119	\$ 287,214	\$ 14,922	5.2%	
2021	\$ 379,282	\$ 267,636	\$ 9,439	3.5%	
2020	\$ 439,281	\$ 236,935	\$ 18,040	7.6%	
2019	\$ 386,265	\$ 269,225	\$ 11,231	4.1%	
<b>TOTAL</b>	<b>\$1,688,947</b>	<b>\$1,061,010</b>	<b>\$53,632</b>		
	<b>\$422,237</b>	<b>\$265,252</b>	<b>\$13,408</b>	<b>5.1%</b>	<b>AVERAGES</b>

\*Not included in totals or averages due to partial year amounts

Staff presented detailed information on this topic at the [September 9, 2024](#), Council Work session. Direction was given to look at other ways of supporting the Comprehensive Planning Program. Council asked to discuss what level the Comprehensive Planning Program should be funded at.

As detailed in the packet from September 9<sup>th</sup>, since the inception of the Annexation Comprehensive Planning fee in 2003, the average amount collected per year was about \$25,000 (\$25,714). This is based on the total amount collected in the 21 years of \$540,000.

The average general funded amount of the Comprehensive Planning Program over the last four years that the fee was collected is roughly \$265,000 (\$265,252). The average amount of General Funded portion of the Comprehensive Planning budget that has been covered over the last 4 full years by the annexation comprehensive planning fee is 5.1%.

Based on the above average Comprehensive Planning Program budget amount that is provided by the General Fund, the amount that the Council could set as a target to be covered are:

Percent of Average Comprehensive Planning Program General Fund Budget	Revenue
1%	\$2,650
2.5%	\$6,630
5%	\$13,263
7.5%	\$19,894
10%	\$26,525
15%	\$39,788

***QUESTION FOR COUNCIL: What level does Council want to set as a target for funding the Comprehensive Work Program from fee collection?***

**Options for funding the Comprehensive Work Program**

Staff has identified the following potential ways for Council to consider to partially offset the funding of the Comprehensive Planning work program.

1. Establish a regional approach to collecting fees based on the amount of Comprehensive Planning work that needs to take place on a region-by-region basis.
2. Establish a fee as a percentage of the overall application fee for all application types that is collected to support the ongoing Comprehensive Planning Program work.
3. Create a flat fee for annexation applications or a tiered fee based on acreage ranges with max fee.
4. Reinstate the pre-existing annexation Comprehensive Planning per acre fee. Adjust the amount of the previous fee.
5. Enact a mix of these different fee approaches, such as a one percent fee on all applications plus a flat fee on annexations.

**Option 1.** From staff’s assessment this would be the most difficult option to establish. It would take considerable additional work to determine what regional boundaries would be established, and the amount of Comprehensive Planning work that would need to take place in each region. This would also be difficult to determine how to proportionately establish the amount of work by region that benefits the entire city. An example is the recent Comprehensive Planning Map. The Comp Plan Map benefits the entire city and is not easily divided up into regions. For these reasons staff does not recommend this option.

**Option 2.** Establishing a fee as a percentage of the overall application fees for all planning applications would reduce the burden of the total cost of providing support to the comprehensive Planning program on any one property or project by spreading the cost out over all planning application projects. This fee would be similar to the percentage fee that is currently collected as the Tech Fee that is charged to each application. A new Comprehensive Planning Fee could be combined with the Tech Fee and transitioned into a broader Administration (Admin) Fee to cover technology upgrades to improve the customer experience, provide some funding offset for the Comprehensive Planning program work, and other administrative staffing time that is unfunded that supports development activities. This is further discussed as part of the Tech Fee conversation below in this memo.

Staff would propose the Council consider the percent amount that coincides the amount of funding that Council finds appropriate to support the Comprehensive Planning Program work that is funded by the

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General Fund. Based on the average amount of planning application fees paid over the last 6 years of roughly \$662,000 per year, the following fee percentage amounts would result in the associated revenue.

Fee percent amount	Revenue generated	Percent of Average Comprehensive Planning Program General Fund Budget
1%	\$6,623	2.5%
2%	\$13,246	5.1%
3%	\$19,870	7.6%
4%	\$26,494	10.1%
5%	\$33,117	12.6%

This percent fee could also be combined with a flat fee for annexation applications as discussed below in Option 3.

**Option 3.** Establish a flat fee for annexation applications. Potentially this could be a tiered fee based on acreage similar to the pre-existing fee that was in place, however a maximum fee could be established to prevent disincentivizing annexation for large properties.

The pre-existing Comprehensive Planning Annexation fee was \$2,444 per acre. This fee was prorated for partial acreage, and there was not cap on the maximum amount of the fee. Based on the average number of annexation applications per year of 5 per year for the last 20 years, a flat fee of \$2,650 would generate approximately \$13,250 in revenue for the Comprehensive Planning Program, or roughly 5% of the average Comp Plan budget for the last 6 years. If the level of funding desired was to be at the \$25,000 average per year level that has been the average over the last 21 years as discussed above, the flat rate would be \$5,000 per application. However, this would seem to penalize the small single lot annexations as compared to the larger property annexations that more often result in higher development potential. A tiered flat fee approach could be contemplated to account for this. An example of a tiered flat fee is proposed in the table below.

Annexation Size (acres)	Flat Fee amount
0-1 acre	\$1,000
>1-5 acres	\$2,000
>5-10 acres	\$5,000
>10 acres	\$10,000 (max)

Alternatively, the per acre fee could be established as a flat per acre fee (prorated for partial acreage) with a maximum fee amount. For example, the fee could be established as \$1,000 per acre with a maximum of \$10,000.

This flat fee could also potentially be combined with another fee to offset the amount of the flat fee. An example is combining the flat fee with a small percentage fee for all application types as proposed in option 2 above.

**Option 4.** Reestablish the pre-existing comprehensive annexation fee. This option was discussed with the City Council at the September 9, 2024 work session where direction was given to explore alternative ways of collecting fees to support the comprehensive planning program work. However, this fee is included here as an option for comparison.

**Option 5.** Enact a mix of the above options. As an example, a small percentage fee for all planning application types together with a small flat fee for annexation applications.

In evaluating the options above, staff recommends a hybrid of the options, under Option 5. Staff recommends establishing a fee as a small percentage (such as 2%) of the overall application fee for all

planning application types together with a flat fee for annexation applications at \$1000 an acre with a maximum fee of \$10,000.

***QUESTION FOR COUNCIL: What fee option does Council support to help fund the Comprehensive Planning Program work?***

**TECH FEE**

Council received an update on the Technology Fee at the [September 25, 2023](#) Work Session. Additional work has been done on technology implementation since this check in. Specifically in anticipation of transitioning to an Actual Cost of Service fee for some planning application types, rather than the existing Average Cost of Service fees, staff have implemented time tracking for each planning application to keep track of the actual amount of time that is spent on every application by multiple staff members that work on the applications.

As part of the larger development fee conversation, staff is recommending transitioning from the current Technology Fee to a more general Administration fee. The current Technology Fee is a 5% fee added to application fees. As mentioned above, the tech fee could be broadened to be a more general Admin fee to include covering technology upgrades to improve the customer experience, provide some funding offset for the Comprehensive Planning program work, and other administrative staffing time that is unfunded to support development activities. Council could also consider if a portion of the admin fee could help support the Code Enforcement Program. As a comparison, the City of Eugene assesses a 9% Admin Fee on their planning applications.

Staff recommends an increase fee from the current Tech fee of 5% to a broader Admin Fee of 9% depending on the level of support Council finds that should be provided for supporting the Comprehensive Planning Program work as discussed above. This 9% fee would include the existing 5% tech fee, a 2% Comprehensive Planning fee, and 2% for funding the Planner on Duty functions of the current planning program that is an unfunded state mandated portion of the program.

***QUESTION FOR COUNCIL: Does Council support a transition from the current Tech fee of 5% to a broader Admin fee? If so, what percentage should the new Admin fee be set at?***

**NEXT STEPS:**

Staff is seeking input from Council at this work session on the next steps for the Planning Application Fees. Specifically, staff is asking if Council is comfortable moving forward with a public hearing on the draft fee schedule as presented.

Staff is tentatively scheduled to return on December 2, 2024 for a public hearing on the proposed fee changes if direction is provided by the Council. If the new fees schedule was adopted on December 2<sup>nd</sup> after the public hearing, staff could implement the new fees effective after the first of the year.

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**RECOMMENDED ACTION:** Give staff direction on the following question:

- 1. Does the structure of the simplified fee schedule meet Council expectations for being easier to use and understand?***
  - 2. Are the proposed revised fees acceptable for proceeding to a public hearing on?***
  - 3. What level does Council want to set as a target for funding the Comprehensive Work Program from fee collection?***
  - 4. What fee option does Council support to help fund the Comprehensive Planning Program work?***
  - 5. Does Council support a transition from the current Tech fee of 5% to a broader Admin fee? If so, what percentage should the new Admin fee be set at?***
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Springfield Planning Department Cost of Service Recovery Rates (City Limits)																	
Application Type	Current Fee	Planning Cost	Planning cost	Planning hours	Engineering cost	Engineering hours	Transportation cost	Transportation hours	Survey cost	Survey hours	Admin. staff cost*	TOTAL w/o Customer Svc. Counter	% of current fee w/o cust. Svc. Counter	Customer Service Counter cost (ave. per application)	100% Cost Recovery TOTAL	% of current fee	
Accessory Dwelling Unit Type 1	City: \$945 UGB: \$1,040	\$445.68	\$512.53		\$300.60	4.00	\$0.00	0.00	\$0.00	0.00	\$81.71	\$898.85	95%	\$515.36	\$1,414.20	150%	
Accessory Dwelling Unit Type 2	City: \$945 UGB: \$1,040	\$489.61	\$563.05		\$300.60	4.00	\$0.00	0.00	\$0.00	0.00	\$86.76	\$954.41	101%	\$515.36	\$1,469.77	156%	
Amendment of Development Code Text Type 4	City: \$9,629 UGB: \$14,527	Actual cost of service recommended															
Annexation Type 4	Single detached on R-1 property less than 10,000 sf: \$1,275 < 1 acre: \$2,787 1-5 acres: \$3,563 5-10 acres: \$4,754 10-25 acres: \$6,000 25-50 acres: \$8,572 100+ acres: \$11,815 Comprehensive Planning fee: \$2,444/acre Special District boundary adjustments: 10% of annexation fee	\$1,446.45	\$1,663.41		\$1,202.40	16.00	\$150.30	2.00	\$255.88	4.00	\$303.21	\$3,597.20	282%	\$515.36	\$4,112.56	323%	*25-50 not assessed in FY24 100+ not assessed, and no fee for 50-100?
Conceptual Development Plan Type 3	City: \$17,782 UGB: \$26,823	Actual cost of service recommended															
Declaratory Ruling Type 1	City: \$945 UGB: \$1,040	\$814.86	\$937.08		\$450.90	6.00	\$150.30	2.00	\$0.00	0.00	\$154.43	\$1,700.71	180%	\$515.36	\$2,216.07	235%	
Declaratory Ruling Type 2	City: \$2,302 UGB: \$2,990	\$976.77	\$1,123.29		\$450.90	6.00	\$150.30	2.00	\$0.00	0.00	\$173.05	\$1,905.53	83%	\$515.36	\$2,420.89	105%	
Declaratory Ruling Type 3	City: \$6,166 UGB: \$9,302	Actual cost of service recommended															
Determination of Non-Conforming Use Status Discretionary Use Type 3	City: \$139 UGB: \$209 City: \$4,978 UGB: \$7,509 City: \$1,437 UGB: \$2,169	\$913.40	\$1,050.40		\$75.15	1.00	\$37.58	0.50	\$0.00	0.00	\$116.41	\$1,281.04	922%	\$515.36	\$1,796.40	1292%	
Floodplain Development	Plus Subdivision: \$259 per lot Partitions and site plans: \$520 per acre	\$470.32	\$540.86		\$676.35	9.00	\$150.30	2.00	\$164.34	2.00	\$137.65	\$1,682.50	117%	\$515.36	\$2,197.86	153%	
Historic Type 1	City: \$77 UGB: \$203	\$953.46	\$1,096.47		\$150.30	2.00	\$150.30	2.00	\$0.00	0.00	\$139.91	\$1,540.98	2001%	\$515.36	\$2,056.34	2671%	
Historic Type 2	City: \$229 UGB: \$608	\$1,720.36	\$1,978.41		\$150.30	2.00	\$150.30	2.00	\$0.00	0.00	\$228.10	\$2,511.12	1097%	\$515.36	\$3,026.47	1322%	
Historic Type 3	City: \$4,515 UGB: \$46,812	Actual cost of service recommended															
Establishment of Historic Landmark Land Use Compatibility Statement/Zoning Verification Letter	City: \$365 UGB: \$395	\$363.73	\$418.29		\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$41.83	\$460.12	126%	\$515.36	\$975.47	267%	
Manufactured Dwelling Park Type 2	City: \$12,831 UGB: \$19,354	\$1,418.53	\$1,631.30		\$450.90	6.00	\$150.30	2.00	\$0.00	0.00	\$223.85	\$2,464.35	19%	\$515.36	\$2,979.71	23%	
Master Plan Approval Preliminary Type 2	City: \$17,782 + \$823 per acre UGB: \$26,823 + \$823 per acre	Actual cost of service recommended															
Master Plan Approval Preliminary Type 3	City: \$24,465 + \$823 per acre UGB: \$36,830 + \$823 per acre	Actual cost of service recommended															
Master Plan Approval Final	10% of the paid master plan approval fee	\$804.04	\$924.64		\$1,427.85	19.00	\$150.30	2.00	\$127.94	2.00	\$252.18	\$2,905.91		\$515.36	\$3,421.27		
Master Plan Modification Type 1	City: \$3,421 UGB: \$5,129	Actual cost of service recommended															
Master Plan Modification Type 2	City: \$6,888 UGB: \$10,392	Actual cost of service recommended															
Master Plan Modification Type 3	City: \$12,578 UGB: \$18,389	Actual cost of service recommended															
Metro Plan Amendment Type 1	City: \$28,288 + \$823 per acre UGB: \$42,672 + \$823 per acre	Actual cost of service recommended															
Metro Plan Amendment Type 2	City: \$13,719 + \$823 per acre UGB: \$17,595 + \$823 per acre	Actual cost of service recommended															
Minimum Development Standards Type 1	City only: \$1,299	\$505.64	\$581.49		\$976.95	13.00	\$150.30	2.00	\$127.94	2.00	\$172.17	\$2,025.85	156%	\$515.36	\$2,541.21	196%	
Modification of Approval Type 1	City: \$1,613 UGB: \$2,435	\$790.22	\$908.75		\$450.90	6.00	\$150.30	2.00	\$0.00	0.00	\$151.60	\$1,669.55	104%	\$515.36	\$2,184.91	135%	
Modification of Approval Type 2, non-significant impacts	City or UGB: \$3,421	\$1,002.73	\$1,153.13		\$450.90	6.00	\$150.30	2.00	\$0.00	0.00	\$176.03	\$1,938.37	57%	\$515.36	\$2,453.73	72%	
Modification of Approval Type 2, significant impacts	City or UGB: \$5,298	\$1,141.33	\$1,312.52		\$901.80	12.00	\$150.30	2.00	\$0.00	0.00	\$237.66	\$2,616.29	49%	\$515.36	\$3,131.64	59%	
Non-Conforming Use Expansion/Modification Type 2	City: \$4,978 UGB: \$7,509	\$1,417.21	\$1,629.79		\$1,052.10	14.00	\$37.58	0.50	\$0.00	0.00	\$273.35	\$3,007.31	60%	\$515.36	\$3,522.67	71%	
Partition Tentative Plan Type 2	City: \$6,335 UGB: \$11,592	\$1,312.45	\$1,509.32		\$1,503.00	20.00	\$150.30	2.00	\$191.91	3.00	\$318.26	\$3,697.79	58%	\$515.36	\$4,213.15	67%	
Partition Plat Type 2	City or UGB: \$3,481	\$600.23	\$690.26		\$450.90	6.00	\$0.00	0.00	\$2,174.98	34.00	\$114.72	\$3,470.85	100%	\$515.36	\$3,986.21	115%	
Property Line Adjustment Type 1	City: \$811 UGB: \$1,221	\$380.38	\$437.43		\$225.45	3.00	\$37.58	0.50	\$2,174.98	34.00	\$70.35	\$2,983.28	368%	\$515.36	\$3,498.64	431%	
Property Line Adjustment - Serial Type 2	City: \$1,618 UGB: \$2,441	\$1,027.36	\$1,181.46		\$751.50	10.00	\$37.58	0.50	\$2,174.98	34.00	\$198.05	\$4,388.07	271%	\$515.36	\$4,903.43	303%	
Public Easement Type 2 (Public Easement)	City: \$1,613 UGB: \$2,435	Actual cost of service recommended															
Type 4 (ROW, subdivision plat, or other Public Property)	City: \$6,166 UGB: \$9,302	\$1,514.43	\$1,741.59		\$601.20	8.00	\$150.30	2.00	\$0.00	0.00	\$250.11	\$2,753.20	45%	\$515.36	\$3,268.56	53%	
Minor Replat Tentative Plan Type 2	City: \$4,055	\$1,289.14	\$1,482.51		\$1,052.10	14.00	\$150.30	2.00	\$639.70	10.00	\$269.89	\$3,620.50	89%	\$515.36	\$4,135.85	102%	
Minor Replat Plat Type 1	City: \$2,384	\$345.05	\$396.81		\$601.20	8.00	\$150.30	2.00	\$2,174.98	34.00	\$115.63	\$3,482.92	146%	\$515.36	\$3,998.28	168%	
Major Replat Tentative Plan Type 2	City: \$6,588	\$1,264.50	\$1,454.18		\$1,277.55	17.00	\$150.30	2.00	\$639.70	10.00	\$289.90	\$3,840.63	58%	\$515.36	\$4,355.99	66%	
Major Replat Plat Type 1	City: \$2,384	\$354.39	\$407.55		\$901.80	12.00	\$150.30	2.00	\$2,174.98	34.00	\$147.16	\$3,829.79	161%	\$515.36	\$4,345.15	182%	
Refinement Plan Amendment Type 4	City: \$13,719 + \$823 per acre UGB: \$21,107 + \$823 per acre	Actual cost of service recommended															
Site Plan Review Type 2	500 or less sq. ft. of new, removed, or net change of impervious surface; and no Traffic Impact Study required, and no change of driveways, access, or circulation City only: \$1,616 500-10,000 square feet of new impervious surface City or UGB: \$5,489 10,000+ square feet of new impervious surface City or UGB: \$5,489 + \$65 per 1,000 square feet	\$1,570.94	\$1,806.58		\$1,127.25	15.00	\$150.30	2.00	\$127.94	2.00	\$309.91	\$3,540.98	219%	\$515.36	\$4,056.34	251%	
Final Site Plan Equivalent Type 1	City or UGB: \$4,891	\$1,018.15	\$1,170.87		\$450.90	6.00	\$37.58	0.50	\$0.00	0.00	\$166.53	\$1,832.38	37%	\$515.36	\$2,347.74	48%	
Final Site Plan Review/Development Agreement Type 1	10% of the paid site plan fee	\$360.32	\$414.36		\$300.60	4.00	\$0.00	0.00	\$0.00	0.00	\$71.90	\$790.86		\$515.36	\$1,306.22		
Solar Access Protection Type 2	City: \$1,015 UGB: \$1,232	Actual cost of service recommended															
Street Name Change	City: \$6,166	Actual cost of service recommended															
Subdivision Tentative Plan Type 2	< 2 acres: \$7,176 + \$309 per lot 2-5 acres: \$10,156 + \$508 per lot 5-10 acres: \$13,434 + \$776 per lot 10-20 acres: \$14,173 + \$807 per lot 20+ acres: \$14,911 + \$895 per lot Non-R-1 \$12,668 + \$760 per acre R-1 \$992 + \$618 per lot Non-R-1 \$5,078 + \$825 per acre	\$1,289.14	\$1,482.51		\$1,277.55	17.00	\$150.30	2.00	\$639.70	10.00	\$292.74	\$3,871.79	54%	\$515.36	\$4,387.15	61%	
Subdivision Plat Type 1	\$992 + \$618 per lot Non-R-1 \$5,078 + \$825 per acre	\$497.60	\$572.23		\$300.60	4.00	\$150.30	2.00	\$2,174.98	34.00	\$102.71	\$3,340.83	337%	\$515.36	\$3,856.19	389%	
Temporary Use Type 1, Manufactured Dwelling After Disaster	City or UGB: \$483	\$0			\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	\$0.00	0%	\$515.36	\$515.36	107%	
Temporary Use Type 1, Emergency Medical Hardship	City or UGB: \$360	\$1,027.36	\$1,181.46		\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$118.15	\$1,299.61	361%	\$515.36	\$1,814.97	504%	
Minor Tree Felling Permit Type 2	Base fee: \$1,281 < 5 trees: \$0 6-10 trees: \$65 per tree 10+ trees: \$650 per acre Filbert Orchards: Base fee only	\$563.51	\$648.04		\$300.60	4.00	\$0.00	0.00	\$0.00	0.00	\$95.26	\$1,047.90	82%	\$515.36	\$1,563.26	122%	
Major Tree Felling Permit Type 2	< 5 trees: \$0 6-10 trees: \$65 per tree 10+ trees: \$650 per acre Filbert Orchards: Base fee only	\$1,007.33	\$1,158.43		\$375.75	5.00	\$0.00	0.00	\$0.00	0.00	\$153.92	\$1,693.10	132%	\$515.36	\$2,208.46	172%	
Vacation Type 2	City: \$1,613 UGB: \$2,435	\$987.30	\$1,135.40		\$601.20	8.00	\$150.30	2.00	\$0.00	0.00	\$189.49	\$2,086.38	129%	\$515.36	\$2,601.74	161%	
Vacation Type 4	City: \$6,166 UGB: \$9,302	\$1,514.43	\$1,741.59		\$751.50	10.00	\$150.30	2.00	\$0.00	0.00	\$265.34	\$2,920.73	47%	\$515.36	\$3,436.09	56%	
Variance Type 2	City or UGB: \$3,164	\$1,237.37	\$1,422.98		\$601.20	8.00	\$37.58	0.50	\$0.00	0.00	\$206.98	\$2,277.23	72%	\$515.36	\$2,792.58	88%	
Variance Type 3	City: \$8,256 UGB: \$12,455	Actual cost of service recommended															
Zoning Map Amendment Type 3	City: \$6,832 UGB: \$13,205	Actual cost of service recommended															

\*Admin staff cost | \*Admin. staff cost includes time for file set up, noticing, processing, and issuing final decisions, etc.



# Planning Services Fees

As of **January 3, 2025**

City of Springfield Planning and Development  
225 Fifth Street, Springfield, Oregon, 97477

541-726-3753  
www.springfield-or.gov

## ACS – Actual Cost of Service

Application Type	Base Fee	Notice Fee	Admin Fee:	Total Fee
Accessor Dwelling Unit Type 1	\$1,414.00	--	\$	\$
Accessory Dwelling Unit Type 2	\$1,469.00	\$203.00	\$	\$
Amendment of Development Code Text	ACS	\$203.00	\$	ACS + Notice + Admin Fee
Annexation	\$4,112.00	\$203.00	\$	\$
Comprehensive Plan Amendment	ACS	\$203.00		ACS + Notice + Admin Fee
Conceptual Development Plan	ACS	\$203.00	\$	ACS + Notice + Admin Fee
Declaratory Ruling – Type 1	\$2,216.00	--	\$	\$
Declaratory Ruling – Type 2	\$2,420.00	\$203.00	\$	\$
Declaratory Ruling – Type 3	ACS	\$203.00		ACS + Notice + Admin Fee
Determination of Non-Conforming Use Status	\$1796.00	--		
Discretionary Use	ACS	\$203.00		ACS + Notice + Admin Fee
Floodplain Development	\$2,198.00	\$203.00		
Historic – Type 1	\$2,056.00			
Historic – Type 2	\$3,026.00	\$203.00		
Historic – Type 3	ACS	\$203.00		ACS + Notice + Admin Fee
Land Use Compatibility Statement (LUCS)/Zoning Verification Letter	\$975.00	--		
Manufacture Dwelling Park	\$2980.00	\$203.00		
Master Plan Approval – Preliminary	ACS	\$203.00		ACS + Notice + Admin Fee
Master Plan Approval – Final	\$3,421.00	--		
Master Plan Modification	ACS	\$203.00		ACS + Notice + Admin Fee
Minimum Development Standards (MDS)	\$2,541.00	--		
Modification of Approval – Type 1	\$2,185.00	--		
Modification of Approval – Type 2, non-significant impact	\$2,453.00	\$203.00		



# Planning Services Fees

As of **January 3, 2025**

Application Type	Base Fee	Notice Fee	Admin Fee:	Total Fee
Modification of Approval – Type 2, significant impact	\$3,131.00	\$203.00		
Non-Conforming Use Expansion/Modification	\$3,522.00	\$203.00		
Partition Tentative Plan	\$4,213.00	\$203.00		
Partition – tent per lot fee	\$25.00	--		
Property Line Adjustment	\$3,498.00	--		
Property Line Adjustment – Serial	\$4,903.00	\$203.00		
Public Easement	ACS	\$203.00		ACS + Notice + Admin Fee
Minor Replat Tentative Plan	\$4,135.00	\$203.00		
Major Replat Tentative Plan	\$4,355.00	\$203.00		
Refinement Plan Amendment	ACS	\$203.00		ACS + Notice + Admin Fee
Site Plan Review – Less than 500 sq. ft.	\$1,616.00	\$203.00		
Site Plan Review	\$4,056.00	\$203.00		
Final Site Plan Equivalent	\$2,347.00	--		
Final Site Plan Review	\$1,306.00	--		
Solar Access Protection	ACS	\$203.00		ACS + Notice + Admin Fee
Street Name Change	ACS	\$203.00		ACS + Notice + Admin Fee
Subdivision Tentative Plan	\$4,387.00	\$203.00		
Subdivision–tent per lot fee	\$25.00	--		
Temporary Use – Manufactured Dwelling After Disaster	\$515.00	--		
Temporary Use – Hardship Dwelling	\$1,815.00	--		
Minor Tree Felling	\$1,563.00	\$203.00		
Major Tree Felling	\$2,208.00	\$203.00		
Vacation – Type 2	\$2,600.00	\$203.00		
Vacation – Type 4	\$3,436.00	\$203.00		
Variance – Type 2	\$2,792.00	\$203.00		
Variance – Type 3	ACS	\$203.00		ACS + Notice + Admin Fee
Zoning Map Amendment	ACS	\$203.00		ACS + Notice + Admin Fee



# Planning Services Fees

As of **January 3, 2025**

## Plat Checking Fees

Application Type	Survey Fee	Planning Fee	Admin Fee:	Total Fee
Partition Plat	\$2,175.00	\$1,811.00		
Subdivision Final Plat	\$2,175.00	\$1,811.00		
Subdivision per lot	\$10.00	--	--	
Minor Replat Final Plat	\$2,175.00	\$1,811.00		
Major Replat Final Plat	\$2,175.00	\$1,811.00		
Additional Review	\$100.00			

The final plat survey fee includes the first two plat check reviews. Each additional review of the same plat is charged the additional review fee.

# FY24 Revenue Analysis - Proposed Fees

Row Labels	Actual Fee Assessed	Fee at 100% Cost Recovery	% Dif from Actual	\$ Dif from Actual
<b>Building</b>	\$ 72,694.00	\$ 72,426.00	100%	\$ (268.00)
Type I - Planning Review of Building Permit Major City	\$ 59,496.00	\$ 59,228.00	100%	\$ (268.00)
Type I - Planning Review of Building Permit Major UGB	\$ 1,092.00	\$ 1,092.00	100%	\$ -
Type I - Planning Review of Building Permit Minor City	\$ 10,650.00	\$ 10,650.00	100%	\$ -
Type I - Planning Review of Building Permit Minor UGB	\$ 1,456.00	\$ 1,456.00	100%	\$ -
<b>Planning</b>	\$ 864,315.38	\$ 906,609.12	105%	\$ 42,293.74
Land Use Compatibility Statement/Zoning Verification Letter - Permit, City	\$ 10,950.00	\$ 29,264.10	267%	\$ 18,314.10
Land Use Compatibility Statement/Zoning Verification Letter - Permit, UGB	\$ 1,580.00	\$ 2,182.36	138%	\$ 602.36
Planning Application Completeness Check Meeting City	\$ 16,164.00	\$ 16,164.00	100%	\$ -
Planning Application Completeness Check Meeting UGB	\$ 7,436.00	\$ 7,436.00	100%	\$ -
Planning Development Initiation Meeting City & UGB	\$ 14,238.00	\$ 14,238.00	100%	\$ -
Type I - Accessory Dwelling Unit	\$ 8,505.00	\$ 12,727.80	150%	\$ 4,222.80
Type I - Drinking Water Protection Overlay District, City & UGB	\$ 3,975.00	\$ 3,975.00	100%	\$ -
Type I - Final Site Plan Review/Development Agreement, enter amount	\$ 11,482.19	\$ 27,430.62	239%	\$ 15,948.43
Type I - Floodplain Development - base fee, City	\$ 1,437.00	\$ 2,197.86	153%	\$ 760.86
Type I - Floodplain Development - base fee, UGB	\$ 10,845.00	\$ 3,527.35	33%	\$ (7,317.65)
Type I - Historic Commission Review under Type I, City	\$ 77.00	\$ 2,056.34	2671%	\$ 1,979.34
Type I - Minimum Development Standards City Only	\$ 15,588.00	\$ 30,494.52	196%	\$ 14,906.52
Type I - Partitions - Partition Plat, City & UGB	\$ 10,443.00	\$ 11,958.63	115%	\$ 1,515.63
Type I - Pre-Application Meeting City & UGB	\$ 4,620.00	\$ 4,620.00	100%	\$ -
Type I - Property Line Adjustment, City	\$ 4,055.00	\$ 17,493.20	431%	\$ 13,438.20
Type I - Property Line Adjustment, UGB	\$ 3,663.00	\$ 1,711.68	47%	\$ (1,951.32)
Type I - Site Plan Review Type 1 City	\$ 1,613.00	\$ 2,347.74	146%	\$ 734.74
Type I - Subdivision NON-R-1 Plat, enter # acres	\$ 22,403.00	\$ 20,933.69	93%	\$ (1,469.31)
Type I - Subdivision R-1 Plat, enter # lots	\$ 31,648.00	\$ 37,376.38	118%	\$ 5,728.38
Type I - Time Extension for certain Improvements, City	\$ 1,254.00	\$ 1,254.00	100%	\$ -
Type II - Accessory Dwelling Unit	\$ 1,890.00	\$ 2,939.54	156%	\$ 1,049.54
Type II - Declaratory Ruling Type 2 City	\$ 2,302.00	\$ 2,420.89	105%	\$ 118.89
Type II - Historic Commission Review under Type II, City	\$ 458.00	\$ 6,052.94	1322%	\$ 5,594.94
Type II - Non-Conforming Use Expansion/Modification , City	\$ 4,978.00	\$ 3,522.67	71%	\$ (1,455.33)
Type II - Notice Fee	\$ 7,917.00	\$ 7,917.00	100%	\$ -
Type II - Partitions - Partition Tentative Plan, City	\$ 44,345.00	\$ 29,492.05	67%	\$ (14,852.95)
Type II - Property Line Adjustment - Serial, City	\$ 1,618.00	\$ 4,903.43	303%	\$ 3,285.43
Type II - Replat - Major Replat Tentative Plan, City	\$ 6,588.00	\$ 4,355.99	66%	\$ (2,232.01)
Type II - Site Plan Review - 10,000 sq ft plus of new impervious surface - City & UGB, enter sq ft	\$ 99,664.54	\$ 88,203.24	89%	\$ (11,461.31)
Type II - Site Plan Review - 500 to 9,999 sq ft of new impervious surface - City & UGB	\$ 10,978.00	\$ 8,112.68	74%	\$ (2,865.32)
Type II - Site Plan Review - under 500 sq ft of new/removed/changed impervious surface - City & UGB	\$ 6,464.00	\$ 16,225.36	251%	\$ 9,761.36
Type II - Subdivision R-1 Tentative Plan - < 2 acres, per lot - enter # of lots	\$ 7,485.00	\$ 4,696.15	63%	\$ (2,788.85)
Type II - Subdivision R-1 Tentative Plan - > 20 acres, per lot - enter # of lots	\$ 216,286.00	\$ 205,762.15	95%	\$ (10,523.85)
Type II - Tree Felling - Corrective Action, per tree	\$ 928.00	\$ 928.00	100%	\$ -
Type II - Tree Felling Permit - City & UGB, > 10 trees - base fee only	\$ 2,562.00	\$ 4,416.92	172%	\$ 1,854.92
Type II - Tree Felling Permit - City & UGB, > 10 trees - enter # of acres	\$ 2,411.50	\$ 2,411.50	100%	\$ -
Type II - Tree Felling Permit - City & UGB, 6 to 10 trees - enter # of trees	\$ 3,082.00	\$ 4,936.92	160%	\$ 1,854.92
Type II - Tree Felling Permit - City & UGB, Filbert Orchards	\$ 1,281.00	\$ 2,208.46	172%	\$ 927.46
Type II - Vacation - Public Easement, City	\$ 1,613.00	\$ 2,601.74	161%	\$ 988.74
Type II - Variance - Minor Variance (up to 30%), City & UGB	\$ 3,164.00	\$ 2,792.58	88%	\$ (371.42)
Type III - Discretionary Use, City	\$ 4,978.00	\$ 4,978.00	100%	\$ -
Type III - Notice Fee	\$ 3,423.00	\$ 3,423.00	100%	\$ -
Type III - Variance - Major Variance, City	\$ 8,256.00	\$ 8,256.00	100%	\$ -
Type III - Zoning Map Amendment, City	\$ 27,328.00	\$ 27,328.00	100%	\$ -
Type III - Zoning Map Amendment, UGB	\$ 13,205.00	\$ 13,205.00	100%	\$ -
Type IV - Annexation, 1 Acres > 5 Acres	\$ 14,252.00	\$ 16,450.24	115%	\$ 2,198.24
Type IV - Annexation, 25 Acres > 50 Acres	\$ 22,341.00	\$ 12,337.68	55%	\$ (10,003.32)
Type IV - Annexation, 5 Acres > 10 Acres	\$ 4,754.00	\$ 4,112.56	87%	\$ (641.44)
Type IV - Annexation, Single Unit Dwelling Detached, on R-1 Prop of less than 10000 sq ft	\$ 2,550.00	\$ 8,225.12	323%	\$ 5,675.12
Type IV - Annexation, special district boundary adjustments/withdrawals - enter amount	\$ 4,668.40	\$ 4,668.40	100%	\$ -
Type IV - Annexation,< 1 Acres	\$ 5,574.00	\$ 8,225.12	148%	\$ 2,651.12
Type IV - Notice Fee	\$ 11,056.00	\$ 11,056.00	100%	\$ -
Type IV - Type I - Metro Plan Amendment - special instruction Type IV - City, base fee	\$ 56,576.00	\$ 56,576.00	100%	\$ -
Type IV - Type I - Metro Plan Amendment - special instruction Type IV - City, per acre	\$ 26,541.75	\$ 26,541.75	100%	\$ -
Type IV - Type I - Metro Plan Amendment - special instruction Type IV - City, per acre - enter # of	\$ 32,403.00	\$ 32,394.77	100%	\$ (8.23)
Type IV - Type II - Metro Plan Amendment - special instruction Type IV - UGB, per acre	\$ 18,418.00	\$ 14,542.00	79%	\$ (3,876.00)
<b>Grand Total</b>	\$ 937,009.38	\$ 979,035.12	104%	\$ 42,025.74

Staff reviewed all the planning applications submitted in FY 24 and applied the proposed new fees. With the proposed new fee's FY24 development application revenue increased 4% over the revenue collected from currently adopted development application fees.

<b>AGENDA ITEM SUMMARY</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Regular Meeting
<b>S P R I N G F I E L D C I T Y C O U N C I L</b>	<b>Staff Contact/Dept:</b>	Andy Limbird/Community Development
	<b>Staff Phone No:</b>	
	<b>Estimated Time:</b>	Consent Calendar
	<b>Council Goals:</b>	Maintain and Improve Infrastructure and Facilities

**ITEM TITLE:**

Woodland Ridge Driveway Annexation

**ACTION REQUESTED:**

Conduct a second reading and adopt/not adopt an ordinance annexing a linear, 0.62-acre territory to the City of Springfield.

**ISSUE STATEMENT:**

The City Council is requested to consider an ordinance to annex approximately 26,840 sq. ft. of real property in the Woodland Ridge neighborhood of southeast Springfield. The proposed annexation is intended to facilitate westward extension of Holly and Pinehurst Streets and incorporation of the linear parcel into future residential subdivision phases of Woodland Ridge.

**DISCUSSION/FINANCIAL IMPACT:**

The applicant initiated the annexation request by submittal of a complete application on September 3, 2024. In accordance with SDC 5.7.155 and ORS 222.040, 222.180 and 222.465, if approved the annexation will become effective 30 days following Ordinance adoption and signature by the Mayor, or upon acknowledgement by the State, whichever date is later. The territory requested for annexation is a linear panhandle driveway extension of property that lies between the Pinehurst neighborhood to the east and the developing Woodland Ridge neighborhood to the west. The developer of both neighborhoods (Hayden Homes) recently acquired ownership of the subject property and, upon annexation, intends to incorporate the linear parcel into the Woodland Ridge subdivision area. The subject property is located inside the City's Urban Growth Boundary (UGB), and it abuts the City limits line along all four sides. The property will be concurrently rezoned to remove the Urbanizable Fringe Overlay (UF-10) such that land development limitations imposed by the UF-10 overlay will no longer apply upon annexation. As outlined in the attached staff report (Attachment 2, Exhibit C), the annexation area can be served with the minimum level of key urban facilities and services as required in the Springfield Comprehensive Plan -- Urbanization Element. The attached staff report provides details about the requirements to extend utility and transportation connections across the subject territory to serve the Woodland Ridge neighborhood to the west. The proposed annexation meets the criteria of approval for annexations as established in SDC 5.7.140.

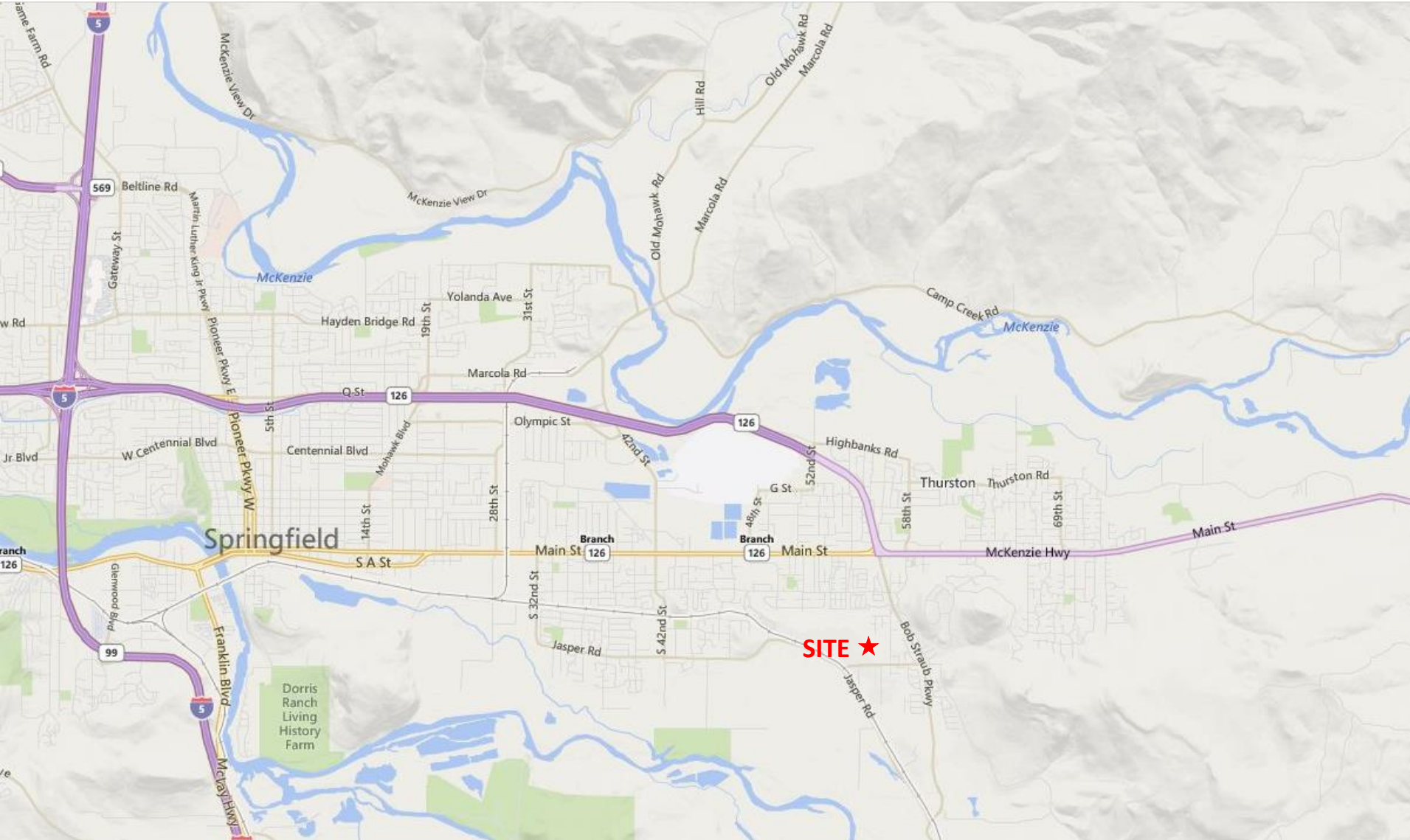
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**Attachments**

- 1. Location Maps
- 2. Ordinance
- 2A. Exhibit A- Annexation Legal Description and Map
- 2B. Exhibit B- Annexation Application
- 2C. Exhibit C, Staff Report



LOCATION OF PROPERTY SUBJECT TO ANNEXATION AND ZONE CHANGE





**811-24-000212-TYP4 – PROPOSED ANNEXATION OF 22-FOOT WIDE BY ~1,200-FOOT LONG  
LINEAR PANHANDLE DRIVEWAY PARCEL (MAP 18-02-04-00, PORTION OF TAX LOT 307)  
SITE CONTEXT MAP**





**CITY OF SPRINGFIELD, OREGON**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY (VACANT PANHANDLE EXTENSION OF PROPERTY FORMERLY ADDRESSED AS 5353 IVY STREET AND IDENTIFIED AS ASSESSOR'S MAP 18-02-04-00, PORTION OF TAX LOT 307) TO THE CITY OF SPRINGFIELD AND WILLAMALANE PARK & RECREATION DISTRICT; WITHDRAWING THE SAME TERRITORY FROM THE WILLAKENZIE RURAL FIRE PROTECTION DISTRICT; ADOPTING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Council is authorized by Springfield Development Code (SDC) Article 5.7.100 and Oregon Revised Statutes (ORS) Chapter 222 to accept, process, and act upon annexations to the City;

**WHEREAS**, a request to annex certain territory was submitted on September 1, 2024, said territory being a 22-foot wide by approximately 1,220-foot long panhandle portion of Assessor's Map Township 18 South, Range 02 West, Section 04, Map 00, Tax Lot 307 which is generally depicted and more particularly described in **Exhibit A** to this Ordinance;

**WHEREAS**, in accordance with SDC 5.7.125(A) and ORS 222.111, the property owner of said territory initiated the annexation action by submittal of the required application forms and petition for annexation attached hereto as **Exhibit B** to this Ordinance;

**WHEREAS**, the territory proposed for annexation is within the Springfield Comprehensive Plan Urban Growth Boundary and is contiguous to the City limits. (SDC 5.7.140(A));

**WHEREAS**, the annexation is consistent with the *Springfield Comprehensive Plan – Urbanization Element* requiring annexation to the City of Springfield as the highest priority for receiving urban services;

**WHEREAS**, the City Council of the City of Springfield has determined that the provision of City services to the subject area is necessary to facilitate urban residential development;

**WHEREAS**, all required urban services are immediately available to serve the site and there is no requirement for the applicant to execute a separate Annexation Agreement because the timing and financial responsibility for provision of public facilities and services to the property has been detailed in a prior Annexation Agreement for Woodland Ridge;

**WHEREAS**, in accordance with SDC 5.7.150(A), upon annexation the Urbanizable Fringe Overlay District (UF-10) will cease to apply to the property and the underlying R-1 Residential District zoning will be retained;

**WHEREAS**, a Staff Report (**Exhibit C**) was presented to the City Council with the 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 to withdraw the subject territory from the Willakenzie Rural Fire Protection District as the Eugene-Springfield Fire Department will provide emergency response services directly to the area after it is annexed to the City;

**WHEREAS**, this action is consistent with the intergovernmental agreement between Lane County and Springfield regarding boundary changes dated May 21, 2008; and

**WHEREAS**, on October 21, 2024, 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 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 COMMON COUNCIL OF 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 generally depicted and more particularly described in **Exhibit A** to this Ordinance.

**Section 2.** Finding that it is in the best interest of the City of Springfield based on the foregoing recitals and the findings incorporated therein, the Common Council of the City of Springfield does hereby approve withdrawal of the territory described in Exhibit A to this Ordinance from the Willakenzie Rural Fire Protection District.

**Section 3.** The City Manager or the Development & Public Works Director or their designee shall send copies of this Ordinance to affected State and local agencies as required by SDC 5.7.155.

**Section 4.** Severability Clause. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

**Section 5.** Effective Date of Ordinance. This Ordinance shall become effective 30 days after signature by the Mayor, or upon the date of its filing with the Secretary of State as provided by ORS 222.180, whichever is later.

**ADOPTED** by the Common Council of the City of Springfield, this \_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of \_\_\_\_ for and \_\_\_\_ against.

**APPROVED** by the Mayor of the City of Springfield this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

# EXHIBIT A

## **ANNEXATION LEGAL DESCRIPTION A PORTION OF TAXMAP/LOT 18-02-04-00-00307**

Beginning at the East Southeast corner of the R. Hixon Donation Land Claim No. 47, Section 4, Township 18 South, Range 2 West of the Willamette Meridian; thence North 1523.05 feet; thence West 1489.00 feet to a point on the East line of Woodland Ridge Phase 3 as platted and recorded on April 4, 2023 in Instrument Number 2023-008729 Lane County Oregon Deeds and Records, also being the City Limits of the City of Springfield; thence along said East line, South 329.67 feet to the TRUE POINT OF BEGINNING; thence along said East line, South 1220.29 feet to the centerline of Mt. Vernon Road; thence along said centerline, Easterly 22.00 feet; thence leaving said centerline, North 1220.19 feet along the West line of Pinehurst Phase 2 as platted and recorded on December 30, 2015 in Instrument No. 2015-062818 Lane County Oregon Deeds and Records, also being the City Limits of the City of Springfield; thence Westerly 22.00 feet to the True Point of Beginning, all in Lane County, Oregon.

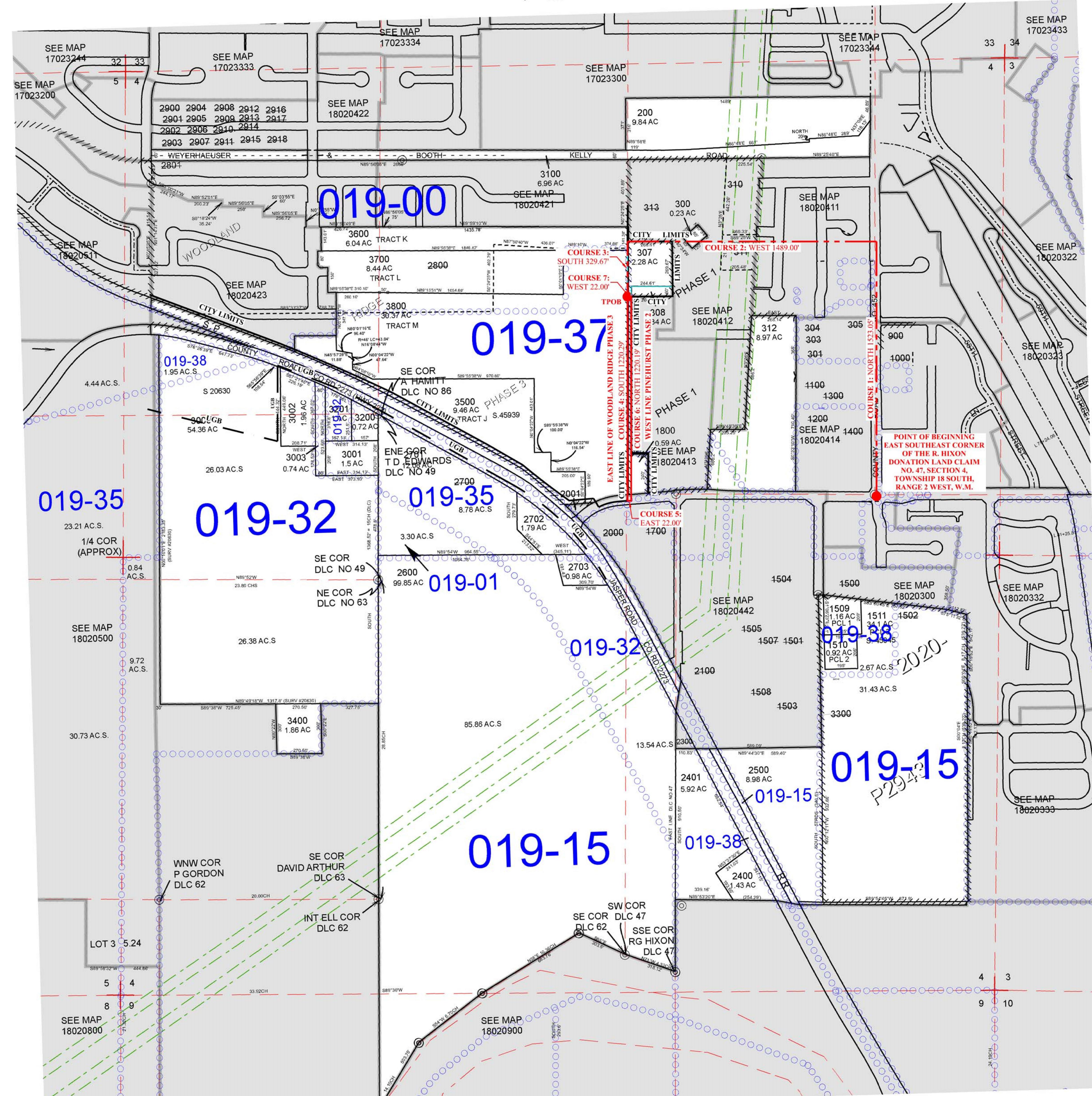


# 18020400 SPRINGFIELD

LCAIDGC - 2023-05-02 14:39

FOR ASSESSMENT AND  
TAXATION ONLY

## SECTION 4 T.18S. R.2W. W.M. Lane County 1" = 400'



- CANCELLED
- 1500
  - 100
  - 101
  - 102
  - 301
  - 302
  - 303
  - 304
  - 305
  - 306
  - 307
  - 309
  - 400
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  - 2918
  - 3300
  - 311
  - 313
  - 310
  - 1502
  - 2801
  - 2800

REVISIONS

- 08/21/2008 - LCAT167 - CONVERT MAP TO GIS
- 09/17/2010 - LCAT167 - ADDED 'CO RD 2273' TO JASPER RD
- 04/12/2013 - LCAT155 - CODE CHANGE Tls 3000, 3002, & 3201
- 03/02/2015 - LCAT174 - CODE CHANGE TL 315
- 07/28/2015 - LCAT174 - CANG 310, 311, 313 TO PINEHURST PHASE 1
- 01/18/2016 - LCAT174 - LIA BETWEEN TL 2800 & TL 2801
- 05/06/2020 - LCAT148 - CANG TL 1502 INTO 2020-P2943
- 01/07/2021 - LCAT148 - PTN OF TL 3100 OUT TO ROAD
- 01/27/2021 - LCAT148 - CANG TL 2801 INTO WOODLAND RIDGE PHASE
- 03/09/2021 - LCAT187 - FIX MAPPING TL 3100
- 02/23/2023 - LCAT187 - CODE CHANGE PTN OF TL 2800
- 05/02/2023 - LCAT189 - CANG TL 2800 INTO WOODLAND RIDGE PH 3

## SPRINGFIELD 18020400



3

City of Springfield  
Development & Public Works  
225 Fifth Street  
Springfield, OR 97477



### Annexation Application Type 4

**Application Type** *(Applicant: Check one)*

<b>Annexation Application Completeness Check:</b>	<input type="checkbox"/>
<b>Annexation Application Submittal:</b>	<input checked="" type="checkbox"/>

**Required Proposal Information** *(Applicant: Complete This Section)*

<b>Property Owner:</b>	Hayden Homes, LLC	<b>Phone:</b>	See Agent
<b>Address:</b>	2464 SW Glacier Pl, Redmond, OR 97756	<b>E-mail:</b>	See Agent

<b>Owner Signature:</b>	
<b>Owner Signature:</b>	

<b>Agent Name:</b>	Scott Morris, PE	<b>Phone:</b>	541/ 302-9790
<b>Company:</b>	A&O Engineering Inc	<b>Fax:</b>	
<b>Address:</b>	380 Q St, Ste 200, Springfield, OR 97477	<b>E-mail:</b>	

**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.

<b>ASSESSOR'S MAP NO:</b>	18-02-04	<b>TAX LOT NO(S):</b>	307
---------------------------	----------	-----------------------	-----

**Property Address:** Vacant "handle" portion of TL 307

<b>Area of Request:</b>	<b>Acres:</b> 0.62+/-	<b>Square Feet:</b> 26,845+/-
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**Existing Use:** Access

**Proposed Use:** Access/ Street Connectivity

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


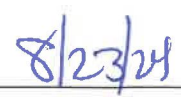

<b>Case No.:</b>	811-24-000212-TYP4	<b>Date:</b>	9/3/24	<b>Reviewed By:</b>	(initials) L. Miller
<b>Project No.:</b>	811-24-000102-PROJ	<b>Placard:</b>	YES		
<b>Application Fee:</b>	3909.99	<b>Postage Fee:</b>	691.00	<b>Total Fee:</b>	3909.99
	3065.70				

## Owner Signatures

This application form is used for both the required completeness check 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.**

<b>Completeness Check</b>	
The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Completeness Check 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.	
<b>Owner:</b>	
_____	<b>Date:</b> _____
<b>Signature</b>	
_____	
<b>Print</b>	

<b>Submittal</b>	
I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Completeness Check 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.	
<b>Owner:</b>	
	<b>Date:</b> 
<b>Signature</b>	
	
<b>Print</b>	

**APPLICANTS SHOULD COMPLETE THE FOLLOWING STEPS PRIOR TO SUBMITTING AN APPLICATION. APPLICATIONS NOT HAVING ALL BOXES CHECKED WILL BE RETURNED TO THE APPLICANT AND WILL THEREFORE DELAY THE APPLICATION REVIEW PROCESS.**

**Application Fee** [SDC 5.7.125(B)(15)]

Refer to the Development Code Fee Schedule for the appropriate fee calculation formula. Fees are based upon the area of land being annexed. Copies of the fee schedule are available at the Development & Public Works Department. Fees are payable to the City of Springfield.

**Petition/Petition Signature Sheet** [SDC 5.7.125(B)(2)]

To initiate an annexation by consents from property owners as explained below, complete the attached *Petition Signature Sheet* (refer to Form 1). ***(Photocopies may be submitted at completeness check, with original copies at time of application submittal).***

Consent by Property Owners [ORS 222.127 and 222.170(1)]

If the proposal is to be initiated by the *owners of at least one-half of the land area, land value, and land ownership*, complete Form 2. To give consent for a particular piece of property, persons who own an interest in the property, or who are purchasers of property on a contract sale that is recorded with the county, must sign the annexation petition. Generally, this means that both husband and wife should sign. In the case of a corporation or business, the person who is authorized to sign legal documents for the firm may sign the annexation petition. *Please provide evidence of such authorization.* To ensure that the necessary signatures are obtained, please complete the attached worksheet (Form 2). ***(Photocopies may be submitted at completeness check, with original copies at time of application submittal).***

**Certification of Ownership** [SDC 5.7.125(B)(5)]

After completing the attached *Petition Signature Sheet* (Form 1), have the Lane County Department of Assessment and Taxation certify the ownerships within the proposed annexation area. ***(Photocopies may be submitted at completeness check, with original copies at time of application submittal).***

**Owners Worksheet**

Information on the *Petition Signature Sheet* can also be found on Form 2, Owners and Electors Worksheet. ***(Photocopies may be submitted at completeness check, with original copies at time of application submittal).***

**Supplemental Information Form** [SDC 5.7.125(B)(1) and (11)]

Form 3 (attached) provides additional information for the proposed annexation that is not requested on the Annexation Application Type 4 form, such as special districts that currently provide services to the proposed annexation area. ***(Photocopies may be submitted at completeness check, with original copies at time of application submittal).***

**Copy of the Deed** ***(required at application submittal)***

**Copy of Preliminary Title Report** ***(required at application submittal)***

Title Report must be dated within the past 30 days documenting ownership and listing all encumbrances.

**Annexation Description** [SDC 5.7.125(B)(9)]

A metes and bounds legal description of the territory to be annexed or withdrawn must be submitted electronically in Microsoft Word or a compatible software program. A legal description must consist of a series of courses in which the first course must start at a point of beginning. Each course must be identified by bearings and distances and, when available, refer to deed lines, deed corners and other monuments. A lot, block and subdivision description may be substituted for the metes and bounds description if the area is platted. The Oregon Department of Revenue has the authority to approve or disapprove a legal description. A professionally stamped legal description does not ensure Department of Revenue approval.

**Cadastral Map** [SDC 5.7.125(B)(10)]

One (1) full-size paper copies and one (1) digital copy (in .pdf format) of the Lane County Assessor's tax map that shows the proposed annexation area in relationship to the existing city limits. Paper copy maps must be printed to scale. On all submitted maps the annexation area must be outlined in redline with survey courses and bearings labeled for cross-reference with the metes and bounds legal description. If the annexation area extends across more than one tax map, sufficient copies of each affected tax map must be provided. Please be aware that annexation redline closures must avoid creating gaps or overlaps, and may not necessarily correspond with the property legal description. Cadastral maps can be obtained from the Lane County Assessment and Taxation Office.

**ORS 222.173 Waiver Form** [SDC 5.7.125(B)(8)]

The waiver form (Form 4) signed by each owner within the proposed annexation area as allowed by ORS 222.173.

**Public/Private Utility Plan** [SDC 5.7.125(B)(12)]

A plan describing how the proposed annexation area can be served by key facilities and services must be provided with the Annexation Agreement. Planning and public works staff will work with the applicant to complete the Annexation Agreement.

**Written Narrative** addressing approval criteria as specified below. All annexation requests must be accompanied with a narrative providing an explanation and justification of response with the criteria stated in the application (also stated below). [SDC 5.7.125(B)(13) and (14)]

- A. The affected territory proposed to be annexed is within the City's portions of the urban growth boundary and is contiguous to the city limits or separated from the City limits only by a public right-of-way or a stream lake or other body of water;
- B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plan or Plan Districts;
- 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
- D. Where applicable fiscal impacts to the City have been mitigated through a signed Annexation Agreement or other mechanism approved by the City Council.

**One (1)** copy of the previously required information.

**ALL PLANS AND ATTACHMENTS MUST BE FOLDED TO 8½" BY 11" AND BOUND BY RUBBER BANDS.**



## ANNEXATION APPLICATION FOR HAYDEN HOMES LLC



LAND USE PLANNING AND CONSULTING SERVICES

846 A STREET  
SPRINGFIELD, OREGON 97477  
(541) 302-9830  
WWW.METROPLANNING.COM

### WRITTEN STATEMENT

<b>Submittal:</b>	2
<b>Document Date:</b>	August 29, 2024
<b>Applicant's Request:</b>	Annexation of "handle" portion of Assessor's Map/Tax Lot 18-02-04-00-00307
<b>Property Owner/Applicant:</b>	Hayden Homes LLC c/o Brian Thoreson 2464 SW Glacier PI Ste 110 Redmond, OR 97756
<b>Applicant's Agent:</b>	Scott Morris, PE A & O Engineering, LLC 380 Q Street Ste #200 Springfield, OR 97477 scottmorris@ao-engr.com
<b>Project Planner:</b>	Katie Keidel, Assoc. Planner Metro Planning Inc. 846 A St. Spfld, OR 97477 kkeidel@metroplanning.com
<b>Subject Property:</b>	Assessor's Map 18-02-04-00; Tax Lot 307 ("handle" portion only outside city limits)
<b>Location:</b>	Mt. Vernon Rd between Jasper Rd (west/southwest) and S 55 <sup>th</sup> Street
<b>Site Address:</b>	N/A
<b>Property Size:</b>	0.62 +/- acres (panhandle portion of TL 307)
<b>Zoning/ Springfield Comprehensive Plan Designation:</b>	R-1 (Low Density Residential) UF-10 - Urbanizable Fringe Overlay District

## Background

This annexation application pertains to the “handle” portion of Assessor’s Map & Tax Lot 18-02-04-00-00307, located on Mt. Vernon Rd, between Jasper Road and South 55<sup>th</sup> Street in an area designated and zoned Low Density Residential (R-1). The “pan” portion of Tax Lot 307 has already been annexed into the City of Springfield; therefore, the proposed annexation area, 0.62 +/- acres, is contiguous to City limits to the north, west, and east. The legal description that accompanies this application describes the entire annexation area.

There is no development proposed with this annexation application. The annexation of the 0.62+/- “handle” portion of Tax Lot 307 is proposed for continued use as an accessway and potential future use for street connectivity. This proposal is consistent with the City’s zoning and Comprehensive Plan Map Designation of Low Density Residential.

To facilitate City review this written statement delineates the proposal’s compliance with applicable criteria for Annexations contained in Springfield Development Code (SDC) 5.7-140. SDC sections are indicated herein by bold and/or italic typeface; applicant responses follow in plain type.

## Annexations

### **SDC 5.7-140 – Criteria**

***An annexation 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.***

The subject property is partially located within the city limits – the “pan” portion of Tax Lot 307 is inside the City boundary; the “handle” portion which is proposed for annexation lies to the south and terminates at Mt. Vernon Rd and is located within the City’s Urban Growth Boundary (UGB) area. The portion to be annexed is adjacent to Springfield City limits to the west, east, and north. The proposal complies with this criterion.

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

The portion of Tax Lot 307 to be annexed is designated Low Density Residential on Springfield’s Comprehensive Plan Map; zoning is R-1 (low density residential) consistent with the designation. This area is located within the City of Springfield’s East Main Street Refinement Plan and the proposed annexation of the remaining portion of Tax Lot 307 is consistent with refinement plan policies. Upon approval of this proposed annexation by the City Council, the Urban Fringe (UF-10) Overlay District will automatically cease to apply. The proposal complies with 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.***

Response: In compliance with this criterion the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. The following services are available to the subject property immediately upon annexation approval.

- Fire protection and ambulance service is provided by Willakenzie Rural Fire Protection District.
- LTD service is existing.
- Schools are within the Springfield School District – Mt. Vernon Elementary, Agnes Stewart Middle, and Thurston High.

- Electric, Water, Wastewater, and Stormwater infrastructure exists for the main “pan” portion of the subject property as well as all adjacent development.


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

Response: Any fiscal impacts to the City of Springfield will be mitigated through this Annexation process.

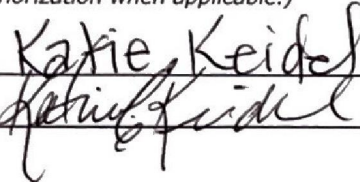
**FORM 1**

**PETITION/PETITION SIGNATURE SHEET**  
**Annexation by Individuals**  
 [SDC 5.7.125(2)(b)(i)/ORS 222.170(1) or ORS 222.127]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to 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. 	8/23/24	Brian Thoreson c/o Hayden Homes, LLC	Vacant	18-02-04-00-00307	YES	0.62 +/- <sup>0.63 mo</sup>
2.						
3.						
4.						
5.						

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

I, Katie Keidel (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.  
 x  (signature of circulator)

**CERTIFICATION OF OWNERSHIP**

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100% (%) of the landowners and 100% (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity that may not yet be reflected on the A&T computerized tax roll.

  
**Lane County Department of Assessment and Taxation**

08.29.2024  
 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
18-02-04-00-00307	Hayden Homes LLC	0.62+/-	\$500	N	Yes	
<b>TOTALS:</b>		0.62+/-	\$500			

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	1
NUMBER OF OWNERS WHO SIGNED	1
PERCENTAGE OF OWNERS WHO SIGNED	100
TOTAL ACREAGE IN PROPOSAL	0.62+/-
ACREAGE SIGNED FOR	0.62+/-
PERCENTAGE OF ACREAGE SIGNED FOR	100%
TOTAL VALUE IN THE PROPOSAL	\$500
VALUE CONSENTED FOR	\$500
PERCENTAGE OF VALUE CONSENTED FOR	100%





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

Yes  No

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

(No contiguous property under common ownership)  
\_\_\_\_\_

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

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

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

Katie Keidel c/o Metro Planning, Inc  
**(Name)**  
846 A Street  
**(Address)**      EMAIL:  
Spfld, OR 97477      kkeidel@metroplanning.com  
**(City)**                              **(Zip)**

Jed Truett c/o Metro Planning, Inc  
**(Name)**  
846 A Street  
**(Address)**      EMAIL:  
Spfld, OR 97477      jed@metroplanning.com  
**(City)**                              **(Zip)**

\_\_\_\_\_  
**(Name)**  
 \_\_\_\_\_  
**(Address)**  
 \_\_\_\_\_  
**(City)**                              **(Zip)**

\_\_\_\_\_  
**(Name)**  
 \_\_\_\_\_  
**(Address)**  
 \_\_\_\_\_  
**(City)**                              **(Zip)**

3

City of Springfield  
Development & Public Works  
225 Fifth Street  
Springfield, OR 97477



### Annexation Application Type 4

Application Type		(Applicant: Check one)	
Annexation Application Completeness Check:		<input type="checkbox"/>	
Annexation Application Submittal:		<input checked="" type="checkbox"/>	
Required Proposal Information		(Applicant: Complete This Section)	
Property Owner:	Hayden Homes, LLC	Phone:	See Agent
Address:	2464 SW Glacier Pl, Redmond, OR 97756	E-mail:	See Agent
Owner Signature:			
Owner Signature:			
Agent Name:	Scott Morris, PE	Phone:	541/ 302-9790
Company:	A&O Engineering Inc	Fax:	
Address:	380 Q St, Ste 200, Springfield, OR 97477	E-mail:	
Agent Signature:			
<small>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.</small>			
ASSESSOR'S MAP NO:	18-02-04	TAX LOT NO(S):	307
Property Address:	Vacant "handle" portion of TL 307		
Area of Request:	Acres: 0.62+/-	Square Feet:	26,845+/-
Existing Use:	Access		
Proposed Use:	Access/ Street Connectivity		
Required Property Information		(City Intake Staff: Complete This Section)	
Case No.:		Date:	
Project No.:		Reviewed By: (initials)	
Application Fee:		Placard:	
Postage Fee:		Total Fee:	



## Owner Signatures

This application form is used for both the required completeness check 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.**

### Completeness Check

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Completeness Check 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 Completeness Check 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:

*Beth*  
\_\_\_\_\_  
**Signature** **Date:** *8/23/24*


*BRIAN THORSON*  
\_\_\_\_\_  
**Print**



**FORM 1**

**PETITION/PETITION SIGNATURE SHEET**  
**Annexation by Individuals**  
 [SDC 5.7.125(2)(b)(i)/ORS 222.170(1) or ORS 222.127]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to 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. 	8/23/24	Brian Thoreson c/o Hayden Homes, LLC	Vacant	18-02-04-00-00307	YES	0.62+/-
2.						
3.						
4.						
5.						

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

I, \_\_\_\_\_ (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.  
 x \_\_\_\_\_ (signature of circulator)

**CERTIFICATION OF OWNERSHIP**

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100% (%) of the landowners and 100% (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity that may not yet be reflected on the A&T computerized tax roll.

\_\_\_\_\_  
**Lane County Department of Assessment and Taxation**

\_\_\_\_\_  
 Date Signed and Certified

**ANNEXATION LEGAL DESCRIPTION  
A PORTION OF TAXMAP/LOT 18-02-04-00-00307**

Beginning at the East Southeast corner of the R. Hixon Donation Land Claim No. 47, Section 4, Township 18 South, Range 2 West of the Willamette Meridian; thence North 1523.05 feet; thence West 1489.00 feet to a point on the East line of Woodland Ridge Phase 3 as platted and recorded on April 4, 2023 in Instrument Number 2023-008729 Lane County Oregon Deeds and Records, also being the City Limits of the City of Springfield; thence along said East line, South 329.67 feet to the TRUE POINT OF BEGINNING; thence along said East line, South 1220.29 feet to the centerline of Mt. Vernon Road; thence along said centerline, Easterly 22.00 feet; thence leaving said centerline, North 1220.19 feet along the West line of Pinehurst Phase 2 as platted and recorded on December 30, 2015 in Instrument No. 2015-062818 Lane County Oregon Deeds and Records, also being the City Limits of the City of Springfield; thence Westerly 22.00 feet to the True Point of Beginning, all in Lane County, Oregon.



**STATUS OF RECORD TITLE REPORT**  
**2ND SUPPLEMENTAL**

HAYDEN HOMES  
ATTN: DAMON KLUCK  
2646 SW GLACIER PLACE, SUITE 110  
REDMOND, OR 97756

Date: AUGUST 29, 2024  
Our No: CT-0340619  
Your No: --  
Charge: N/C

As requested, Cascade Title Co. has searched our tract indices as to the following described real property:

( A T T A C H E D )

and as of: AUGUST 23, 2024 at 8:00 A.M., we find the following:

Vestee:

HAYDEN HOMES, LLC,  
an Oregon limited liability company

Said property is subject to the following on record matters:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2024-2025.
2. City liens, if any, as levied by the City of Springfield, for which no search was made. (The City of Springfield charges \$32.00 for a lien search on each tax lot number. Please inform us if one is to be ordered.)
3. Rights of the public in and to any portion lying within streets, roads and highways.
4. Easement, including the terms and provisions thereof, granted to the City of Eugene, Oregon, a municipal corporation, of Lane County, Oregon, by and through the Eugene Water & Electric Board, by instrument recorded October 28, 1971, Reception No. [1971-070389](#), Lane County Official Records.
5. Subject to terms and provisions as forth in Street Deed, between James D. Parmenter and Barbara K. Parmenter to the City of Springfield, recorded January 5, 1979, Reception No. [1979-000757](#), Lane County Official Records.
6. Easements for utilities, if any, over and across the premises formerly included within the boundaries of Mt. Vernon Cemetery Road, vacated by Order No. 81-9-30-9, recorded February 17, 1987, Reception No. [1987-007542](#), Lane County Official Records.

**MAIN OFFICE**

675 OAK STREET, SUITE 100  
EUGENE, OREGON 97401  
PH: (541) 687-2233 \* FAX: (541)485-0307

**FLORENCE OFFICE**

715 HWY 101 \* FLORENCE, OREGON 97439  
MAILING: PO BOX 508 \* FLORENCE, OREGON 97439  
PH: (541) 997-8417 \* FAX: (541)997-8246

**VILLAGE PLAZA OFFICE**

4750 VILLAGE PLAZA LOOP, SUITE 100  
EUGENE, OREGON 97401  
PH: (541) 653-8622 \* FAX: (541) 844-1626



Order No. 0340619

Page 2

NOTE: The property address as shown on the Assessor's Roll is:

5309 and 5353 Ivy Street  
Springfield, OR 97478

NOTE: Taxes, Account No. 1238128, Assessor's Map No. 18 02 04 0 0, #307, Code 19-37, 2023-2024, in the amount of \$5.77, PAID IN FULL.

Taxes, Account No. 1248648, Assessor's Map No. 18 02 04 0 0, #307, Code 19-00, 2023-2024, in the amount of \$8,248.89, PAID IN FULL.

**NOTE: This report is being supplemented to add new exception no. 1.**

This report is to be utilized for information only. This report is not to be used as a basis for transferring, encumbering or foreclosing the real property described.

The liability of Cascade Title Co. is limited to the addressee and shall not exceed the premium paid hereunder.

CASCADE TITLE CO., by:

rh: Title Officer: DEBBIE FORSTROM



Order No. 0340619  
Page 3

PROPERTY DESCRIPTION

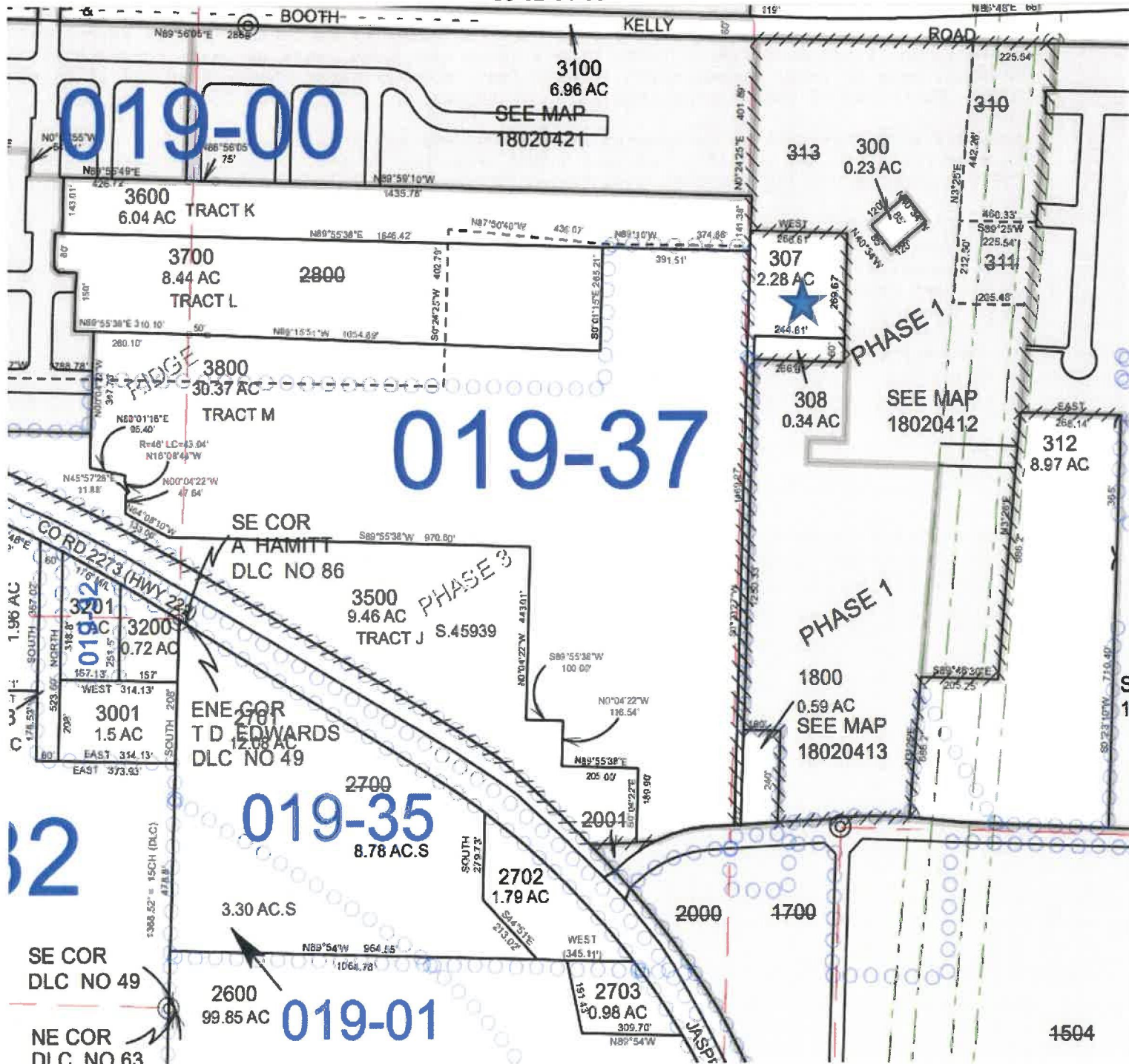
Beginning at the East Southeast corner of the R. Hixon Donation Land Claim No. 47, Section 4, Township 18 South, Range 2 West of the Willamette Meridian; thence North 1523.05 feet; thence West 1222.39 feet to the true point of beginning of this described parcel; run thence West 266.61 feet; thence South 1520 feet, more or less; thence East 22 feet, more or less; thence North 1250.33 feet, more or less; thence East 244.61 feet; thence North 269.67 feet to the true point of beginning, all in Lane County, Oregon.

TOGETHER WITH that portion of vacated Mt. Vernon Cemetery Road inuring to said tract of land on the South, by operation of law, under Order No. 81-9-30-9, recorded February 17, 1987, Reception No. [1987-007542](#); Lane County Official Records, in Lane County, Oregon.

EXCEPT that portion deeded to the City of Springfield by Street Deed recorded January 5, 1979, in Reception No. 79-00757, Lane County Official Records, herein described as follows: Beginning at a point being North 1253.38 feet and West 1489 feet from the East Southeast corner of the R. Hixon Donation Land Claim No. 47, in Township 18 South, Range 2 West of the Willamette Meridian; thence East 266.61 feet; thence South 60.0 feet; thence West 266.61 feet; thence North 60.0 feet to the point of beginning, in Lane County, Oregon.



MAP NO.  
18-02-04-00



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.

SP4  
LA 5142  
SK 12626

70389

KNOW ALL MEN BY THESE PRESENTS:

For true and actual consideration of No Dollars, the undersigned hereby grants a perpetual easement to the City of Eugene, Oregon, a municipal corporation, of Lane County, Oregon, by and through the Eugene Water & Electric Board, together with any joint user with whom it may contract, with the right to place, construct, operate, maintain, inspect, reconstruct, repair, keep clear and remove, electric light, electric power, telephone and telegraph equipment, lines, poles, guys and appliances necessary or convenient in connection therewith, upon, across, over and/or under the following described property situated in Lane County, Oregon:

A strip of land 10 feet in width being that part of that tract of land described by that deed recorded in Book 275, Page 298 of Lane County Oregon Deed Records, which lies within 5 feet on each side of the following described line:

Commencing at the Easterly Southeast Corner of the R. G. Hixon Donation Land Claim Number 47, Township 10 South, Range 2 West of the Willamette Meridian, and run thence North along the East Line of said Claim 1509.3 feet to the TRUE POINT OF BEGINNING; thence leaving said East Line of Claim South 77°33' West 37.9 feet; thence South 79°13' West 254.5 feet to EWEB pole number 6710; thence South 88°52' West 250.7 feet; thence North 84°39' West 247.4 feet; thence North 82°05' West 243.8 feet to EWEB pole Number 6713; thence South 87°34' West 159.7 feet; thence North 88°03' West 141 feet to a point and there terminating.

ANCHOR STRIP No. 1

A strip of land 5 feet in width being that part of the above described tract of land which lies within 2.5 feet on each side of the following described line:

Beginning at above described EWEB pole number 6710 run South 1°14' East 21 feet to a point and there terminating.

ANCHOR STRIP No. 2

A strip of land 5 feet in width being that part of said tract, which lies within 2.5 feet on each side of the following described line:

Beginning at above described EWEB pole number 6713 run North 10°54' East 30 feet to a point and there terminating.

The grantee and its joint users shall at all times have the rights and privileges therein necessary or convenient for the full enjoyment and use thereof for the purposes above described, including the right of ingress and egress to and from the real property of the grantors for the purposes herein mentioned; and also the right to remove trees, limbs of trees, undergrowth or other obstructions on said property of the grantors, that overhang or otherwise endanger the property of the grantee. TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns forever; and the rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

70389

IN WITNESS WHEREOF, the undersigned has executed this instrument this \_\_\_\_\_ day of October, 1971.

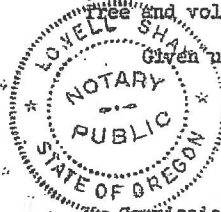
Witness:

Gertrude Williams

STATE OF Oregon )  
COUNTY OF Lane ) ss:

On this day personally appeared before me M. Gertrude Williams

to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.



Given under my hand and official seal this 27th day of October 1971.

Lowell Shaw  
Notary Public in and for the State of Oregon  
residing at Engle

My Commission expires: Dec 26 1972

70389

Wassenaar, Page 2

State of Oregon,  
County of Lane ---ss.  
I, P. M. Fentel d, Director of the  
Department of Records and Elections,  
in and for the said County, do hereby  
certify that the within instrument was  
received for record at

1971 OCT 28 PM 1 37.5

Book 555R  
Lane County OFFICIAL RECORDS.  
D. M. FENFOLD, Director of the  
Department of Records & Elections.  
By Walter A. ... Deputy  
628-383-05

3.00

001-28-71 7 1 9 4 8 8 6 6 1 1



7900757

SMALL CLAIM

KNOW ALL MEN BY THESE PRESENTS: That

D-124

James D. & Barbara K. Parmenter

have bargained and sold, and by these presents do grant, bargain, sell and convey unto said City of Springfield, its successors and assigns, all of the following bounded and described real property, situated in the County of Lane and State of Oregon, to be used for street purposes.

60.00 Foot Roadway Dedication (Royal Ridge)

Beginning at a point being North 1253.38 feet and West 1488 feet from the East Southeast corner of the G. Nixon Donation Land Claim (No. 47), in Township 18 South, Range 2 West of the Willamette Meridian; thence East 266.61 feet; thence South 60.0 feet; thence West 266.61 feet; thence North 60.0 feet to the point of Beginning, in Lane County, Oregon.

The above description is the approximate location of an east-west roadway to be platted in a future addition to Royal Ridge Subdivision. The land herein dedicated for roadway purposes contains part of an existing residential access road. If at the time of future platting a different alignment is proposed that satisfies the City of Springfield, the above roadway may be vacated by petition to the City Council.

11 3 1-10017 01005 50

The true and actual consideration for this transfer is \$ - 0 -

Together with all and singular the tenements, hereditaments, and appurtenances thereto belonging in anywise appertaining, and also all our entire right, title and interest, in and to the same. TO HAVE AND TO HOLD, the above described and granted premises unto the said City of Springfield, its successors and assigns forever. The foregoing recital of consideration is true as I verily believe. IN WITNESS WHEREOF, I, the grantor, above named hereto do set my hand and seal this

day of December 4, 1978.

*James D. Parmenter* 10/2/78  
*Barbara K. Parmenter* 12/2/78

STATE OF OREGON, COUNTY OF LANE, ss:  
On this 30 day of December 1978  
personally came before me, a Notary Public in and for  
said County, the within named



to me, Notary Public, shown to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein expressed. I, the Notary Public, on this day and year last above written.  
*Cheryl Joyce Meyer*  
Notary Public for Oregon  
My Commission Expires July 6, 1982.

State of Oregon,  
County of Lane—ss.

I, D.M. Penfold, Director of the Department of General Services, in and for the said County, do hereby certify that the within instrument was received for record at

5 JAN 79 9:03

Vol 964 R

Lane County OFFICIAL RECORDS  
D.M. Penfold, Director of the Department of General Services

By *[Signature]*  
C.S.A.



8707542

FILE 112 PAGE 699

IN THE BOARD OF COMMISSIONERS  
OF LANE COUNTY, OREGON

**FILED**  
OCT 12 1981  
CLERK  
*[Signature]*  
DE 177

ORDER NO. 81-9-30-9

FINAL ORDER VACATING  
A PORTION OF MT. VERNON  
CEMETERY ROAD AND ADOPTING  
FINDINGS OF FACT

THIS MATTER coming before the Board upon a resolution by the Board of County Commissioners for vacation of certain roads, streets and/or alleys, more particularly described in Order No. 81-6-3-14, and

WHEREAS, all necessary procedures have been complied with for road vacation, including notice, and

WHEREAS, the Board held a public hearing on the proposed vacation on June 3, 1981 in accordance with ORS Chapter 368, and

WHEREAS, the Board is of the opinion that approving the vacation is in the public interest, now, therefore, it is hereby

**ORDERED:**

1. That the portion of Mt. Vernon Cemetery Road more particularly described in Order No. 81-6-3-14 be and the same hereby is vacated.
2. In support of this action, the Board of Commissioners does hereby adopt the Findings of Fact set forth in Exhibit "A".

Adopted this 30th day of September, 1981 J202A001 02/17/87NFEE 12.00  
\*\*\*\*\*

*7/21/81  
W. C. ...*

*[Signature]*  
Chairman, Lane County Board of Commissioners

REF 112 100

8707542

FINDINGS OF FACT (ORS Chapter 368)

1. This is a decision regarding the vacation of a portion of Mt. Vernon Cemetery Road, more particularly described in Exhibit "B" attached hereto. The matter arose upon the Resolution of the Board of County Commissioners. In accordance with ORS Chapter 368, a public hearing was held on June 3, 1981.
2. The legal criteria for this decision are located in ORS 368.405-.540. The issue to be determined by the Board is whether "good and sufficient reasons" compel overruling and denying the Resolution. [ORS 378.470(4)].
3. The Director of Public Works reported that a portion of Mt. Vernon Cemetery Road is out of its original right-of-way. A substantial change of the road connection to Jasper Road occurred in 1967 but the deeds for that construction and re-alignment have not yet formally been accepted by the Board as County right-of-way. Additional right-of-way has been acquired for the traveled road and excess right-of-way will be disposed of by the adoption of the final order.  
  
The Public Works Department recommended approval in order to establish the road as altered, clarifying the records and disposal of excess right-of-way as provided in ORS Chapter 368. There is no public testimony in opposition to the alteration.
4. The Board finds that the public will be benefited by the alteration because disposal of the excess right-of-way and acceptance of deeds for the traveled portion of the road will clarify the records. The Board finds that no additional roadwork is necessary to effect the alteration.
5. The Board concludes that there are no "good and sufficient reasons" to compel overruling and denying the Resolution for alteration. [ORS 378.470(4)]. The Board therefore concludes that the proposed alteration should be granted.



8707542

8707542

State of Oregon,  
County of Lane--34.  
I, the County Clerk, do and for the said  
County, do hereby certify that the within  
instrument was received for record at

17 FEB 1951

Reel

1445 R

Lane County OFFICIAL RECORDS  
Lane County Clerk

By: 

C 30-53







# TYPE 4 – ANNEXATION STAFF REPORT AND RECOMMENDATION

**File Name:** Woodland Ridge “Driveway”  
Annexation

**Case Number:** 811-24-000212-TYP4

**Proposal Location:** Vacant linear parcel (former panhandle driveway) between Pinehurst subdivision and future phases of Woodland Ridge neighborhood (Map 18-02-04-00, Portion of Tax Lot 307)

**Current Zoning & Comprehensive Plan Designation:**  
R-1 / Low Density Residential (LDR)

**Applicable Comprehensive Plan:**  
*Springfield Comprehensive Plan*

**Application Submittal Date:**  
September 3, 2024

**Public Hearing Meeting Date:**  
October 21, 2024



**Associated Applications:** 811-23-000227-PRE (Development Initiation Meeting); 811-24-000147-PRE (Completeness Check Meeting)

## 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	Chris Carpenter	541-744-4153

**Review Process (SDC 5.7.115):** The subject annexation request is being reviewed under Type 4 procedures, without Planning Commission consideration.

**Development Initiation Meeting (SDC 5.7.120):** A Development Initiation Meeting (DIM) is required of all public agency and private landowner-initiated annexation applications, unless waived by the Director.

**Finding:** In response to the applicant’s submittal, the City held a Development Initiation Meeting on October 24, 2023. Subsequently, a completeness check meeting for the annexation request was held on June 21, 2024 (File 811-24-000147-PRE).

**Conclusion:** The requirement in SDC 5.7.120 is met.

**Annexation Initiation and Application Submittal (SDC 5.7.125):** In accordance with SDC 5.7.125(B)(2)(b)(i) and ORS 222.170(1), an annexation application may be initiated by “more than half the owners of land in the

territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory consent in writing to the annexation of their land.”

**Finding:** The property owner who owns all of the land and real property, and full assessed value of real property in the contiguous territory, has filed an application and petition requesting annexation to the City of Springfield (Attachment 2, Exhibit B).

**Conclusion:** The application requirements in SDC 5.7.125 have been met.

**Site Information:** The subject annexation area consists of a rectangular, 22-foot wide by approximately 1,220-foot long panhandle extension of Tax Lot 307. The main body of Tax Lot 307 was previously annexed in 1978 and developed with a single-unit dwelling. At the time of prior annexation of the Woodland Ridge neighborhood (in February 2024), the then-owner did not wish to annex the panhandle to Springfield. The applicant has since acquired ownership of the property and is requesting annexation to bring all of the planned Woodland Ridge subdivision area into the City limits.

The property is vacant and functioned as a private panhandle driveway for Tax Lot 307 (formerly addressed as 5353 Ivy Street). Physical access to the property is via the existing driveway entrance onto Mt Vernon Road and stubs of Pinehurst Street and Holly Street along the eastern boundary of the property. The subject property is inside the Springfield Urban Growth Boundary (UGB) and it is contiguous to the City limits along all four sides. The purpose for annexing the property is to facilitate incorporation of the linear parcel into future subdivision phases of the Woodland Ridge neighborhood. The southernmost portion of the parcel will continue to function as a driveway for Tax Lot 1800 (5422 Mt Vernon Road).

Current zoning for the property is R-1 Residential District (R-1) with an Urbanizable Fringe Overlay District (UF-10) applied. After annexation, the UF-10 overlay will be removed and the subject property will remain within the R-1 Residential District.

Existing public services are provided to the annexation area as follows: police (Lane County Sheriff), schools (Springfield School District), roads (Lane County and City of Springfield), and Fire (Eugene-Springfield Fire under contract with the Willakenzie Rural Fire Protection District). Springfield Utility Board (SUB) provides electrical and water service to the adjacent Woodland Ridge and Pinehurst neighborhoods. There is no rural water district providing service to this unincorporated area of Springfield. SUB Water has existing water lines stubbed out within Holly Street and Pinehurst Street along the eastern boundary of the annexation area. The property requires annexation for the public streets and utilities to be extended westward from their current termination points. In accordance with provisions of the Annexation Agreement for Woodland Ridge Phases 5-8, the developer must provide for extension of public streets and utilities from the adjoining Pinehurst neighborhood to serve the annexation area and subdivision phases immediately to the west of the linear parcel. Upon annexation, the City of Springfield will be responsible for all urban services, including sanitary sewer, water and electricity (through SUB), transportation 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 October 2, 2024, which is more than 14 days prior to the public hearing date to owners and occupants of properties located within 300 feet of the perimeter of the proposed annexation 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. The list of recipients of the mailed notice is included with the Affidavit of Mailing for this annexation application and is retained as part of the public record for Planning Case 811-24-000212-TYP4.

**Newspaper Notice.** Notice of the October 21, 2024 public hearing was published in the print version of *The Chronicle* on October 10 and 17, 2024. The notification meets the requirements of SDC 5.7.130(B) for two consecutive notices in the two-week period before the hearing.

**Posted Notice.** Notice of the October 21, 2024 public hearing was posted in four physical places in the City: at the southern edge of the annexation territory where it intersects Mt Vernon Road; at the western terminus of Pinehurst Street just past the intersection with South 54<sup>th</sup> Street; at the western terminus of Holly Street just past the intersection with South 54<sup>th</sup> Street; and on the Public Notices bulletin board in the lobby of City Hall. The public hearing notice was also digitally posted on the electronic display in the foyer of the Development & Public Works office and on the City of Springfield website.

Conclusion: Notice of the public hearing was provided consistent with SDC 5.7.130.

**Public Testimony Received.** No telephone calls or written comments were received during the public notification period that started with issuance of mailed notices on October 2, 2024 and extended through the period of October 21, 2024 when the City Council conducted the public hearing. No testimony was submitted at the public hearing meeting.

**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 SDC 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 (see additional discussion in Subsection B below). The property requested for annexation is contiguous with the City limits along all four sides. The proposal meets the requirements of SDC 5.7.140(A)(1) for contiguity to the current City limits. Therefore, this annexation application meets the statutory definition of contiguity as found in ORS 222.111(1).

Conclusion: The proposal meets and complies with Criterion (A)(1) of SDC 5.7.140.

- 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 original *Metro Plan* UGB encompassed both Eugene and Springfield, with I-5 being the acknowledged boundary between Eugene and Springfield. With the passage of House Bill 3337 in 2007 and adoption of Ordinance 6268 in 2011, a separate and distinct UGB was created for Springfield using a tax lot by tax lot delineation. Springfield's UGB as delineated by Ordinance 6268 was subsequently revised and expanded upon adoption of Ordinance 6361 in 2016. The revised and expanded UGB is delineated on an individual tax lot basis and has been acknowledged by LCDC. Territory within the acknowledged UGB ultimately will be within the City of Springfield.

Finding: In December 2016, Springfield adopted the *Springfield Comprehensive Plan - Urbanization Element* as a component of Springfield's comprehensive plan in compliance with Statewide Planning Goal 14, Urbanization. The *Urbanization Element* explicitly retains the *Metro Plan*'s long-standing urbanization policy criteria for approving annexations. The *Urbanization Element* has been acknowledged by LCDC.

Finding: In July 2024, the *Springfield Comprehensive Plan* was adopted as the City's comprehensive plan, effectively replacing and superseding most provisions of the *Metro Plan*. The *Springfield Comprehensive Plan – Land Use Element* and parcel-specific Comprehensive Plan Map has made the *Springfield Comprehensive Plan* the principal policy document that creates the broad framework for land use planning within the City of Springfield. Therefore, only the elements of the former *Metro Plan* that have not been superseded by the *Springfield*



*Comprehensive Plan* and that would apply specifically to the subject site should be considered herein. In this case, the *Residential Land and Housing Element* of the Springfield Comprehensive Plan expands upon and clarifies policies found in the *Residential Land Use & Housing Element* of the *Metro Plan*.

**Finding:** The territory requested for annexation is within an area that is zoned R-1 which is consistent with the comprehensive plan designation. The adopted *Springfield Comprehensive Plan* applies to areas within the Springfield UGB, particularly the *Urbanization Element* adopted by Ordinance 6361. The Urbanizable Fringe (UF-10) overlay will be effectively removed upon annexation. Following annexation, the applicant may initiate construction of public street and utility connections within the subject territory and incorporation of the linear area into residential subdivision phases.

**Finding:** The continued annexation of properties to the City of Springfield is consistent with Policy 29 of the *Springfield Comprehensive Plan – Urbanization Element* which specifies annexation as the preferred mechanism for provision of urban services to properties within the UGB, which will result in the elimination of special districts within the urbanizable area.

**Finding:** More detailed discussion of Public Facilities and Services in the *Metro Plan* (Section III-G) and the *Eugene-Springfield Public Facilities and Services Plan* (PFSP) – a refinement plan of the Metro Plan – contemplates eventual elimination of special service districts within each city’s UGB as annexation occurs incrementally. Policy G.9 of the Eugene-Springfield PFSP states that Eugene and Springfield and their respective utility branches, Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB), shall ultimately be the water service providers within their respective urban growth boundary. The requested annexation is consistent with this adopted policy.

**Finding:** The territory requested for annexation is currently within the service area of the Willakenzie Rural Fire Protection District. The rural Fire District has a contractual service arrangement with Eugene-Springfield Fire Department for provision of fire response to unincorporated areas of southeast Springfield. After the public hearing and Council adoption of the annexation Ordinance, the annexation area will be withdrawn from the Willakenzie Rural Fire Protection District consistent with ORS 222.520 and 222.524 and the City of Springfield will provide fire and life safety services to the annexation area via the consolidated Eugene-Springfield Fire department.

**Approval Standard:** In accordance with Policy 33 of the *Springfield Comprehensive Plan – Urbanization Element*, SUB is the exclusive water service provider within the Springfield city limits.

**Finding:** There is no rural water service district in this area of southeast Springfield. Therefore, upon annexation, the City by and through the Springfield Utility Board will provide water service to the annexation area. Further, to facilitate continued development of the Woodland Ridge neighborhood, the applicant and SUB must extend water system facilities across and through the subject property from the adjoining Pinehurst neighborhood following annexation to Springfield.

**Finding:** In accordance with Policy 34 of the *Springfield Comprehensive Plan – Urbanization Element*, when unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by one of the following methods in this priority order: a) Annexation to City; or b) Contractual annexation agreements with City.

**Finding:** In accordance with Policy 35 of the *Springfield Comprehensive Plan – Urbanization Element*, the City shall not extend water or wastewater service outside City limits to serve a residence or business without first obtaining a valid annexation petition, a consent to annex agreement, or when a health hazard abatement annexation is required.

**Finding:** The requested annexation is to facilitate extension of public streets and utilities westward from their current termination points in the Pinehurst subdivision to the Woodland Ridge Phases 5 through 8 development area. The linear parcel also will be incorporated into future residential subdivision phases for Woodland Ridge. There is no proposal to extend sewer or water to a non-annexed area. Further discussion about the water system is found in Section C below.

**Conclusion:** The proposal meets and complies with Criterion B of SDC 5.7.140.

**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**

Approval Standard: In accordance with Policy 29 of the *Springfield Comprehensive Plan – Urbanization Element*, annexation shall continue to be a prerequisite for urban development and the delivery of City services in accordance with the Springfield Comprehensive Plan and Springfield Development Code.

Approval Standard: In accordance with Policy 31 of the *Springfield Comprehensive Plan – Urbanization Element*, key urban facilities and services are defined as wastewater service; stormwater service; transportation; solid waste management; water service; fire and emergency medical services; police protection; citywide park and recreation programs; electric service; land use controls; communication facilities; and public schools on a districtwide basis.

Approval Standard: In accordance with Policy 32 of the *Springfield Comprehensive Plan – Urbanization Element*, urban services provided by the City upon annexation to Springfield include storm and sanitary sewer; water; transportation systems; police and fire protection; planning, building, code enforcement and library services; and public infrastructure maintenance of City owned or operated facilities.

Finding: The territory requested for annexation is contiguous with the City limits line along all four sides. The proposal meets the contiguity requirements for the purpose of advancing this annexation request. Urban utilities including water and electricity have been stubbed out within the adjacent Holly Street and Pinehurst Street rights-of-way (along the eastern boundary of the subject annexation area) to serve future residential subdivision phases in Woodland Ridge. Therefore, the urban service delivery systems are already available and in place or can be logically extended from points on the periphery to serve the subject property. The following urban utilities, facilities and services are either available or can be extended to this annexation area:

Water – The Springfield Utility Board operates the public water utility system within incorporated areas of the Westwind, Woodland Ridge, Pinehurst and other adjacent neighborhoods in southeast Springfield. As noted above, SUB is the exclusive water service provider for properties within the City limits. Upon annexation, the subject property will be eligible to receive SUB Water service. The annexation territory is near the Level 1 and Level 2 pressure zone boundary for the SUB Water system. To the west, water lines are being installed within the Woodland Ridge subdivision phases and the water lines are currently stubbed out to the eastern edge of the annexation area in Pinehurst. The 8-inch and 12-inch water lines have been stubbed out at Holly Street where it terminates just west of South 54<sup>th</sup> Street. Similarly, 8-inch and 12-inch water lines have also been stubbed out at Pinehurst Street where it terminates just west of South 54<sup>th</sup> Street. Because of the transition to a new water system pressure zone, extension of water lines from the adjacent Pinehurst neighborhood to the east will be required to facilitate further residential development within the Woodland Ridge neighborhood.

Electricity – SUB owns and operates underground electrical transmission lines that have been stubbed out on the eastern edges of the annexation area at Holly Street and Pinehurst Street. Upon annexation of the subject territory, electrical system facilities can be extended to serve future residential subdivision phases of Woodland Ridge. Existing electrical system infrastructure within the public rights-of-way and easements will continue to be maintained by the affected utility provider.

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

Fire and Emergency Services – Fire protection is currently provided to the annexation area by Eugene-Springfield Fire Department under contract with the Willakenzie Rural Fire Protection District. Upon annexation, the property will be withdrawn from the rural fire district and the Eugene-Springfield Fire Department will directly provide fire and emergency services to the subject territory.

Emergency medical transport (ambulance) services are provided on a metro-wide basis by the Eugene-Springfield Fire Department. 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 within the City of Springfield by the Willamalane Park & Recreation District. The park district operates several indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Bob Keefer Center for Sports and Recreation, 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 initial phases of the Woodland Ridge neighborhood abut the former Weyerhaeuser haul road which has been converted to a linear park and multi-use pathway system.

The subject property is identified as a potential location for a new neighborhood park serving the Woodland Ridge subdivision area (Project S17, *Willamalane Comprehensive Plan*). Annexation of the subject territory would be the initial step in developing the site with urban uses including streets and utilities, residential dwellings, and park and recreation facilities.

Concurrent with annexation to the City of Springfield, the subject property will be annexed to the Willamalane Park & Recreation District consistent with City policy, an intergovernmental agreement between the City of Springfield and Lane County, and the adopted *2023 Willamalane Comprehensive Plan*.

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

Schools – The Springfield School District serves this area of southeast Springfield. The Springfield School District has capacity to serve the annexation area in its current configuration and as the Woodland Ridge neighborhood continues to develop in the future. Approximately 219 new residential lots will be created upon build-out of the Woodland Ridge neighborhood and it is expected that this will generate additional school-age population in the neighborhood. The site is close to the future Jasper Natron school site off Bob Straub Parkway and Quartz Avenue. As residential development continues to progress in southeast Springfield it will generate the need for additional and upgraded school facilities.

Sanitary Sewer – The annexation territory is proximate to a section of the existing Jasper Trunk sewer line. The trunk sewer line is designed and sized to serve full buildout of residential, commercial and industrial-zoned properties within the City's southeastern UGB. Currently, only a fraction of the sewer catchment area is annexed and developed with urban uses that contribute flows to the sewer system. As such, the existing trunk sewer line has sufficient capacity to accommodate domestic sewage flows from the entire Woodland Ridge neighborhood, including the proposed annexation territory.

Stormwater – The subject annexation territory is not currently served by a public stormwater management system although there are piped facilities that have been extended to Woodland Ridge Phases 3 and 4 and constructed in the Pinehurst subdivision. There is currently nearly 100% pervious surface on the subject property because it is a dirt and gravel driveway that is grade separated from both Pinehurst and Woodland Ridge. With future residential development on the property the applicant will be required to manage stormwater on the site to the greatest extent possible, including provision for treatment and infiltration of runoff. Overflow to the public stormwater system may be allowable depending on the final on-site stormwater system design prepared by the applicant and as permitted under the City's stormwater development regulations in effect on the date of submittal. Review and approval of the proposed stormwater system will be done in conjunction with future Public Improvement Project (PIP) processes for construction of public streets and utilities necessary to serve the residential subdivision phases.

Streets – The eastern boundary of the subject annexation area abuts a stub of Holly Street, which is classified as an urban collector street. A stub of Pinehurst Street is also extended to a point near the southeastern boundary of the annexation area. Subdivision and residential development of the subject annexation area is predicated on extending public streets from points on or near the perimeter to provide interconnectivity of the street system, secondary emergency access, and traffic balancing onto the City's street network. Extension of Holly Street and Pinehurst Street westward from their current termination points at the panhandle driveway is necessary to serve the annexation

area as detailed in the Woodland Ridge Phases 5-8 Annexation Agreement.

In addition to physical extension of existing public streets into the annexation area, the applicant will be responsible for a proportional contribution to certain off-site transportation improvements. For the Woodland Ridge neighborhood, traffic from the subdivision phases disperses onto the local transportation network including Daisy Street and Bob Straub Parkway. The intersection of Daisy Street and Bob Straub Parkway has been identified as requiring future improvements to accommodate increasing volumes of traffic, including vehicles from the Woodland Ridge neighborhood. The intersection improvements could include reconfiguration into a roundabout intersection, installation of traffic signals or other measures. Because Bob Straub Parkway is a Lane County facility and Daisy Street is within Springfield's jurisdiction, these future intersection improvements will be jointly coordinated between the two governments. The Annexation Agreement for the Phases 5–8 area of Woodland Ridge, includes a formula for determining the developer's proportional share of future off-site intersection improvements at the Daisy Street and Bob Straub Parkway intersection. The formula is based on the projected share of traffic from the Woodland Ridge neighborhood when compared with total traffic volumes in the area. The proportional share used in the formula is based on traffic volume calculations from the applicant's Traffic Impact Study for Woodland Ridge. Currently, there is no planned or approved project for intersection improvements at Daisy Street and Bob Straub Parkway so the developer will be satisfying their obligation through a monetary contribution to this future transportation project.

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 would be provided by Sanipac.

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

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

Finding: The minimum level of key urban facilities and services, as outlined in the *Springfield Comprehensive Plan – Urbanization Element* are available to the site, or there is sufficient capacity that will exist at the time of development.

Conclusion: The proposal meets and complies with Criterion C of SDC 5.7.140.

**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 area proposed for annexation is a vacant property currently zoned for R-1 residential use. The subject annexation area represents a narrow, linear gap between the under-construction Woodland Ridge subdivision phases to the west and the existing Pinehurst neighborhood to the east. Future subdivision and construction of the Phases 5–8 area of Woodland Ridge will provide a continuous extension of Holly Street from South 48<sup>th</sup> Street through to South 55<sup>th</sup> Street. As discussed in Subsection C (above), because there will be anticipated off-site transportation impacts the developer is responsible for a proportional share of future intersection improvements at Daisy Street and Bob Straub Parkway. The amount of this contribution has been determined through a formula detailed in the Annexation Agreement, which is an amount proportional to the development impacts of the proposed annexation. Due to the size and configuration of the subject annexation area, a second Annexation Agreement is not necessary to ensure the timely extension of public streets and utilities or to mitigate fiscal impacts to the City. All of the potential fiscal impacts have been captured in the prior Annexation Agreement for Phases 5-8 of Woodland Ridge.

Conclusion: The proposal meets and complies with Criterion D of SDC 5.7.140.



**City Council Decision (SDC 5.7.145):** City Council approval of the annexation application shall be by Ordinance.

Finding: The City Council gave first reading to the Annexation Ordinance and held a Public Hearing on October 21, 2024 for the subject annexation request. Based on the staff analysis and recommendations, and on testimony provided at the Public Hearing, the City Council may now take action to approve, modify, or deny the Annexation Ordinance at the regular meeting on November 4, 2024.

**Zoning (SDC 5.7.150):** The area requested for annexation is zoned and designated R-1 Residential District in accordance with the Springfield Zoning Map and the adopted *Springfield Comprehensive Plan* diagram. Properties that are outside the City limits have the Urbanizable Fringe Overlay District (UF-10) applied to the zoning. Upon the effective date of the annexation, the UF-10 overlay will be automatically removed and the property will retain the R-1 zoning.

**Effective Date and Notice of Approved Annexation (SDC 5.7.155):** The subject annexation request was presented to the City Council for consideration at an initial public hearing on October 21, 2024. Second reading and potential adoption of the annexation Ordinance is scheduled for November 4, 2024. Therefore, the annexation and special district withdrawal will become effective 30 days following signature by the Mayor (December 4, 2024), 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 SDC 5.7.130.

Finding: The annexation area is within the delineated service territory of SUB Water and the Willakenzie Rural Fire Protection District (contracted fire response). The Eugene/Springfield Fire Department will directly provide fire and emergency services after annexation. Consistent with SDC 5.7.160, notice was provided for the public hearing on October 21, 2024. Withdrawal from the Willakenzie Rural Fire Protection District concurrently with annexation of the territory to the City of Springfield is in the best interest of the City. The withdrawal from the Willakenzie Rural Fire Protection District is necessary to implement Policies 31 and 32 of the *Springfield Comprehensive Plan – Urbanization Element* whereby annexation is prioritized for the City of Springfield to provide urban services to its incorporated territory, and existing special service districts within the City’s UGB are to be dissolved over time.

**DIRECTOR’S RECOMMENDATION:** The proposal complies with the annexation criteria of approval listed in SDC 5.7.140, and Council is within its authority to adopt the ordinance annexing the subject territory to the City of Springfield and Willamalane Park and Recreation District and withdrawing the subject territory from the Willakenzie Rural Fire Protection District.

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<b>AGENDA ITEM SUMMARY</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Regular Meeting
	<b>Staff Contact/Dept:</b>	Mindy Linder/Library and Museum
	<b>Staff Phone No:</b>	
<b>S P R I N G F I E L D C I T Y C O U N C I L</b>	<b>Estimated Time:</b>	Consent Calendar
	<b>Council Goals:</b>	Mandate

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**ITEM TITLE:**

Arts Commission Applicant Appointments and Arts Commissioner re-appointment

**ACTION REQUESTED:**

Appoint two applicants who were both interviewed and approved for appointment at the Council Work Session on Monday, October 14th, 2024.

Appoint one (1) Jane Boggs to the Springfield Arts Commission for a full term position with an expiration ending December 31, 2027; and one (1) Dave Henderson to the Springfield Arts Commission for a full term position with an expiration date ending December 31, 2027.

Re-appoint one (1) Springfield Arts Commissioner, Adam Gutierrez, who will complete his first partial term on December 31, 2024, for a full term position with an expiration date ending December 31, 2027.

**ISSUE STATEMENT:**

In response to City Council's decision for boards, commissions and committees to have nine (9) members, the Springfield Arts Commission has two (2) vacancies and two (2) applicants eligible for appointment, as well as one (1) current Arts Commissioner who is eligible for and seeking re-appointment.

**DISCUSSION/FINANCIAL IMPACT:**

The Springfield Arts Commission has two (2) vacancies. Jane Boggs and Dave Henderson applied and were interviewed at the October 14, 2024, City Council Work Session. Council approved to appoint both (2) applicants to the two vacancies.

The Springfield Arts Commission also has one (1) current Arts Commissioner, Adam Gutierrez, who will complete his first partial term on December 31, 2024, and is eligible for and seeking re-appointment for a full term position.

The Springfield Arts Commission requests that the Council formally ratify the appointments during the regular meeting.

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<b>AGENDA ITEM SUMMARY</b>  <b>S P R I N G F I E L D</b> <b>C I T Y C O U N C I L</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Regular Meeting
	<b>Staff Contact/Dept:</b>	Erin Fifield/Community Development
	<b>Staff Phone No:</b>	541-726-2302
	<b>Estimated Time:</b>	Consent Calendar
	<b>Council Goals:</b>	Financially Responsible and Stable Government Services

**ITEM TITLE:**  
Community Development Advisory Committee Bylaws Update

**ACTION REQUESTED:**  
Approve proposed updated bylaws for the Community Development Advisory Committee.

**ISSUE STATEMENT:**  
The City has an updated Boards, Commissions, and Committees bylaws template. The changes proposed here for the Community Development Advisory Committee are consistent with this template. The Community Development Advisory Committee has also recommended two changes to the bylaws.

**DISCUSSION/FINANCIAL IMPACT:**  
Council previously updated the Boards, Commissions, and Committees bylaws template in 2021 to recognize a new process for recruitment, and to provide consistency and flexibility for each group. Council also updated its Operating Policies and Procedures in 2023 and include Board, Commission, Committee and Task Force Operating Policies. The Community Development Advisory Committee (CDAC) bylaws were last updated in 2016.

Attachment 1 includes the CDAC's proposed updates to the CDAC bylaws that include nearly verbatim language from the current bylaws. Working with the City Attorney's Office, other aspects of the proposed updates to the bylaws have been replaced with the standard template language, with additional language included about subcommittees that is consistent with subcommittee language that the City Attorney's Office has recommended for other Boards, Commissions, and Committees who are using the updated bylaws template.

Attachment 1 also includes two proposed changes recommended by the CDAC (highlighted in yellow): 1) Changing the terms of the Chair and Vice-Chair to two years each, rather than one year, and 2) Changing the composition of the CDAC to 7 voting members (down from 8) by making the City Council liaison a non-voting member to reflect current practice.

The Council Operating Policies and Procedures provide that Council formally approve the bylaws for Boards, Commissions, Committees.

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**Attachments**

- 1. CDAC Bylaws Update 2024



## **COMMUNITY DEVELOPMENT ADVISORY COMMITTEE BYLAWS**

Approved by Council \_\_\_\_\_ (date)

### **ARTICLE I. Name and Duration**

This Committee, established by the Springfield City Council, shall be called the Community Development Advisory Committee, hereinafter referred to as the CDAC. This Committee will serve at the will of the City Council.

### **ARTICLE II. Purpose**

Section 1. Formal Purposes. The existence and work of the CDAC are important expressions of the desire for citizen participation in the City's housing and community development activities, which are supported by block grants from the U.S. Department of Housing and Urban Development. The CDAC will recommend for Council adoption:

1. Short and long term housing and community development needs, objectives, and priorities listed in the Eugene – Springfield Five-Year Consolidated Plan and Annual Action Plans.
2. The annual selection of projects and activities to be supported by the Community Development Block Grant (CDBG) Program; and
3. Other plans, policy documents, or items required by CDBG and HOME program regulations and/or which could reasonably be expected to benefit from citizen participation.

Section 2. Extended Purposes. The CDAC provides a means of citizen involvement in an advisory capacity to the Council in policy decisions regarding the City's housing and community development needs. The CDAC provides a forum for citizens to assess and comment on all aspects of the City's community development performance. The CDAC's responsibilities and authority shall be on-going without a set date of expiration. The CDAC's responsibilities and roles shall include at least the following:

1. Ensure that citizen participation is meaningful in all phases of the City's CDBG and HOME supported housing and community development activities.



2. Ensure that there is effective communication between citizens and City officials.
3. Ensure that technical information is available in an understandable form.
4. Ensure that citizens receive thorough, accurate, and timely information and responses from City policymakers and administrators.

### **ARTICLE III. Membership**

Section 1. Composition of Committee. Membership of the Committee shall consist of 7 voting members, as follows: 6 citizens who reside within the city limits or urban growth boundary, and one Planning Commissioner chosen by the Commission. Non-voting members include one Councilor appointed by the Mayor, the City's Community Development Analyst or designee or other ex officio members appointed by the Council upon nomination of the CDAC. The non-voting members are in addition to the 7 voting members. Other non-voting guests may participate at the request of the Committee and may represent other government agencies or City departments having an interest in subject matter and goals of the Committee.

Section 2. Appointment. All applicants shall complete a standard application form and submit it to the City Manager's Office. The Council shall give preference to persons likely to be affected by projects and activities of the City's community development and housing programs, including persons of low and moderate income, residents of lower income neighborhoods, the elderly, persons with disabilities, members of racial and ethnic minority groups, and female heads of households.

### **ARTICLE IV. Officers**

Section 1. There shall be a Chair and a Vice-Chair for the Committee. Each officer shall serve for two calendar years per term. Both the Chair and Vice-Chair positions shall be elected by Committee members.

### **ARTICLE V. Meetings**

Section 1. Meetings. Regular or special meetings may be called by the Chair, City staff, or by resolution of the Committee. Notice of the meeting shall include the agenda for the meeting. Time and duration of the meetings shall be determined by the City staff.

Section 2. Conduct at Meetings. A majority (51%) of voting members in attendance shall constitute a quorum for the transaction of business at any regular or special meeting. The act of the majority of the members present at a meeting at which there is a quorum shall be the act of the Committee. All meetings are open to the public and shall be conducted in accordance with Robert's Rules of Order. City staff will provide brief meeting summaries and audio recordings of meetings.

Section 3. Code of Conduct. By accepting an appointment to the CDAC, members agree to adhere to a Code of Conduct, which includes:

1. Share the available speaking time at meetings

2. Follow instructions of meeting facilitator
3. Be respectful of a range of opinions
4. Be respectful of all people in attendance at meetings
5. Focus on successfully completing the agreed upon agenda
6. Avoid side discussion when others are speaking
7. Voice concerns and complaints at the meeting, not outside the meeting
8. Strive for consensus
9. Adhere to same ethical and behavior standards as City employees

Section 4. Rules for Subcommittees. The Committee may on occasion form ad hoc or standing subcommittees to work on a particular issue. Subcommittee meetings are open to the public and shall be conducted in accordance with Robert's Rules of Order. Subcommittee meetings that do not include opportunity for public testimony maybe held in a remote format so long as the public can virtually attend.

## **ARTICLE VI. Amendments**

These Bylaws may be amended by the City Council either upon Council initiation or recommendation of a majority of the Committee made at any regular meeting on the Committee, provided that written notice of the proposed amendment shall be emailed and/or mailed to each Committee member not less than one week prior to such regular meeting of the Committee.

<b>AGENDA ITEM SUMMARY</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Regular Meeting
	<b>Staff Contact/Dept:</b>	Amanda Clinton/Community Development
	<b>Staff Phone No:</b>	
	<b>Estimated Time:</b>	Consent Calendar
	<b>Council Goals:</b>	Promote and Enhance our Hometown Feel while Focusing on Livability and Environmental Quality
<b>S P R I N G F I E L D C I T Y C O U N C I L</b>		

**ITEM TITLE:**

P41059 IGA Amendment 2 For Natural Resources Inventories & Protections For Springfield's 2019 UGB Expansion Areas.

**ACTION REQUESTED:**

By motion:

TO AMEND THE SUBJECT IGA WITH LCOG FOR \$125,893 AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE IGA AMENDMENT.

**ISSUE STATEMENT:**

This IGA was executed in January 2023, amended for the first time in June 2023, and this second amendment is now necessary to enable work to proceed.

**DISCUSSION/FINANCIAL IMPACT:**

In January 2023, the City of Springfield (City) executed an Intergovernmental Agreement (IGA) with the Lane Council of Governments (LCOG) to support the City in identifying and evaluating the natural resources that offer significant benefits in the 2019 UGB expansion areas and should be locally protected so the City can determine where to direct future development in these areas. Partner agency (Oregon Department of Fish and Wildlife, Department of State Lands, and Department of Land Conservation and Development) discussions in 2023 revealed that completing the project would require additional consultant support, and the IGA was amended in June 2023 to extend the term and add scope and budget.

This second amendment is to further extend the term of the contract and add scope and budget resulting from additional feedback from partner agencies in 2024. The initial value of the IGA was \$37,620, and the previous amendment brought the total value of the IGA to \$61,100. The additional scope (\$64,793) brings the new total value of the contract to \$125,893. Sufficient funds are budgeted to allow this second amendment of the IGA to a new not to exceed total value of \$125, 893.

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**Attachments**

1. Second Amendment IGA

**SECOND AMENDMENT TO CITY OF SPRINGFIELD  
INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE CITY OF SPRINGFIELD  
AND  
LANE COUNCIL OF GOVERNMENTS  
Contract #3154b**

October 17<sup>th</sup>, 2024

**Parties:**

**The City of Springfield  
225 Fifth Street  
Springfield, OR 97477**

**“Springfield”**

**And**

**Lane Council of Governments  
859 Willamette Street, Suite 500  
Eugene, OR 97401**

**“LCOG”**

The Parties hereby agree that the Intergovernmental Agreement dated January 12, 2023 (**Attachment 2**) and the First Amendment dated May 30, 2023 (**Attachment 3**), between the City of Springfield (Springfield) and Lane Council of Governments (LCOG) is hereby amended for the Second time as follows:

**1. Duration.**

This Agreement is effective as of the original date first set forth above and shall continue until December 31, 2025, unless earlier terminated in accordance with the provisions of this Agreement or by mutual consent of the parties.

**2. Services to be Provided.**

LCOG agrees to provide additional services to SPRINGFIELD as outlined in **Attachment A**, Scope of Work.

**3. Compensation.**

c. SPRINGFIELD shall pay LCOG a not to exceed amount of \$125,893 which includes services and deliverables described in the original contract dated January 12, 2023 (**Attachment 2**), and the First Amendment dated May 20, 2023 (**Attachment 3**).

Except as amended herein, all other terms and conditions of the Intergovernmental Agreement between parties and dated January 12, 2023, and the First Amendment dated May 30, 2023, will remain in full force and effect.

Account Number	Percentage
617-07600-1038-611008-P41059	100%

**CITY OF SPRINGFIELD**

**LCOG**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# ATTACHMENT 1 SCOPE OF WORK

## Project Context

In 2019, the Oregon Department of Land Conservation and Development (DLCD) acknowledged the 769-acre expansion of the City of Springfield's (City) Urban Growth Boundary (UGB). In compliance with Statewide Planning Goal 5, the City must identify and evaluate the natural resources in the UGB expansion areas and determine which resources offer significant benefits and should be locally protected so the City can determine where to direct future development in these areas.

With support from DLCD through Technical Assistance Grant funds, the work described in this agreement continues and expands upon that described in a previous agreement between the City and Lane Council of Governments (LCOG), which has since expired (C2528). The tasks identified below are specific to the services of LCOG for this agreement and are a subset of a larger set of tasks needed to complete the full project.

## Deliverables

**All products** shall be non-proprietary and submitted in:

- draft form for City review and comment and, within two weeks of City review, final version;
- Word format for the text component of documents;
- digital media format (compact disc, digital video balance
- disc, USB flash drive, e-mail, or SharePoint link);

**Technical memoranda** shall:

- document procedures, methodologies, and results of data collection, assessments, and any additional technical analysis completed in each task; and
- include necessary mapping, charts, and tables to support the findings, conclusions, and recommendations.

## Tasks

### **Task 1: Project Management**

#### ***Objectives***

- Provide overall leadership and team strategic guidance aligned with staff objectives.
- Coordinate, monitor, and control the project resources to meet the technical, communication, and contractual obligations required for developing and implementing the project scope.

#### ***City of Springfield Involvement***

The City will provide:

- Project Leader, who will be Springfield's primary point of contact with the LCOG; and
- Project Core Team consisting of key City Water Resources, Comprehensive Planning, and GIS staff.

#### ***Activities/Deliverables***

##### ***1.1 – Prepare and Submit Invoices & Status Reports***

- LCOG will submit monthly invoices, including expenditures by task, hours worked by project personnel, and other direct expenses with the associated backup documentation.



- LCOG will submit monthly status reports to accompany each invoice and include comparisons of monthly expenditures and cumulative charges to budget by task/sub-task, including cost-to-complete. Status reports will also include: problems encountered and actions taken for their resolution; potential impacts to submittal dates, budget shortfalls, or optional services; issues requiring project team action; and work on the project performed during the previous month.

*1.2 – Coordinate with City*

- LCOG will maintain communication with the City through meetings via voice/teleconference and email.
- LCOG’s Project Manager and City’s Project Leader will hold virtual progress meetings as often as necessary, but at least once per month until the City accepts all final work products.

**Task 2: Wetland, Riparian Area & Wildlife Inventories and Protections**

***Objectives***

- Support the City in finalizing final submittal documents for DSL approval of the *Local Wetland Inventory and Riparian Corridor Assessment (LWI)* for the City of Springfield, Oregon 2019 UGB Expansion Areas in accordance with OAR 660-023-0100 and OAR 141-86-0180 through 0350.
- Support the City in: finalizing the identification of significant wildlife habitat in wetland, riparian, and upland areas within Springfield’s 2019 UGB Expansion Areas pursuant to OAR 660-023-0110(4); and developing proposed programs to protect significant wildlife habitat pursuant to OAR 660-023-0110(6).

***City of Springfield Involvement***

The City will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data;
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- GIS support.

***Activities/Deliverables***

*2.1 – Finalize LWI (Formatting) for DSL Approval*

- After City finalizes LWI content edits based on DSL’s second review comments, LCOG will provide formatting support for the City’s final DSL submittal in accordance with City formatting guidance.

*2.2 – Finalize Significant Wildlife Habitat Assessment & Develop Wildlife Protection Programs*

- Building upon the *May 2023 Wildlife Habitat Inventory Context and Update memorandum* and March 2024 significant wildlife habitat discussion with Springfield Utility Board (SUB) staff, LCOG will follow the Standard procedures and requirements of OAR 660-023-0040 and OAR 660-023-0050, including conducting the required ESEE analysis (See Step 3.2) and outlining, discussing, and recommending programmatic protections for significant wildlife habitat sites.
- LCOG will prepare amendments to the Springfield Development Code to support selected programmatic protections for significant wildlife habitat sites, as needed.
- LCOG will work with the City to prepare for and participate in virtual appointments, phone calls, and e-mail responses with property owners and partner agencies, as needed.

**Task 3: Springfield Natural Resources Study Update**

***Objective***

- Support the City in amending Springfield’s *Natural Resources Study* to incorporate the conclusions and data from the wetland, riparian, and wildlife habitat inventories/assessments/protection programs completed for Springfield’s 2019 UGB Expansion Areas.

**City of Springfield Involvement**

The City will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data; and
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- GIS analytical support, including use of spatial data to: perform calculations characterizing resources, impact areas, impact to vacant lands, impact to buildable lands, and conflicting uses by vacant acre and zoning district; prepare simple map representations of each site (or combination of sites, where practical); and perform calculations in order to add newly identified resources to existing master tables.

**Activities/Deliverables**

*3.1 - Configure Wetland, Riparian Area, and Wildlife Habitat Inventory Data into NR Study Format*

- Distinguish and “deconflict” riparian areas in collaboration with City GIS staff to map discrete riparian “sites” as identified in P41059/Products/Inventories and Assessment/Riparian WHA and Stand. Safe Harbor Comparison/Millrace Plus Protections and City’s December 2023-January 2024 guidance regarding application of Water Quality Limited Watercourse (WQLW) protections.
- Convert resource site names to the nomenclature used in the NR Study.

*3.2 - Complete ESEE Analyses for Wetlands, Riparian Areas, and Wildlife Habitat*

- Follow the Standard methodology format to identify conflicting uses, define impact areas, and incorporate the ESEE analysis at the study area level (if applicable) for approximately 29 Wetland Sites, 23 Riparian Sites, and significant wildlife habitat that is predominantly overlapped with wetlands and riparian areas but also grasslands site and addressing Oak Woodlands throughout Springfield’s 2019 UGB Expansion Areas.

*3.3 – Update May 2023 Water Resource Policy Context & Alternatives memorandum*

- Incorporate conclusions and data from final Wetland, Riparian Area, and Wildlife Habitat assessments and ESEE analyses, as needed.

*3.4 - Prepare legislative and clean versions of the recommended amendments to the NR Study*

- Update main body and appendices to provide relevant information, including:
  - Site summary tables (3.1, 4.4)
  - Incorporate wildlife habitat elements
  - Document new list of resource sites to reflect the results of the inventory analyses
  - Document “high” and “moderate” quality riparian resource sites and wetlands
  - Document process to reflect background and methodology in narrative format (e.g., Chapter 2 and 4.1)
  - Create/complete site-specific ESEE sheets (if applicable)
  - Describe Springfield’s protection programs
  - Determine the effects of the resources and protections on buildable land supply

**Task 4: Adoption Support**

**Objective**



- Support the City in preparing for and participating in the adoption process for a package of legislative amendments to Springfield’s Comprehensive Plan and Development Code associated with the wetland, riparian area, and wildlife habitat inventories and protections for Springfield’s 2019 UGB Expansion Areas.

**City of Springfield Involvement**

The City will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data;
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- Work Sessions and Public Hearing arrangements and materials, including: scheduling; required notices; packets (Agenda Item Summary, Ordinance, Staff Report and Findings); and presentation.

**Activities/Deliverables**

- LCOG will submit content, as requested by the City, for inclusion in Agenda Item Summary packet at least twenty-one (21) days prior to the Planning Commission Work Session(s) and Public Hearing (s).
- LCOG will attend (virtually) and be available to answer questions at Planning Commission and City Council Work Sessions, Public Hearings, and Deliberations.

**Schedule & Budget**

The following table summarizes work tasks and estimated schedule and costs for the duration of the agreement.

<b>Task</b>	<b>Schedule</b>	<b>Budget</b>
<b>1. Project Management</b>	Oct 2024 – Dec 2025	\$10,976
<b>2. Wetland, Riparian Area &amp; Wildlife Inventories and Protections</b>		
<i>Finalize LWI (Formatting) for DSL Approval</i>	Nov 2024 – Feb 2025	\$4,000
<i>Finalize Significant Wildlife Habitat Assessment &amp; Develop Wildlife Protection Programs</i>	Nov 2024 – Feb 2025	\$13,228
<b>3. Springfield Natural Resources Study Update</b>		
<i>Configure Wetland, Riparian Area, and Wildlife Habitat Inventory Data into NR Study Format</i>	Nov 2024 – Jan 2025	\$3,364
<i>Complete ESEE Analyses for Wetlands, Riparian Areas, and Wildlife Habitat</i>	Nov 2024 – Mar 2025	\$10,408
<i>Update May 2023 Water Resource Policy Context &amp; Alternatives memorandum</i>	Jan 2025 – Feb 2025	\$4,665
<i>Prepare legislative and clean versions of the recommended amendments to the NR Study</i>	Feb 2025 – Jun 2025	\$14,280
<b>4. Adoption Support</b>	Summer/Fall 2025	\$3,872
<b>Total (NTE)</b>		<b>\$64,793</b>

LCOG Hourly Rates:

<b>Proposed LCOG Talent</b>	<b>Hourly Rate</b>
Jacob Callister, Principal Planner	\$130.00
Chloe Trifilio, Associate Planner	\$95.00
Rachel Dorfman, Assistant Planner	\$95.00
Henry Hearley, Associate Planner	\$90.00

Attachment #2

INTERGOVERNMENTAL AGREEMENT

BETWEEN: Lane Council of Governments (LCOG), an organization of governments within Lane County, Oregon

AND: City of Springfield (SPRINGFIELD), a municipal corporation in the State of Oregon, Contract #C3154

EFFECTIVE DATE: January 12, 2023

Table with 2 columns: Account Number, Percentage. Row 1: 204-07600-1038-611008-P41059, 100%

RECITALS

- A. ORS 190.010 provides that units of local government may enter into agreements for the performance of any and all functions and activities that any party to the agreement, its officers, or agents have the authority to perform.
B. Provision of services for the remuneration specified in this agreement will mutually benefit the parties.
C. SPRINGFIELD and LCOG desire to enter into an agreement wherein LCOG will provide the services described in this agreement and Attachment A (attached hereto and incorporated herein by reference).

AGREEMENT

- 1. Duration. The agreement term shall take effect on the Effective Date and shall continue in place until December 31, 2023 or until earlier terminated pursuant to Paragraph 5 of this agreement.
2. Services to be Provided. LCOG agrees to provide services to SPRINGFIELD as outlined in Attachment A, Scope of Work.
3. Compensation.
a. SPRINGFIELD shall pay LCOG's invoice on net 30 days terms upon City acceptance of goods delivered, work or services performed.
b. The invoice will reflect hourly rates and # of hours worked by LCOG personnel by project task and (as applicable) subtask plus any direct expenses associated with the work performed.
c. The total cost of this agreement shall not exceed \$37,620.
d. Invoice to be sent to: Accounts Payable - City of Springfield, 225 5th Street, Springfield, OR 97477 or email to ap@springfield-or.gov. Invoice to include IGA #C3154 and approval code #763.
4. Additional Services. For any services or purchases not defined in Attachment A, Scope of Work, a written amendment shall be executed in accordance with 6. Amendments before any work commences and LCOG shall bill SPRINGFIELD separately for such additional expenses.
5. Termination. Upon thirty days' prior written notice delivered to the persons designated in Paragraph 7 to receive notice, either party, without cause, may terminate its participation in this agreement.
6. Amendments. This agreement may be modified or extended by written amendment signed by both parties.

7. **Administration.** Each party designates the following person as its representative for purposes of administering this agreement. Either party may change its designated representative by giving written notice to the other as provided in Paragraph 16.

For LCOG: Jacob Callister  
859 Willamette St., Suite 500  
Eugene, OR 97401-2910  
Ph: 541-682-4114  
EMAIL: [jcallister@lcog.org](mailto:jcallister@lcog.org)

For SPRINGFIELD: Molly Markarian  
225 Fifth St.  
Springfield, OR 97477  
541-726-4611  
EMAIL: [mmarkarian@springfield-or.gov](mailto:mmarkarian@springfield-or.gov)

8. **Records/Inspection.** SPRINGFIELD and LCOG shall each maintain records of its costs and expenses under this agreement for a period of not less than three full fiscal years following completion of this agreement. Upon reasonable advance notice, either party or its authorized representatives may from time to time inspect, audit, and make copies of the other party's records related to this agreement.
9. **Indemnification.** To the extent allowed by the Oregon Constitution and the Oregon Revised Statutes, each of the parties hereto agrees to indemnify, defend, and save the other harmless from any claims, liability or damages including attorney fees, at trial and on appeal, arising out of any error, omission or act of negligence on the part of the indemnifying party, its officers, agents, or employees in the performance of this agreement.
10. **Status.** In providing the services specified in this agreement (and any associated services) both parties are public bodies and maintain their public body status as specified in ORS 30.260. Both parties understand and acknowledge that each retains all immunities and privileges granted them by the Oregon Tort Claims Act (ORS 30.260 through 30.300) and any and all other statutory rights granted as a result of their status as local public bodies.
11. **Dispute Resolution.** The parties shall make best efforts to cooperatively resolve any disagreements they may have under this Agreement. In the event that the parties are unable to resolve any conflict under this Agreement, they agree to present their disagreements to a mutually agreed upon mediator for mediation. Each party shall bear its own costs for mediation except each party shall pay an equal share of the mediator's fee and any other associated costs. This mediation procedure shall be followed to its conclusion prior to either party seeking relief from the court, except in the case of an emergency.

If the dispute remains unresolved after mediation, the parties may, by mutual written agreement, submit the dispute to arbitration, using such a mutually agreed upon arbitration process which will include the following conditions:


- a. The location of the arbitration shall be in Eugene or Springfield, Oregon;
  - b. Each party shall bear its own costs (except arbitration filing costs and any other arbitrator fees), witness fees, and attorney fees;
  - c. Arbitration filing costs and any arbitrator's fees will be divided equally between the parties;
- and
- d. Judgment upon the award rendered by the arbitrator may be entered in the Circuit Court in Lane County, Oregon.

12. **Worker's Compensation Insurance.** Each party working under this agreement is either a subject employer under the Oregon Worker's Compensation Law and shall comply with ORS 656.017, which requires each to provide Worker's Compensation coverage for all its subject workers, or is an employer that is exempt under ORS 656.126.



- 13. **Subcontracting.** LCOG shall not subcontract the Work under this agreement, in whole or in part, without SPRINGFIELD's prior written approval. LCOG shall require any approved subcontractor to agree, as to the portion of the Work subcontracted, to comply with all obligations of LCOG specified in this agreement. Notwithstanding SPRINGFIELD's approval of a subcontractor, LCOG shall remain obligated for full performance of this agreement and SPRINGFIELD shall incur no obligation to any sub-contractor.
- 14. **Assignment.** Neither party shall assign this agreement in whole or in part, or any right or obligation hereunder, without the other party's written approval.
- 15. **Compliance with Laws.** LCOG shall comply with all applicable federal, state, and local laws, rules, ordinances, and regulations at all times and in the performance of the Work, including all applicable State and local public contracting provisions.
- 16. **Notices.** Any notices permitted or required by this agreement shall be deemed given when personally delivered or emailed or upon deposit in the United States mail, postage fully prepaid, certified, return receipt requested, addressed to the representative designated in Paragraph 7. Either party may change its address by notice given to the other in accordance with this paragraph.
- 17. **Waiver.** Failure of either party to enforce any provision of this Agreement shall not constitute a waiver or relinquishment by either party of the right to such performance in the future nor of the right to enforce any other provision of this Agreement.
- 18. **Americans with Disabilities Act Compliance.** Independent Contractor will comply with all applicable provisions of the Americans with Disabilities Act of 1990, 42 USC Section 12101 et seq. and Section 504 of the Rehabilitation Act of 1973.
- 19. **Integration.** This agreement embodies the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either oral or written, between the parties.
- 20. **Interpretation.** This agreement shall be governed by and interpreted in accordance with the laws of the State of Oregon.

**LANE COUNCIL OF GOVERNMENTS:**

By:   
 Brendalee S. Wilson, Executive Director  
 Date: 1/19/2023

**CITY OF SPRINGFIELD:**

By: Jeff Paschall  
 Jeff Paschall, Community Development Director  
 Date: \_\_\_\_\_

Digitally signed by Jeff Paschall  
 DN: cn=Jeff Paschall, o=City of Springfield, ou=Engineering,  
 email=jpaschall@springfield-or.gov, c=US  
 Date: 2023.01.19 16:30:51 -0800

**REVIEWED & APPROVED  
 AS TO FORM**  
*Kristina Kraaz*  
 DATE: 1/12/2023  
 SPRINGFIELD CITY ATTORNEY'S OFFICE

## ATTACHMENT A SCOPE OF WORK

### Project Context

In 2019, the Oregon Department of Land Conservation and Development (DLCD) acknowledged the 769-acre expansion of the City of Springfield's (City) Urban Growth Boundary (UGB). In compliance with Statewide Planning Goal 5, the City must identify and evaluate the natural resources in the UGB expansion areas (Study Area) and determine which resources offer significant benefits and should be locally protected so the City can determine where to direct future development in these areas.

With support from the Oregon Department of Land Conservation and Development (DLCD) through Technical Assistance Grant funds, the work described in this Agreement continues and expands upon that described in a previous Agreement between SPRINGFIELD and LCOG, which has since expired (C2528). The tasks identified below are specific to the services of LCOG for this Agreement and are a subset of a larger set of tasks needed to complete the full project. As such, the tasks below are numbered as reflected in SPRINGFIELD'S Grant Agreement with DLCD for consistency should a need for cross-referencing arise.

### Deliverables

**All products** shall be non-proprietary and submitted in:

- draft form for City review and comment and, within two weeks of City review, final version;
- Word format for the text component of documents;
- digital media format (compact disc, digital video disc, USB flash drive, e-mail, or SharePoint link);
- Indicate on the cover or title page of all reports, studies, and other documents: *This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the policies or views of the State of Oregon.*

**Geospatial data** shall:

- be submitted in an electronic format compatible with Environmental Systems Research Institute's file formats;
- be free of topological errors; and
- be submitted with metadata that complies with the current State of Oregon Metadata Standards and projections are documented in the metadata and defined with the dataset.

**Technical memoranda** shall:

- document procedures, methodologies, and results of data collection, assessments, and any additional technical analysis completed in each task; and
- include necessary mapping, charts, and tables to support the findings, conclusions, and recommendations.

## Tasks

### **Task 1: Project Management**

#### ***Objective***

To provide overall leadership and team strategic guidance aligned with SPRINGFIELD staff objectives. To coordinate, monitor, and control the project resources to meet the technical, communication, and contractual obligations required for developing and implementing the project scope.

#### ***City of Springfield Involvement***

SPRINGFIELD will provide:

- Project Leader, who will be Springfield's primary point of contact with the LCOG; and
- Project Core Team consisting of key City Water Resources, Comprehensive Planning, and GIS staff.

#### ***Activities/Deliverables***

##### *1.1 -- Prepare and Submit Invoices & Status Reports*

- LCOG will submit monthly invoices, including expenditures by task, hours worked by project personnel, and other direct expenses with the associated backup documentation.
- LCOG will submit monthly status reports to accompany each invoice and include comparisons of monthly expenditures and cumulative charges to budget by task/sub-task, including cost-to-complete. Status reports will also include: problems encountered and actions taken for their resolution; potential impacts to submittal dates, budget shortfalls, or optional services; issues requiring project team action; and work on the project performed during the previous month.

##### *1.2 -- Coordinate with City*

- LCOG will meet virtually with the City at the outset of the project to kick it off, establish lines of effective communication, and ensure that all LCOG staff working on the project are up to speed on City expectations for the project.
- LCOG will maintain communication with SPRINGFIELD through meetings via voice/teleconference and email.
- LCOG's Project Manager and City's Project Leader will hold virtual progress meetings as often as necessary, but at least once per month until the SPRINGFIELD accepts all final work products.

### **Task 3: Identify Wetland, Riparian Area & Wildlife Protections**

#### ***Objectives***

- Based on the OARs and results of SPRINGFIELD's *Local Wetlands and Riparian Corridor Inventory and Assessment*, *Riparian Wildlife Habitat Assessment*, and *Significant Wildlife Habitat Assessment* for Springfield's 2019 Urban Growth Boundary Expansion Areas, outline protection options and tradeoffs.
- Convey potential protection mechanisms to the public and partner agencies in accordance with the project's Community Engagement Plan, using the final products developed for Tasks 3.1 and 3.2.
- Support SPRINGFIELD in preparing for and participating in Work Sessions with appointed and elected officials to outline and discuss Goal 5 protection options (with Goal 6 context for Water Quality Limited Watercourses in mind).

### ***City of Springfield Involvement***

SPRINGFIELD will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data; and
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- Scheduling of Work Sessions and preparation and presentation of Work Session materials, including Agenda Item Summary and slideshow.

### ***Activities/Deliverables***

#### ***3.1 -- Update June 2021 Water Resource Policy Context & Alternatives memorandum***

- Based on final LWI approval and findings of riparian significance under the Standard inventory approach by DSL, LCOG will describe and map protection measures of inventoried wetlands and riparian resources using both the Goal 5 Standard and Safe Harbor approaches.
- LCOG will develop and identify preferred options for wildlife protections for significant habitat sites located outside of wetland and riparian corridors.
- LCOG will review and describe through narrative and maps potential protection mechanisms under Goal 6 (e.g., Springfield's Water Quality Limited Watercourses) and, as applicable to the Mill Race study area, Goal 15.
- LCOG will review and describe existing protection mechanisms for water resources within Springfield.
- Work with SPRINGFIELD staff to determine recommendations for whether any of the identified resources should undergo a Standard process ESEE analysis to assign appropriate protection measures.

#### ***3.2 – Create user-friendly executive summary of updated Water Resource Policy Context & Alternatives memo***

- LCOG will develop text and infographics summarizing protection options and tradeoffs and clarifying decision points for use with the public, partner agencies, and elected and appointed officials.

#### ***3.3 – Accommodate information requests from property owners, partner agencies, and the general public***

- LCOG will work with SPRINGFIELD to prepare for and participate in virtual appointments, phone calls, and e-mail responses, as needed.

#### ***3.4 – Prepare for and Attend Work Sessions***

- LCOG will draft discussion questions for inclusion in Agenda Item Summary packet at least twenty-one (21) days prior to the Planning Commission Work Session.
- LCOG to attend and be available to answer questions at SPRINGFIELD Planning Commission and City Council Work Sessions.

### **Task 4: Update the Springfield Natural Resources Study**

#### ***Objective***

Update Springfield's *Natural Resources Study* to reflect results of natural resources inventories/assessments completed for the 2019 UGB Expansion Areas.

### ***City of Springfield Involvement***

SPRINGFIELD will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data; and
- Access to applicable City files and records; and
- Timely review and feedback on draft products.

***Activities/Deliverables***

LCOG to prepare legislative and clean versions of the updated document to include:

- Convert resource site names to nomenclature used in the Study.
- Update main body to provide relevant information, including:
  - documenting new list of resource sites to reflect the results of the inventory analyses;
  - documenting “high” and “moderate” quality riparian resource sites and wetlands;
  - documenting process to reflect background and methodology in narrative format (e.g., Chapter 2 and 4.1);
  - following the “Standard” methodology format (if applicable) to identify conflicting uses, define impact areas, incorporate the ESEE analysis at the study area level (if applicable);
  - creating/completing site-specific ESEE sheets (if applicable);
  - describing Springfield’s protection program; and
  - determining the effects of the resources and protections on buildable land supply.
- Update appendices (e.g., resource site descriptions, assumptions as needed).



## Schedule & Budget

The following table summarizes work tasks and estimated schedule and costs for the duration of the agreement.

<b>Task</b>	<b>Schedule</b>	<b>Budget</b>
<b>1.</b> Project Management	January – May 2023	\$1,600.00
<b>3.</b> Identify Wetland, Riparian Area & Wildlife Protections	January – May 2023	\$21,400.00
Update <i>WR Policy Context &amp; Alternatives</i> memo with Riparian and Wildlife Habitat conclusions.	January – February	
Update <i>WR Policy Context &amp; Alternatives</i> memo with Wetland map and assessment data available. Complete Executive Summary.	February – March	
Convey potential protection mechanisms to public and partners.	April	
Works Session support	May	
<b>4.</b> Update the Springfield Natural Resources Study	January – May 2023	\$5,100.00
Convert resource site names	February	
Update Main body	March - April	
Update Appendices	April- May	
<b>Total (NTE)</b>		<b>\$37,620.00</b>

LCOG Hourly Rates:

<b>Proposed LCOG Talent</b>	<b>Hourly Rate</b>
Jacob Callister, Principal Planner	\$119.09
Rachel Dorfman, Associate Planner	\$90.15
Chloe Trifilio, Assistant Planner	\$91.00

Attachment #2

**FIRST AMENDMENT TO CITY OF SPRINGFIELD  
INTERGOVERNMENTAL AGREEMENT BETWEEN  
THE CITY OF SPRINGFIELD  
AND  
LANE COUNCIL OF GOVERNMENTS  
Contract #3154**

May 30, 2023

**Parties:**

**The City of Springfield  
225 Fifth Street  
Springfield, OR 97477**

**“Springfield”**

**And**

**Lane Council of Governments  
859 Willamette Street, Suite 500  
Eugene, OR 97401**

**“LCOG”**

The Parties hereby agree that the Intergovernmental Agreement dated January 12, 2023 between the City of Springfield (Springfield) and Lane Council of Governments (LCOG) is hereby amended for the first time as follows:

<b>Account Number</b>	<b>Percentage</b>
204-07600-1038-611008-P41059	100% through 5/31/2023
617-07600-1038-611008-P41059	100% as of 6/1/2023

**1. Duration**

The agreement term shall take effect on the Effective Date and shall continue in place until June 30, 2024 or until earlier terminated pursuant to Paragraph 5 of this agreement.

**2. Services to be Provided**

LCOG agrees to provide services to SPRINGFIELD as outlined in Attachment A, Scope of Work.

**3. Compensation**

\*\*\*

c. The total cost of this agreement shall not exceed \$61,100.

\*\*\*

Except as amended herein, all other terms and conditions of the Intergovernmental Agreement between Parties and dated January 12, 2023, as amended, will remain in full force and effect.

# ATTACHMENT 1 SCOPE OF WORK

## Project Context

In 2019, the Oregon Department of Land Conservation and Development (DLCD) acknowledged the 769-acre expansion of the City of Springfield's (City) Urban Growth Boundary (UGB). In compliance with Statewide Planning Goal 5, the City must identify and evaluate the natural resources in the UGB expansion areas and determine which resources offer significant benefits and should be locally protected so the City can determine where to direct future development in these areas.

With support from DLCD through Technical Assistance Grant funds, the work described in this agreement continues and expands upon that described in a previous agreement between the City and Lane Council of Governments (LCOG), which has since expired (C2528). The tasks identified below are specific to the services of LCOG for this agreement and are a subset of a larger set of tasks needed to complete the full project.

## Deliverables

**All products** shall be non-proprietary and submitted in:

- draft form for City review and comment and, within two weeks of City review, final version;
- Word format for the text component of documents;
- digital media format (compact disc, digital video balance
- disc, USB flash drive, e-mail, or SharePoint link);

**Technical memoranda** shall:

- document procedures, methodologies, and results of data collection, assessments, and any additional technical analysis completed in each task; and
- include necessary mapping, charts, and tables to support the findings, conclusions, and recommendations.

## Tasks

### **Task 1: Project Management**

#### ***Objectives***

- Provide overall leadership and team strategic guidance aligned with staff objectives.
- Coordinate, monitor, and control the project resources to meet the technical, communication, and contractual obligations required for developing and implementing the project scope.

#### ***City of Springfield Involvement***

The City will provide:

- Project Leader, who will be Springfield's primary point of contact with the LCOG; and
- Project Core Team consisting of key City Water Resources, Comprehensive Planning, and GIS staff.

#### ***Activities/Deliverables***

##### ***1.1 – Prepare and Submit Invoices & Status Reports***

- LCOG will submit monthly invoices, including expenditures by task, hours worked by project personnel, and other direct expenses with the associated backup documentation.

- LCOG will submit monthly status reports to accompany each invoice and include comparisons of monthly expenditures and cumulative charges to budget by task/sub-task, including cost-to-complete. Status reports will also include: problems encountered and actions taken for their resolution; potential impacts to submittal dates, budget shortfalls, or optional services; issues requiring project team action; and work on the project performed during the previous month.

*1.2 – Coordinate with City*

- LCOG will maintain communication with the City through meetings via voice/teleconference and email.
- LCOG’s Project Manager and City’s Project Leader will hold virtual progress meetings as often as necessary, but at least once per month until the City accepts all final work products.

**Task 2: Wetland, Riparian Area & Wildlife Inventories and Protections**

***Objectives***

- Support the City in finalizing final submittal documents for DSL approval of the *Local Wetland Inventory and Riparian Corridor Assessment (LWI)* for the City of Springfield, Oregon 2019 UGB Expansion Areas in accordance with OAR 660-023-0100 and OAR 141-86-0180 through 0350.
- Support the City in: finalizing the identification of significant wildlife habitat in wetland, riparian, and upland areas within Springfield’s 2019 UGB Expansion Areas pursuant to OAR 660-023-0110(4); and developing proposed programs to protect significant wildlife habitat pursuant to OAR 660-023-0110(6).

***City of Springfield Involvement***

The City will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data;
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- GIS support.

***Activities/Deliverables***

*2.1 – Finalize LWI (Formatting) for DSL Approval*

- After City finalizes LWI content edits based on DSL’s second review comments, LCOG will provide formatting support for the City’s final DSL submittal in accordance with City formatting guidance.

*2.2 – Finalize Significant Wildlife Habitat Assessment & Develop Wildlife Protection Programs*

- Building upon the *May 2023 Wildlife Habitat Inventory Context and Update memorandum* and March 2024 significant wildlife habitat discussion with Springfield Utility Board (SUB) staff, LCOG will follow the Standard procedures and requirements of OAR 660-023-0040 and OAR 660-023-0050, including conducting the required ESEE analysis (See Step 3.2) and outlining, discussing, and recommending programmatic protections for significant wildlife habitat sites.
- LCOG will prepare amendments to the Springfield Development Code to support selected programmatic protections for significant wildlife habitat sites, as needed.
- LCOG will work with the City to prepare for and participate in virtual appointments, phone calls, and e-mail responses with property owners and partner agencies, as needed.

**Task 3: Springfield Natural Resources Study Update**

***Objective***



- Support the City in amending Springfield’s *Natural Resources Study* to incorporate the conclusions and data from the wetland, riparian, and wildlife habitat inventories/assessments/protection programs completed for Springfield’s 2019 UGB Expansion Areas.

**City of Springfield Involvement**

The City will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data; and
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- GIS analytical support, including use of spatial data to: perform calculations characterizing resources, impact areas, impact to vacant lands, impact to buildable lands, and conflicting uses by vacant acre and zoning district; prepare simple map representations of each site (or combination of sites, where practical); and perform calculations in order to add newly identified resources to existing master tables.

**Activities/Deliverables**

*3.1 - Configure Wetland, Riparian Area, and Wildlife Habitat Inventory Data into NR Study Format*

- Distinguish and “deconflict” riparian areas in collaboration with City GIS staff to map discrete riparian “sites” as identified in P41059/Products/Inventories and Assessment/Riparian WHA and Stand. Safe Harbor Comparison/Millrace Plus Protections and City’s December 2023-January 2024 guidance regarding application of Water Quality Limited Watercourse (WQLW) protections.
- Convert resource site names to the nomenclature used in the NR Study.

*3.2 - Complete ESEE Analyses for Wetlands, Riparian Areas, and Wildlife Habitat*

- Follow the Standard methodology format to identify conflicting uses, define impact areas, and incorporate the ESEE analysis at the study area level (if applicable) for approximately 29 Wetland Sites, 23 Riparian Sites, and significant wildlife habitat that is predominantly overlapped with wetlands and riparian areas but also grasslands site and addressing Oak Woodlands throughout Springfield’s 2019 UGB Expansion Areas.

*3.3 – Update May 2023 Water Resource Policy Context & Alternatives memorandum*

- Incorporate conclusions and data from final Wetland, Riparian Area, and Wildlife Habitat assessments and ESEE analyses, as needed.

*3.4 - Prepare legislative and clean versions of the recommended amendments to the NR Study*

- Update main body and appendices to provide relevant information, including:
  - Site summary tables (3.1, 4.4)
  - Incorporate wildlife habitat elements
  - Document new list of resource sites to reflect the results of the inventory analyses
  - Document “high” and “moderate” quality riparian resource sites and wetlands
  - Document process to reflect background and methodology in narrative format (e.g., Chapter 2 and 4.1)
  - Create/complete site-specific ESEE sheets (if applicable)
  - Describe Springfield’s protection programs
  - Determine the effects of the resources and protections on buildable land supply

**Task 4: Adoption Support**

**Objective**



- Support the City in preparing for and participating in the adoption process for a package of legislative amendments to Springfield’s Comprehensive Plan and Development Code associated with the wetland, riparian area, and wildlife habitat inventories and protections for Springfield’s 2019 UGB Expansion Areas.

**City of Springfield Involvement**

The City will provide:

- Copies of existing studies, plans, maps, programs, and other relevant data;
- Access to applicable City files and records;
- Timely review and feedback on draft products; and
- Work Sessions and Public Hearing arrangements and materials, including: scheduling; required notices; packets (Agenda Item Summary, Ordinance, Staff Report and Findings); and presentation.

**Activities/Deliverables**

- LCOG will submit content, as requested by the City, for inclusion in Agenda Item Summary packet at least twenty-one (21) days prior to the Planning Commission Work Session(s) and Public Hearing (s).
- LCOG will attend (virtually) and be available to answer questions at Planning Commission and City Council Work Sessions, Public Hearings, and Deliberations.

**Schedule & Budget**

The following table summarizes work tasks and estimated schedule and costs for the duration of the agreement.

<b>Task</b>	<b>Schedule</b>	<b>Budget</b>
<b>1. Project Management</b>	<b>Oct 2024 – Dec 2025</b>	<b>\$10,976</b>
<b>2. Wetland, Riparian Area &amp; Wildlife Inventories and Protections</b>		
<i>Finalize LWI (Formatting) for DSL Approval</i>	Nov 2024 – Feb 2025	\$4,000
<i>Finalize Significant Wildlife Habitat Assessment &amp; Develop Wildlife Protection Programs</i>	Nov 2024 – Feb 2025	\$13,228
<b>3. Springfield Natural Resources Study Update</b>		
<i>Configure Wetland, Riparian Area, and Wildlife Habitat Inventory Data into NR Study Format</i>	Nov 2024 – Jan 2025	\$3,364
<i>Complete ESEE Analyses for Wetlands, Riparian Areas, and Wildlife Habitat</i>	Nov 2024 – Mar 2025	\$10,408
<i>Update May 2023 Water Resource Policy Context &amp; Alternatives memorandum</i>	Jan 2025 – Feb 2025	\$4,665
<i>Prepare legislative and clean versions of the recommended amendments to the NR Study</i>	Feb 2025 – Jun 2025	\$14,280
<b>4. Adoption Support</b>	<b>Summer/Fall 2025</b>	<b>\$3,872</b>
<b>Total (NTE)</b>		<b>\$64,793</b>

LCOG Hourly Rates:

<b>Proposed LCOG Talent</b>	<b>Hourly Rate</b>
Jacob Callister, Principal Planner	\$130.00
Chloe Trifilio, Associate Planner	\$95.00
Rachel Dorfman, Assistant Planner	\$95.00
Henry Hearley, Associate Planner	\$90.00

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<b>AGENDA ITEM SUMMARY</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Regular Meeting
	<b>Staff Contact/Dept:</b>	Andrew Larson/Community Development
	<b>Staff Phone No:</b>	
	<b>Estimated Time:</b>	Consent Calendar
<b>S P R I N G F I E L D C I T Y C O U N C I L</b>	<b>Council Goals:</b>	Promote and Enhance our Hometown Feel while Focusing on Livability and Environmental Quality

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**ITEM TITLE:**  
Bicycle And Pedestrian Advisory Committee Appointments

**ACTION REQUESTED:**  
Appoint Alan Linhares and Brenda Brown Hughey to the Bicycle & Pedestrian Advisory Committee for a three-year term, ending on December 31, 2027.

**ISSUE STATEMENT:**  
The Bicycle & Pedestrian Advisory Committee (BPAC) currently has two vacant position due to two resignations.  
  
Two people interviewed for the BPAC on October 14, 2024. Council gave direction to appoint both applicants, Ms. Brenda Brown Hughey and Mr. Alan Linhares to serve a three-year term.

**DISCUSSION/FINANCIAL IMPACT:**  
The Bicycle and Pedestrian Advisory Committee (BPAC), which typically consists of nine voting members, is seeking new members for two vacant seats. The BPAC advises City Council and city staff on pedestrian and bicycle plans. The committee was established to provide input on bicycle and pedestrian infrastructure, policies, programs, education, and enforcement.  
  
Appointing two new members will provide the BPAC with a full committee.

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 11/04/2024  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept:** Emily David/Library and Museum  
**Staff Phone No:**  
**Estimated Time:** Consent Calendar  
**Council Goals:** Mandate

**S P R I N G F I E L D  
C I T Y C O U N C I L**

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**ITEM TITLE:**

Library Advisory Board Appointments

**ACTION REQUESTED:**

Reappoint Library Advisory Board members Bekah Weed and Violet Olszyk to full four-year terms beginning January 1, 2025, and ending December 31, 2028.

**ISSUE STATEMENT:**

The Library Advisory Board (LAB) will have two openings due to the expiration of two board members' partial terms on December 31, 2024. Both board members, Bekah Weed and Vilolet Olszyk, have reapplied for an additional full-term appointment. The terms will begin on January 1, 2025, and end on December 31, 2028. With these re-appointments, the LAB will have a complete nine-member roster with no vacancies.

**DISCUSSION/FINANCIAL IMPACT:**

The Library Advisory Board (LAB) asks that the Council ratify the re-appointments of board members Bekah Weed and Violet Olszyk to full four-year board member terms beginning January 1, 2025, and ending December 31, 2028. Ms. Weed has been a contributing member of the LAB since January 1, 2023, and is completing a partial term appointment. Ms. Olszyk has been a contributing member of the LAB since January 1, 2024, and is also completing a partial term. Both members are eligible for and are seeking appointment to full four-year terms. With these appointments, the LAB will have a full nine-member roster.

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 11/04/2024  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept:** Nathan Bell/Finance  
**Staff Phone No:**  
**Estimated Time:** 5 Minutes  
**Council Goals:** Financially Responsible and Stable Government Services

**S P R I N G F I E L D  
C I T Y C O U N C I L**

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**ITEM TITLE:**

Comcast Franchise Extension

**ACTION REQUESTED:**

Conduct a public hearing and first reading of the following ordinance: An ordinance to extend the term of ordinance 6208 granting to Comcast of Oregon II, Inc. a franchise for operation of a cable telecommunications system, adopting a severability clause, and providing an effective date (first reading).

**ISSUE STATEMENT:**

Shall the City Council extend Comcast's existing cable franchise until January 1, 2026 to allow the parties to complete their renewal negotiations?

**DISCUSSION/FINANCIAL IMPACT:**

The Franchise: Together, Lane County, the City of Eugene, and the City of Springfield have granted Comcast a franchise for the operation of a cable communications system. In 2007, the three entities amended and renewed Comcast's franchise through August 1, 2018.

The Extensions to Date: The term of the franchise has been extended several times, most recently to January 1, 2025, with Ordinance 6455. Initially, the extensions resulted from delays while staff tried to resolve a dispute with Comcast arising from a franchise fee review the jurisdictions conducted. This review resulted in staff attempting to resolve fee review issues while also trying to negotiate the terms for the franchise renewal. Additional delays have stemmed from the departure of Comcast personnel who had been working on the franchise renewal.

In 2019, the Federal Communications Commission (FCC) adopted rules regarding cable regulations which were unfavorable to local government franchising authorities and are affecting franchise negotiations. For example, the order not only allows cable operators to offset from their 5% franchise fees the value of "cable related, in-kind contributions," such as free service or cable boxes in government buildings, it prohibits local franchising agencies from charging cable operator's additional fees - aside from the 5% cable franchise fee - for use of the public rights-of-way to provide other services, including broadband internet.

Numerous franchising authorities, including the City of Eugene, filed a lawsuit challenging the FCC Cable Order. Although the Sixth Circuit Court of Appeals recently upheld most of the order, additional litigation or petitions are likely to be filed in the case. Therefore, Lane County, the City of Eugene, and the City of Springfield believe additional time is needed to allow for the potential litigation to be completed. This proposed ordinance requesting an extension would extend only the term of the current franchise to January 1, 2026. All other franchise terms and conditions would remain the same. When negotiations are completed, the proposed franchise renewal agreement will be brought to the City Council for action.

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**Attachments**

1. Comcast Extension Ordinance
2. Comcast Acceptance Ordinance

**CITY OF SPRINGFIELD, OREGON**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO EXTEND THE TERM OF ORDINANCE 6208 GRANTING TO COMCAST OF OREGON II, INC. A FRANCHISE FOR OPERATION A CABLE TELECOMMUNICATIONS SYSTEM, ADOPTING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Cities of Springfield and Eugene together with Lane County granted a franchise to Comcast of Oregon II, Inc. ("Comcast") for the operation of a cable communication system and have designated the Metropolitan Policy Commission (MPC) as the representative of the local franchising authorities in administration of the franchise;

**WHEREAS**, the City of Springfield enacted Ordinance 5567 on May 20, 1991, granting said franchise;

**WHEREAS**, the City of Springfield enacted Ordinance 6208 on November 20, 2007, amending and renewing said franchise through August 1, 2018;

**WHEREAS**, the City of Springfield enacted Ordinance 6385 on July 2, 2018, extending said franchise for an additional period through January 1, 2019, and Ordinance 6391 on December 3, 2018, extending said franchise for an additional period through June 30, 2020. Ordinance 6417 on May 4<sup>th</sup>, 2020, extending said franchise for an additional period through January 1, 2022. Ordinance 6431 on November 1, 2021, extending said franchise for an additional period through January 1, 2023, and Ordinance 6455 on November 21, 2022, extending said franchise for an additional period through January 1, 2025.

**WHEREAS**, the federal Cable Act requires a franchise for the operation of cable telecommunications systems and provides for a formal or informal renewal process under the Cable Act;

**WHEREAS**, the Cities of Springfield and Eugene, Lane County, and Comcast are currently negotiating under the Cable Act's informal process to renew Comcast's cable franchise and the parties anticipate those negotiations will not be completed prior to January 1, 2025; and

**WHEREAS**, the Cities of Springfield and Eugene, and Lane County have determined that it serves the public welfare to extend the term of the current franchise from January 1, 2025 to January 1, 2026,

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. The franchise granted to Comcast in Ordinance 6208 and extended by Ordinances 6385, 6391, 6417, 6431 and 6455 shall be extended up to and through January 1, 2026.

Section 2. The City and Comcast agree that execution of this extension does not waive any rights that either party may have under Section 626 of the Cable Act or other provision of federal, state, or local law.

Section 3. Savings Clause. Other than the duration of the franchise set forth herein, Ordinances 6208, 6385, 6391, 6417, 6431 and 6455 shall continue in full force and effect.



ADOPTED by the Common Council of the City of Springfield this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

APPROVED by the Mayor of the City of Springfield this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

**WRITTEN ACCEPTANCE OF ORDINANCE NO. \_\_\_\_\_  
CITY OF SPRINGFIELD, OREGON**

**WHEREAS**, on December 2, 2024, the Common Council of the City of Springfield enacted Ordinance \_\_\_\_ entitled:

AN ORDINANCE TO EXTEND THE TERM OF ORDINANCE 6208 GRANTING TO COMCAST OF OREGON II, INC. A FRANCHISE FOR OPERATION OF A CABLE TELECOMMUNICATIONS SYSTEM, ADOPTING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE;

**WHEREAS**, Ordinance \_\_\_\_ was approved and signed on December 2, 2024, by the Mayor of the City of Springfield and attested by the City Recorder;

**WHEREAS**, the City of Springfield enacted Ordinance 5567 on May 20, 1991, granting said franchise;

**WHEREAS**, the City of Springfield enacted Ordinance 6208 on November 20, 2007, amending and renewing said franchise through August 1, 2018;

**WHEREAS**, the City of Springfield enacted Ordinance 6385 on July 2, 2018, extending the franchise granted under Ordinance 6208 for an additional period through January 1, 2019; Ordinance 6391 on December 3, 2018, extending said franchise for an additional period through June 30, 2020; Ordinance 6417 on May 4, 2020, extending said franchise for an additional period through January 1, 2022; Ordinance 6431 extending said franchise for an additional period through January 1, 2023; and Ordinance 6455 extending said franchise for an additional period through January 1, 2025;

**WHEREAS**, Ordinance \_\_\_\_ extends the term of the franchise granted under Ordinance 6208 up to and including January 1, 2026; and

**WHEREAS**, all other terms and conditions of the franchise granted by Ordinance 6208 remain the same and in full force and effect;

**NOW, THEREFORE**, Comcast of Oregon II, Inc. hereby accepts unconditionally and agrees to be bound by all the terms and conditions of Ordinance \_\_\_\_, subject to applicable federal, state and local law.

**IN WITNESS THEREOF**, Comcast of Oregon II, Inc. has caused this acceptance to be duly executed this \_\_\_\_ day of December, 2024.

Comcast of Oregon II, Inc.

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Receipt of the original duly executed acceptance by Comcast of Oregon II, Inc. of all terms and conditions of Ordinance \_\_\_\_ of the City of Springfield, Oregon, is hereby acknowledged this \_\_\_\_ day of December, 2024.

\_\_\_\_\_

City Recorder

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 11/04/2024  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept:** Jessica Crawford/Springfield Police Department  
**Staff Phone No:**  
**Estimated Time:** 5 Minutes  
**Council Goals:** Financially Responsible and Stable Government Services

**S P R I N G F I E L D  
C I T Y C O U N C I L**

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**ITEM TITLE:**

2024 Justice Assistance Grant

**ACTION REQUESTED:**

Hold a public hearing on the proposed use of the 2024 Justice Assistance Grant.

**ISSUE STATEMENT:**

The Police Department proposes use of the 2024 Justice Assistance Grant to purchase a handheld narcotics analyzer device.

**DISCUSSION/FINANCIAL IMPACT:**

The City of Springfield was awarded the Department of Justice, Local Justice Assistance Grants (JAG) for 2024 in the amount of \$18,107. JAG grants are an annual, non-competitive grant award designated to support public safety goals. Agencies propose use of the local JAG grant funds to support program costs without a dedicated funding source.

The Springfield Police Department proposes use of the 2024 JAG grant award to provide primary funding for a handheld narcotics analyzer device to support police and jail efforts for drug detection, reducing risk to staff and the community. Purchase of a handheld drug detection instrument is listed as a recommended use for JAG funds within the grant solicitation and is a tool that was being reviewed by police staff.

The Department has requested this public hearing to inform the Council and the public of the grant opportunity, the proposed use of grant funds, and to fulfill an application requirement for review by the local governing body and opportunity for public comment.

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**Attachments**

1. 2024 JAG Proposal Narrative

**BJA FY 2024 Edward Byrne Memorial Justice Assistance Grant**

**Local Solicitation**

**Proposal Narrative**

The City of Springfield Police Department proposes use of JAG funds to purchase a handheld narcotics analyzer device. The device will be utilized by police and municipal jail personnel in drug detection, reducing risk to staff and the community. Use of JAG funds for the purchase of handheld instruments for fentanyl and methamphetamine detection equipment is a specific item identified as an area of emphasis within the solicitation.



<b>AGENDA ITEM SUMMARY</b>	<b>Meeting Date:</b>	11/04/2024
	<b>Meeting Type:</b>	Regular Meeting
	<b>Staff Contact/Dept:</b>	Haley Campbell/Community Development
	<b>Staff Phone No:</b>	541-726-3647
	<b>Estimated Time:</b>	5 Minutes
	<b>Council Goals:</b>	Financially Responsible and Stable Government Services
<b>S P R I N G F I E L D C I T Y C O U N C I L</b>		

**ITEM TITLE:**

Springfield Development Code Amendments: Annexations

**ACTION REQUESTED:**

Conduct a second reading and adopt/not adopt an Ordinance amending the Springfield Development Code related to Annexation, adopting a savings clause and a severability clause, and providing an effective date.

**ISSUE STATEMENT:**

This project is a continuation of work that has been ongoing since 2018 involving a phased plan to update the entire Springfield Development Code. The project objectives for the Annexation Code Amendments are to:

- Provide easy to understand code language presented in a clear and user-friendly format.
- Provide a straightforward initiation and review path for annexations.
- Enable efficient review of annexation applications, which includes a discussion on whether to continue to allow or expand instances when annexation would not require a public hearing.

**DISCUSSION/FINANCIAL IMPACT:**

The Council held a work session on September 16, 2024 and a public hearing on October 21, 2024. One public comment was received during the public hearing. Staff updated the staff report and code amendments to remove the yellow highlighting that showed the changes between the Planning Commission and City Council public hearing.

If adopted, these amendments will reduce the costs to provide notice of public hearings and streamline the approval process for certain owner consent annexations.

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**Attachments**

- 1. Ordinance Stamped
- Exhibit A: Legislative Version of Code Amendments
- Exhibit B: Staff Report and Findings

**CITY OF SPRINGFIELD, OREGON**  
**ORDINANCE NO. \_\_\_\_\_ (GENERAL)**

**AN ORDINANCE AMENDING THE SPRINGFIELD DEVELOPMENT CODE RELATED TO ANNEXATION, ADOPTING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Springfield City Council adopted the Springfield Development Code (SDC) on May 5, 1986, and has subsequently adopted amendments thereto by ordinance;

**WHEREAS**, the City Council finds it in the public interest to amend the Springfield Development Code's regulations regarding annexation to provide easy to understand code language presented in a clear and user-friendly format, to provide a straightforward initiation and review path for annexations, and to enable efficient review of annexation applications;

**WHEREAS**, consistent with the Community Engagement Plan adopted by the Committee for Citizen Involvement, the City of Springfield has provided several opportunities for public involvement on the proposed amendments, including: a project webpage, workshops, and the public hearings described below;

**WHEREAS**, the Springfield Planning Commission conducted a public hearing on the Springfield Development Code amendments on August 6, 2024, and forwarded a recommendation to the Springfield City Council to approve the proposed amendments;

**WHEREAS**, the Springfield City Council held a public hearing on these amendments on October 21, 2024, and is now ready to act based upon the above recommendations and evidence and testimony in the record;

**WHEREAS**, timely and sufficient notice of the public hearings have been provided according to SDC 5.1.615 and OAR 660-018-0020; and

**WHEREAS**, substantial evidence exists within the record to demonstrate that the Springfield Development Code amendments meet the requirements of the Springfield Comprehensive Plan, Metro Plan, Springfield Development Code, and applicable state and local law as described in the findings attached as Exhibit B,

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

Section 1. The Springfield Development Code is amended as provided in Exhibit A, which is attached hereto and incorporated herein by reference.

Section 2. The findings set forth in Exhibit B are adopted as findings in support of this Ordinance.

Section 3. Savings Clause. Except as specifically amended herein, the Springfield Development Code will continue in full force and effect. The prior code and land use regulations repealed or amended by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this ordinance.

Section 4. Severability Clause. If any section, subsection, sentence, clause, phrase or

portion of this Ordinance is, for any reason, held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

Section 5. Effective Date. The effective date of this Ordinance is as provided in the Chapter IX of the Springfield Charter and Section 2.110 of the Springfield Municipal Code, 30 days from the date of passage by the Council and approval by the Mayor, or upon acknowledgement of this Ordinance under ORS 197.625, whichever occurs last.

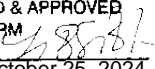
ADOPTED by the Common Council of the City of Springfield this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

APPROVED by the Mayor of the City of Springfield this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

REVIEWED & APPROVED  
AS TO FORM  
  
DATE: October 25, 2024  
OFFICE OF CITY ATTORNEY

## Legislative Version of Springfield Development Code Amendments: Annexations

### CODE AMENDMENTS

The proposed amendments are shown in legislative format (deleted text with strikethrough **red** font and new text with **double underline red** font). For ease of review, this legislative format does not show where code language was moved from one place to another. Commentary is shown in **purple italics font**, preceding the text to which it is referring. Provisions presently that do not appear herein, are not intended to be amended and are shown by \*\*\*\*.

***Commentary:** The language in SDC 3.3.825 was amended to allow for current practice when we have a property owner who has a failing septic system. We allow the property owner to connect to sanitary sewer before Council has approved the annexation - if we have an annexation contract. This practice is consistent with Urbanization Policy 35 in the Springfield Comprehensive Plan. Other provisions presently defined in 3.3.800 that do not appear herein, are not intended to be amended and are shown by \*\*\*\*.*

### 3.3.800 URBANIZABLE FRINGE OVERLAY DISTRICT

\*\*\*\*

#### 3.3.825 Additional Provisions.

- (1) The City shall not extend water or sanitary sewer service outside the city limits **to serve a developed property without first obtaining a valid annexation contract.** unless a health hazard, as defined in ORS 222.840 et seq., is determined to exist. Annexation of the affected territory so served is required if the territory is within the urban growth boundary and is contiguous to the city limits.

The City may extend water or sanitary sewer outside the city limits or urban growth boundary to provide these services to properties within the city limits. As provided in ORS 222.840 et seq., the City and a majority of the electors of the affected territory may agree to an alternative to annexation to mitigate the health hazard, including extraterritorial extension of services without annexation.

\*\*\*\*

***Commentary:** This section was amended to clarify that for a Type 3 annexation and vacation of plats and public right-of-way, the City Council is the sole approval authority.*

### 5.1.400 TYPE 2 AND TYPE 3 PROCEDURES

### 5.1.420 Type 3 Application.

(A) A Type 3 quasi-judicial application involves discretion but implement established policy. A request will generally be considered a quasi-judicial decision if it involves the following factors:

- (1) The process is bound to result in a decision;
- (2) The decision is bound to apply preexisting criteria to concrete facts; and
- (3) The action is customarily directed at a closely circumscribed factual situation or small number of persons.

Although no factor is considered determinative and each must be weighed, the more definitively these factors are answered affirmatively, the more it will be considered a quasi-judicial decision.

(B) A Type 3 decision is made by the following Hearings Authority after a public hearing following the quasi-judicial hearings procedures of SDC 5.1.500:

- (1) A Type 3 application that does not require adoption of an ordinance and that involve property entirely within city limits are made by the Planning Commission.
- (2) A Type 3 application that involves property entirely or partially outside of city limits and entirely within the Springfield Urban Growth Boundary are made by the Hearings Officer.
- (3) The City Council is the sole approval authority for annexations and vacations of plats and public rights-of-way and annexations.
- (4) The City Council is the final decision maker in a Type 3 development application that require the adoption of an ordinance and are within city limits, including, but not limited to, site-specific comprehensive plan or refinement plan amendments. Except for vacations and annexations, the Planning Commission will conduct a quasi-judicial public hearing and make a recommendation to the City Council to approve, approve with conditions, or deny the application.
- (5) The City Council and Lane County Board of Commissioners are the final decision-makers for a Type 3 development application that requires adoption of an ordinance and are entirely or partially outside city limits but within the Springfield Urban Growth Boundary, including but not limited to site-specific comprehensive plan or refinement plan amendments, according to the procedures in SDC 5.14.130.

*Commentary: Section 5.1.630(D) was amended to remove the effective date of annexation requirements as the standard is covered above in SDC 5.7.155 Effective Date and Notice of Approved Annexation.*

### 5.1.600 TYPE 4 PROCEDURES



### 5.1.630 Final Decision.

- (A) A Type 4 legislative change must be adopted by ordinance.
- (B) The Planning Commission must make a recommendation to the City Council to approve, approve with conditions, or deny the application. The Planning Commission's recommendation must address all of the applicable approval standards and criteria and any written or oral testimony.
- (C) The City Council may approve, approve with conditions, or deny the application. The City Council's decision must include findings that address all the applicable approval standards and/or development standards and any written or oral testimony.
- (D) The City Council's decision is the City's final decision. The decision becomes effective 30 days after the decision is made if there is no emergency clause in the adopting ordinance, unless provided otherwise on the face of the ordinance. ~~Notwithstanding the effective date of an ordinance as specified above, the effective date of annexations must be as prescribed in ORS 222.040, 222.180, or 222.465. Notice of decision is mailed to the applicant, property owner, those persons who submitted written or oral testimony, those who requested notice, and as required by ORS 222 State law and SDC 5.7.150.~~ Where required, the notice of decision must ~~also~~ be mailed to the Department of Land Conservation and Development as specified in ORS 197.615 and by DLCD rule.
- (E) For Comprehensive Plan amendments that require adoption by the City, Eugene and/or Lane County, the City Council decision is final only upon concurrence of the Lane County Commissioners and the City of Eugene City Council, as appropriate.
- (F) The City Council's decision may be appealed within 21 calendar days to the Land Use Board of Appeals as specified in ORS 197.830 and SDC 5.1.800.

*Commentary: Upon further review of this table and its purpose, there are many applications listed that do not strictly follow the procedures for the identified "type" of application. For instance, expedited land divisions do not follow a "standard" type 2 decision. Therefore, the table was amended to be clear that this is a reference guide giving general information only and the requirements in the applicable code sections will always prevail in case of a conflict between the general "type" of review procedure and specific requirements for that application type.*

*The Annexation Type was also changed to "Type 3 or 4" as annexations could be either a quasi-judicial land use decision or a legislative land use decision. The language to describe this is captured in 5.7.100. Finally, to alphabetize the Type of Applications in the chart some types were moved to their proper location.*

### 5.1.1300 DEVELOPMENT ~~AGREEMENTS~~APPLICATION REFERENCE TABLE

#### 5.1.1300 Summary of Development Application Types.

There are four general ~~4~~-types of review procedures provided in this code: Type 1, 2, 3, and 4. Table 5.1.1300 lists the ~~City's development~~ applications subject to this code and their required type(s) of procedure(s). Many applications have special or different application requirements or

review procedures defined in the applicable code sections. Where there is a conflict between the application requirements or review procedures in SDC 5.1 through 5.2 et seq, and the applicable code sections for an application, the review procedures in the applicable code section(s) will prevail.

Type of Application	Decision Type	Applicable <b>SDC-Code</b> Sections
Accessory Dwelling Unit	Type 1 or Type 2	3.2.275
Amendment of Development Code Text	Type 4	5.6.100
Amendment of Refinement Plan Text or Diagram	Type 4	5.6.100
Annexation	Type <u>3 or 4</u>	5.7.100
Appeal of a Type II Director's Decision	Type 3	5.1.800
Appeal of Type III Decision to City Council	Type 4	5.1.800
Appeal of an Expedited Land Division	Type 3	5.12.240
Conceptual Development Plan	Type 3	Applicable Section
Conceptual Development Plan Amendment	Type 3	Applicable Section
Demolition of Historic Landmark	Type 3	3.3.900
Determination of Nonconforming Use Status	Type 1	5.8.100
Development Initiation Meeting	Type 1	5.1.210
Discretionary Use	Type 3	5.9.100
Drinking Water Protection Overlay District Development	Type 1	3.3.200
Duplex and Detached Single-Family Dwelling Design Standards	Type 1	3.2.245
Emergency Medical Hardship	Type 2	5.10.100
Establishment of Historic Landmark Inventory	Type 3	3.3.900
Expansion/Modification of a Non-Conforming Use	Type 2	5.8.100
Expedited Land Division	Type 2	5.12.200
Extraterritorial Extension of Water or Sewer Service	Type 4	3.3.825
Final Site Plan Equivalent	Type 1	5.17.100
Final Site Plan Review/Development Agreement	Type 1	5.17.100
Floodplain Development	Type 1	3.3.400
Hillside Development Overlay District	Type 2	3.3.500
Historic Commission Review—Major Alteration	Type 2	3.3.900
Historic Commission Review—Minor Alterations	Type 1	3.3.900
Home Business	Type 1	4.7.365
HS Hospital Support Overlay District	Type 2	3.3.1100
Interpretation involving policy	Type 4	5.11.100
Interpretation not involving policy	Type 3/no formal review	5.11.100/3.4.260
Land Use Compatibility Statement	Type 1	3.1.100
Major or Minor Replat Tentative Plan	Type 2	5.12.100
Major or Minor Replat Plat	Type 1	5.12.100
Major Variance	Type 3	5.21.100

Type of Application	Decision Type	Applicable <del>SDC</del> Code Sections
Manufactured Dwelling Park	Type 2	4.7.345
<del>Multiple Unit Housing Discretionary Review</del>	<del>Type 2 or Type 3</del>	<del>3.2.385</del>
<del>Multiple Unit Housing Variance</del>	<del>Type 2</del>	<del>3.2.390</del>
Master Plan	Type 3	5.13.100
Master Plan Amendment	Various	5.13.100
Metro Plan Amendment Type 1 (text) or Type 2 (diagram)	Type 4	5.14.100
Middle Housing (Triplex, Fourplex, Cottage Cluster, Townhomes)	Type <del>3</del> <u>1 or Type 2</u>	3.2.250 to 3.2.265
Minimum Development Standards	Type 1	5.15.100
Minor Variance	Type 2	5.21.100
<u>Multiple Unit Housing Discretionary Review</u>	<u>Type 2 or Type 3</u>	<u>3.2.385</u>
<u>Multiple Unit Housing Variance</u>	<u>Type 2</u>	<u>3.2.390</u>
Partition Tentative Plan	Type 2	5.12.100
Pre-Application Report	Type 1	5.1.120
Property Line Adjustment—Single	Type 1	5.16.100
Property Line Adjustment—Serial	Type 2	5.16.100
<del>Site Plan Modification—Minor</del>	<del>Type 4</del>	<del>5.17.100</del>
<del>Site Plan Review Modification—Major</del>	<del>Type 2</del>	<del>5.17.100</del>
<del>Site Plan Review</del>	<del>Type 2</del>	<del>5.17.100</del>
Short Term Rental Type 1	Type 1	
Short Term Rental Type 2	Type 3	
<u>Site Plan Modification—Minor</u>	<u>Type 1</u>	<u>5.17.100</u>
<u>Site Plan Review Modification—Major</u>	<u>Type 2</u>	<u>5.17.100</u>
<u>Site Plan Review</u>	<u>Type 2</u>	<u>5.17.100</u>
Solar Access Protection	Type 2	5.18.100
Subdivision Tentative Plan	Type 2	5.12.100
Tree Felling Permit	Type 2	5.19.100
Vacation of Plats, Public Right-of-Way, or Other Public Property	Type 4	5.20.100
Vacation of Public Easements	Type 2	5.20.100
Willamette Greenway Overlay District Development	Type 3	3.3.300/3.4.280
Wireless Telecommunications Systems Facilities	Type 1, 2, or 3	4.3.145
<del>Land Use District Zoning</del> Map Amendment	Type 3	5.22.100

### 5.7.100 ANNEXATIONS

**Commentary:** *In the definitions section below, the amendments replace the term ‘proposal’ with the term ‘application’. Section (C) was amended to clarify that, the Lane County Metropolitan Wastewater District is not a special district.*

### 5.7.105 Purpose.

- (A) Clearly define the process for the review of applications proposals to annex territory to the City;
- (B) Provide a process for the subsequent withdrawal of territory from special service districts; and
- (C) Provide a process for City approval of annexations to ~~certain special districts, including, but not limited to: the Lane County Metropolitan Wastewater District; and~~ the Willamalane Park and Recreation District.

*Commentary: In the definitions section below, the amendments replace the term 'proposal' with the term 'application'.*

### 5.7.110 Applicability.

- (A) These regulations apply to annexation applications as specified in SDC 5.7.125; and
- (B) Other annexation applications proposals permitted by ORS 222 ~~shall~~ must be processed as provided in ORS 222.

### 5.7.113 Definitions.

*Commentary: Terms that are being added, amended, or removed are shown under this section in legislative format (deleted text with strikethrough red font and new text with double underline red font). Other terms presently defined in 5.7.113 that appear herein, are not intended to be amended and are shown in regular text.*

The following definitions are specific to this section:

*Commentary: Remove the term Affected City as it does not need to be defined here.*

~~**Affected City.** A City, City-County or Cities, named in a petition, for which a boundary change is proposed or a City, City-County or Cities, named in an ordinance or order, for which a boundary change is ordered.~~

*Commentary: Remove the term Affected County as it does not need to be defined here.*

~~**Affected County.** Each county that contains any territory for which a boundary change is proposed or ordered.~~

**Affected District.** Each special district named in a petition that contains or would contain territory for which a boundary change is proposed or ordered. Affected district also means a district or districts, named in a petition, for which a boundary change is proposed or ordered.

**Affected Territory.** Territory described in a petition. Affected territory also means an area within the urban growth boundary of a City that is otherwise eligible for annexation to a City where there exists an actual or alleged danger to public health as defined in ORS 222.

**Annexation.** The attachment or addition of territory to, or inclusion of territory in, an existing City or district.

*Commentary:* The definition was amended to clarify the obligations of the property owner when they sign an annexation agreement. In 2016, Springfield's Urbanization Element of the Springfield Comprehensive Plan replaced the Growth Management Goals, Findings, and Policies Element of the Metro Plan. Therefore, the term 'Metro Plan' no longer applies in this definition.

**Annexation Agreement.** A written agreement between the City and owners of the land requesting annexation that states the terms, conditions and obligations of the parties. The agreement identifies the obligations of the property owner(s) to construct or provide improvements to facilities and/or services to mitigate fiscal ~~and service~~ impacts to the City ~~associated with the annexation and future development of the property~~. The agreement may be used to ensure the annexation is consistent with the Springfield Comprehensive Plan-Metro Plan, including policies that require the provision of an urban level of service.

**Annexation Contract.** A contract between a City and a landowner relating to extraterritorial provision of service and consent to eventual annexation of property of the landowner. The contract shall be recorded and shall be binding on all successors with an interest in that property.

**Boundary Change.** An action by the City Council duly authorized by ORS 222 that results in the adjustment of the city limits or the boundary of a public service district.

*Commentary:* Remove the definition of 'Cadastral Map' as it is redundant here and defined in other areas of SDC 5.7.100.

~~**Cadastral Map.** A map prepared by the Lane County Assessor's office showing bearings and distances and the boundaries of parcels, lots and tracts of land.~~

*Commentary:* This definition was amended to match the amendment made to SDC 3.3.825.

**Consent to Annex.** Statement of agreement to the proposed annexation on petition fForms provided by the ~~affected~~ City ~~that must be included with certain annexation and extraterritorial extension applications~~ which include the signature of the owner of part or all of the affected territory, and electors, if any, as applicable.

**Contiguous.** Territory that abuts the city limits at any point along the property's exterior boundary or separated from the city limits by a public right-of-way or a stream, bay, lake or other body of water.

*Commentary:* Remove the term 'Effective Date of Annexation' as it is addressed below in 5.7.155(A). Therefore, this term is redundant here.



~~**Effective Date of Annexation.** The effective date of the boundary changed as prescribed in ORS 222.040, 222.180 or 222.465.~~

**Elector.** An active registered voter at an address within the affected territory.

*Commentary: Remove the term 'Extraterritorial Connection of Service' as it is mentioned in SDC 3.3.825 Urbanizable Fringe Overlay District – Additional Provisions and SDC 5.1.1300 Summary of Development Application Types.*

~~**Extraterritorial Connection of Service.** The connection of water or sanitary sewer service to developed property located outside the city limits and within the urban growth boundary.~~

*Commentary: Remove this term as it is covered in other sections of the code.*

~~**Extraterritorial Extension of a Facility.** The extension of a water or sanitary sewer line outside the city limits and within the urban growth boundary.~~

*Commentary: Remove this term as it is covered in other sections of the code.*

~~**Extraterritorial Service/Facility Contract.** A contract between the owner of property proposed to be served and the City specifying and identifying service provisions, obligations of the City and cost obligations of the owner of the affected territory. The decision to enter into such a contract shall be initiated at the sole discretion of the City Council.~~

*Commentary: This term is unnecessary to define.*

~~**Filing.** The submittal of materials to initiate a boundary change process.~~

*Commentary: This section is amended to clarify the three main types of annexation applications, those in accordance with ORS 222.125 (or owner consent), a double majority, or triple majority. Initiation Method (D) was moved to SDC 5.7.125(A)(5) Annexation Initiation and Application Submittal and replaced with the phrase that an applicant may initiate an annexation application under any applicable method in ORS chapter 222.*

**Initiation Method of Annexation.** Any of the following ~~descriptions of participants and documentation necessary for commencement of City annexation processes may be used~~ to initiate the annexation:

- (A) Owner consent (ORS 222.125): ~~All~~ of the owners of land in the territory ~~proposed to be annexed~~, and not less than 50 percent of the electors, if any, residing in the territory ~~proposed to be annexed~~, have consented in writing to the annexation and file a statement of their consent to annexation with the City;
- (B) Triple majority (ORS 222.170(1)): ~~More~~ more than half of the owners of land in the territory ~~proposed for annexation~~ who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation and file a statement of their consent to annexation with the City;
- (C) Double majority (ORS 222.170(2)): ~~A~~ majority of the electors registered in the territory proposed to be annexed and owners of more than half of the land in that territory

consent in writing to the annexation and file a statement of their consent to annexation with the City;

~~(D) The City Council may, without any vote or any consent by the owners, annex territory within the urban growth boundary if it is found that a danger to public health exists within that territory and that such condition can be removed or alleviated by sanitary, water or other facilities ordinarily provided by incorporated cities; or~~

~~(D)~~ (E) The City Council may, by resolution, initiate annexation of public right-of-way or other public land contiguous to the city limits.

*Commentary: Remove the definition of 'Legal Description' as it is redundant here and is defined in other areas in SDC 5.7.100.*

~~Legal Description. As defined in ORS 308.225(2).~~

**Notice.** An ordinance, resolution, order or other similar matter providing notice authorized or required to be published, posted or mailed.

**Owner.** The legal owner of record according to the latest available Lane County Tax assessment roll or, where there is an existing recorded land contract that is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land, each consenting owner is counted as a fraction to the same extent as the interest of the other owners and the same fraction is applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in the affected territory, the corporation must be considered the individual owner of that land.

**Petition.** Any document such as signature sheets, resolutions, orders or articles of incorporation, required for initiating an annexation, withdrawal or provision of extraterritorial services. In the case of a petition initiated by property owners, the person signing on behalf of a corporation or business must provide evidence showing that person is authorized to sign legal documents for the firm.

*Commentary: Remove this term as it does not need to be defined and is not in the code.*

~~Proceeding. A proceeding to consider a boundary change.~~

*Commentary: This term does not need to be defined. Remove the term as the amendments replace the term 'proposal' with the term 'application'.*

~~Proposal. The set of documents required to initiate proceedings for a boundary change. Special Service District. Any of the districts identified in ORS 198.~~

*Commentary: Remove this definition as it is included in the amendments to SDC 5.7.160 Withdrawal from Special Service Districts. Note that the 'Special Service District' definition was incorrectly included in the 'Proposal' definition above.*

~~Special Service District. Any of the districts identified in ORS 198.~~

*Commentary:* The term 'Urban Growth Boundary' is covered in the definitions section of SDC 6.1.110. The only difference between this definition and the definition in SDC 6.1.110 is the phrase 'delineated on a map or by written description'. Therefore, remove this definition from the code.

~~Urban Growth Boundary. A site-specific line, delineated on a map or by written description that separates urban and urbanizable land from rural lands that is part of a comprehensive plan.~~

**Withdrawal.** The detachment, disconnection or exclusion of territory from an existing City or district.

*Commentary:* Annexations are either a quasi-judicial land use decision or a legislative land use decision.

*In an effort to simplify the annexation process, the proposed language follows state law and does not require a public hearing for "owner consent annexations". Therefore, this section was amended as follows:*

- Amended section (A)(1) following City Council direction at the work session on September 16, 2024, so that a review process for owner consent annexations does not require a public hearing for territory comprising a single lot or parcel zoned and designated R-1, that is less than 10,000 sq ft, or for territory that is served by a septic system requiring a major repair or replacement unless the City Council elects to hold a public hearing.
- Amended section (A)(1) following City Council direction at the work session on September 16, 2024, to require a hearing for an owner consent annexation that is located in the Hillside Overlay District, Floodplain Overlay District, or includes a Water Quality Limited Watercourse, locally significant riparian area, or locally significant wetland, unless it is a property that is described in (a) or (b).
- Amended section (B) to include a review process for double majority and triple majority annexations pursuant to ORS 222.170(1) and ORS 222.170(2) respectively.

### **5.7.115 Review.**

Annexation applications are reviewed under Type 3 procedures according to SDC 5.1.420 or Type 4 procedure procedures according to SDC 5.1.605, without Planning Commission consideration, and as further specified by this section 5.7.100.

~~**EXCEPTION:** A single lot/parcel adjacent to the city limits and city services and not dividable by Partition or Subdivision may be annexed by the City Council without a public hearing~~

(A) For an owner consent annexation (pursuant to ORS 222.125):

(1) Unless Council determines otherwise, no public hearing is required for:

(a) Territory comprising a single lot or parcel zoned R-1 and designated LDR, that is less than 10,000 sq ft; or

(b) Territory that is served by a failing septic system, as defined by the Oregon Department of Environmental Quality; or

- (c) Territory that is not covered under (a) or (b) above and is not located in the Hillside Overlay District, Floodplain Overlay District and does not include a Water Quality Limited Watercourse, locally significant riparian area, or locally significant wetland.
- (2) The Director will forward to the City Council a written recommendation based on the approval criteria in SDC 5.7.140. The Director may recommend that the Council defer action on the matter until after the Council holds a public hearing.
- (3) The City Council may:
- (i) Approve, modify, or deny the application; or
- (ii) Defer action on the ordinance until after a public hearing is held on the proposed annexation.
- (4) A public hearing is required for all other owner consent annexations. The procedures in SDC 5.7.130 apply to public hearings on owner consent annexations under this section. The Director will forward to the City Council a written recommendation based on the approval criteria in SDC 5.7.140.
- (B) For a double majority (222.170(2)) or triple majority (ORS 222.170(1)) annexation:
- (1) A public hearing is required. The procedures that apply are those in SDC 5.7.130.
- (2) The Director will forward to the City Council a written recommendation based on the approval criteria in SDC 5.7.140.
- (3) Publicly owned rights-of-way may be added to annexations initiated pursuant to ORS 222.170(2) and ORS 222.170(1) without petition consent.

*Commentary: To coincide with the term 'proposal' being replaced with the term 'application' in the annexation code, SDC 5.7.120 is amended to remove the phrase 'filing' and replace with the phrase 'submitting'.*

#### **5.7.120 Development Initiation Meeting.**

The applicant shall schedule a Development Initiation Method prior to ~~filing~~ submitting an annexation application where staff will inform the applicant of the annexation application submittal requirements and procedures specified in this section, unless waived by the Director.

*Commentary: For consistency and clarity this section:*

- Amended the Annexation Initiation Method Requirements for every annexation application, annexations pursuant to owner consent (ORS 222.125), double majority (ORS 222.170(2)), triple majority (ORS 222.170(1)), or through City Council resolution.*

- Amended the Application Requirements for owner consent, double majority, triple majority, or for other ORS annexation requirements. Note that the affected tax lot and street or site addresses for an annexation were moved from the initiation method requirements in (A) to the Application Requirements in (B).
- Removed the reference in 5.7.125(B)(2)(b)(iii) - Publicly owned rights-of-way may be added to double majority or triple majority annexation without petition consent - as it is already covered in 5.7.115 (B)(3) in the first sentence.
- A waiver form referenced in 5.7.125(B)(7) was removed from the application requirements as there is no need to review a Ballot Measure 49 waiver for every annexation. Where necessary, this can be included in an Annexation Agreement.
- A signed Annexation Agreement referenced in 5.7.125(B)(13) was removed from the application requirements. Requiring this to be completed before an application is approved puts the cart before the horse and makes the Director's decision a land use decision within a land use decision.
- Amended 5.7.125(B)(2)-(3) for formatting purposes.

### 5.7.125 Annexation Initiation and Application Submittal.

~~(A) — An annexation application may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided below.~~

~~(B) — In addition to the provisions specified in SDC 5.1.220, an annexation application shall include the following:~~

#### (A) Initiation Method Requirements.

An annexation may be initiated by City Council resolution, or by written consents from electors and/or property owners as provided below.

~~(1) — A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:~~

~~(a) — The affected tax lots, including the township, section and range numbers;~~

~~(b) — The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);~~

~~(c) — A list of all eligible electors registered at an address within the affected territory; and~~

~~(d) — Signed petitions, as may be required~~

(1) Owner consent annexation (ORS 222.125): ~~(2) Written consents on City approved~~ Must include petition forms that are completed and signed by:

~~(a) — Completed and signed, in accordance with ORS 222.125, by:~~

~~(i) All of the owners within the affected territory; and~~



- (ii) ~~n~~Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or

(2) Triple majority annexation (ORS 222.170(1)):

- (b) Completed and signed, in accordance with ORS 222.170, Must include petition forms that are completed and signed by:

- (i) 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 ~~(ORS 222.170(1))~~; or

(3) Double majority annexation (ORS 222.170(2)): Must include petition forms that are completed and signed by:

- (ii) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land (ORS 222.170(2));

- ~~(iii) Publicly owned rights-of-way may be added to annexations initiated by these 2 methods without any consents;~~

~~(3) A City Council resolution to initiate a boundary change, including, but not limited to, publicly owned rights-of-way.~~

(4) Alternative to Petition. In lieu of a petition form described ~~in subsection (B)(2)~~ above, an owner's consent may be indicated on a previously executed Consent to Annex form that has not yet expired as specified in ORS 222.173 or previously executed Annexation ~~Contract Agreement~~ consenting to the annexation of territory.

(5) An applicant may initiate an annexation application under any applicable method in ORS chapter 222.

~~(5) Verification of Property Owners form signed by the Lane County Department of Assessment and Taxation.~~

~~(6) A Certificate of Electors form signed by the Lane County Elections Voter Registration Department.~~

~~(7) An ORS 197.352 waiver form signed by each owner within affected the territory.~~

~~(8) A waiver form signed by each owner within the affected territory as allowed by ORS 222.173.~~

~~(9) A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.~~

- ~~(10) — A Lane County Assessor's Cadastral Map to scale highlighting the affected territory and its relationship to the city limits.~~
- ~~(11) — A list of the districts providing services to the affected territory.~~
- ~~(12) — A public/private utility plan describing how the proposed affected territory can be served by a full/minimum level of key urban facilities and services.~~
- ~~(13) — A signed Annexation Agreement, if required by the Director, to resolve fiscal impacts upon the City caused by the proposed annexation. The Annexation Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.~~
- ~~(14) — A written narrative addressing the proposal's consistency with the approval criteria specified in SDC 5.7.140.~~
- ~~(15) — A fee as established by Council Resolution.~~

**(B) Application Requirements.** In addition to the provisions in SDC 5.7.125(A), an annexation application must include the following:

- (1) For every application:
  - (a) The affected tax lots, including the township, section and range numbers;
  - (b) The street or site addresses within the affected territory as shown in the Lane County Regional Land Information Database system (RLID);
  - (c) A Lane County Assessor's Cadastral Map (a map prepared by the Lane County Assessor's office showing bearings, distances, and the boundaries of parcels, lots and tracts of land) to scale highlighting the affected territory and its relationship to the city limits.
  - (d) A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.
  - (e) A list of the districts providing services to the affected territory.
  - (f) A public/private utility plan describing how the proposed affected territory can be served by a full/minimum level of key urban facilities and services.
  - (g) A written narrative addressing the application's consistency with the approval criteria specified in SDC 5.7.140.
  - (h) A fee as established by Council Resolution.

- (2) For an owner consent (ORS 222.125), double majority (ORS 222.170(2)), and triple majority (ORS 222.170(1)) annexation provide a Verification of Property Owners form signed by the Lane County Department of Assessment and Taxation.
- (3) For an owner consent (ORS 222.125) and double majority (ORS 222.170(2)) annexation provide a Certificate of Electors form signed by the Lane County Elections Voter Registration Department

**Commentary:** *The standards from SDC 5.7.130 were amended to:*

- *Clarify what the notice requirements are for double majority, triple majority, or owner consent annexation when the City Council elects to hold a public hearing.*
- *Change the timing of mailed notice from 14 days to 20 days per ORS 197.797(3)(f)(A) to match the requirements for a quasi-judicial public hearing.*
- *Change the notice contents to match the standards in 5.1.430 for annexations that are often quasi-judicial decisions.*
- *Amended section (A)(1) to notify the applicant, property owners and occupants, and consenting electors in the affected territory.*
- *Amended section (A)(2) following City Council direction at the work session on September 16, 2024, to provide notice of a public hearing to owners and occupants within 100 feet of the perimeter of the affected territory.*

#### **5.7.130 Notice.**

For a double majority (222.170(2)) or triple majority (ORS 222.170(1)) annexation, or an application set for a public hearing as described in SDC 5.7.115 the Nnotice requirements for annexations shall beare as specified below:

- (A)** Mailed Notice. Notice of the public hearing at which an annexation application will be considered must contain the contents listed in 5.1.430 and shall be mailed at least 1420 days prior to the public hearing date to:
  - (1)** The applicant, property owners and occupants, and consenting electors, in the affected territory;
  - (2)** Owners and occupants of properties located within 100 300 feet of the perimeter of the affected territory;
  - (3)** The neighborhood group or community organization officially recognized by the City that includes the affected territory;
  - (4)** Affected special districts and ~~all~~ other public utility providers; and
  - (5)** Lane County Land Management Division, Lane County Elections, and the Lane County Board of Commissioners.
- (B)** Newspaper Notice. Notice of the public hearing at which an annexation application will be considered shall be published in a local newspaper with general circulation once each week for 2 successive weeks prior to the hearing date.

(C) Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in 4 public places in the City for 2 successive weeks prior to the hearing date.

~~(D) Notice Contents. Notice of the public hearing at which an annexation application will be considered shall include:~~

~~(1) The Lane County Tax Assessor's map and tax lot numbers, street addresses or other easily understood geographical references of the affected territory;~~

~~(2) A statement that the Director's recommendation will be available 7 days prior to the public hearing; and~~

~~(3) The date, time and place the City Council will hold a public hearing to consider the annexation application.~~

*Commentary: If SDC 5.7.115 is revised as proposed, then SDC 5.7.135 Recommendation to City Council is addressed there and SDC 5.7.135 is removed.*

#### **~~5.7.135 Recommendation to City Council.~~**

~~The Director shall forward a written recommendation on the annexation application to the City Council based on the approval criteria specified in SDC 5.7.140.~~

*Commentary: The reference to the Springfield Comprehensive Plan and Metro Plan were updated to align with adoption of the Springfield Comprehensive Plan.*

#### **5.7.140 Criteria.**

An annexation application may be approved only if the City Council finds that ~~it 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.

(B) The proposed annexation is consistent with applicable policies in the Metro-Springfield Comprehensive Plan, Metro Plan, and in any applicable refinement plans or Plan Districts;

(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-Springfield Comprehensive Plan, can be provided in an orderly, efficient and timely manner; and

- (D) Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement, a development agreement per section 5.1.1200, a waiver of remonstrance, or other mechanism approved by the City Council.

*Commentary: This section was amended to clarify what is included with the approved Ordinance for annexation and what happens when City Council denies an annexation application/the appeal process.*

#### **5.7.145 City Council Decision.**

City Council approval of annexation applications shall be by Ordinance, including the legal description consistent with ORS 308.225 and map of territory to be annexed. The City Council may deny an annexation application by motion or order adopting findings in support of the denial. An appeal of the City Council decision shall be to the Land Use Board of Appeals.

*Commentary: This section was amended as follows:*

- *As stated above, the reference to the Metro Plan was updated to align with recent amendments related to adoption of the Springfield Comprehensive Plan Map and Land Use Element, which shows all plan designations in Springfield's UGB, including reflecting adopted refinement plan diagrams.*
- *The introductory 'Zoning' paragraph was amended to clarify that often unincorporated land within the urban growth boundary is distinguished from land within the city limits by the Urbanizable Fringe (UF-10) Overlay District or the Agriculture—Urban Holding (AG) District, but not always. There is no UF-10 overlay applied to the recent UGB expansion areas and the Comprehensive Plan Amendments also inadvertently removed the UF-10 from some other areas.*
- *The 'Effective Date of Annexation' definition was moved from SDC 5.7.113 Definitions to SDC 5.7.155(A); therefore, the reference was amended below.*

#### **5.7.150 Zoning.**

Currently, all unincorporated land within the City's urban growth boundary is zoned in compliance with the land use districts listed in this code and is designated in compliance with the Metro-Springfield Comprehensive Plan. Unincorporated land within the urban growth boundary is often distinguished from land within the city limits by the addition of the Urbanizable Fringe (UF-10) Overlay District established in SDC 3.3.800 or the Agriculture—Urban Holding Area (AG) District established in SDC 3.2.900. Upon approval of the annexation by the City Council:

- (A) The-Where the UF-10 Overlay District designation shall applied prior to annexation, the overlay will cease to apply automatically; and
- (B) The-Except for removal of the UF-10 Overlay District, the current zoning shall will apply, unless a zoning map amendment has been submitted and approved by the City concurrently with the annexation.



- (C) The Director will not deem complete an application ~~complete~~ for a zoning map amendment until the annexation has been approved by the City Council and becomes effective, as that term is described in SDC 5.7. ~~155 413~~.

*Commentary: The Effective Date and Notice of Approved Annexation section was amended to clarify the notice and exhibit requirements for the various agencies that receive notice. The Federal Emergency Management Agency (FEMA) was also added to the list of agencies that should receive the notice of approved annexation.*

*The language for the effective date of annexation after more than one year was amended as the Charter provides that the Mayor can disapprove an Ordinance after passage by the Council, which sends the ordinance back to the Council for a second vote. This language comes from ORS 222.183 which states "If the effective date of an annexation is more than one year after the date of a proclamation of annexation...." Proclamation of the annexation occurs when the ordinance is adopted per the charter - so it could be a different date than Council passage if the Mayor initially disapproves the ordinance.*

*Amended 5.7.155(B)(1)(b) to remove the reference that notice of an approved annexation must be mailed to owners and electors in the affected territory as there is no such requirement in ORS chapter 222.*

#### **5.7.155 Effective Date and Notice of Approved Annexation.**

- (A) The effective date of an approved annexation ~~shall be set in accordance with is~~ according to ORS 222.040, 222.180 or 222.465.
- (B) Notice of Approved Annexation.
- (1) Not later than 10 working days after the passage of an Ordinance approving an annexation, the Director ~~shall~~will:
- (a) Send by certified mail a notice to public utilities (as defined in ORS 757.005), electric cooperatives and telecommunications carriers (as defined in ORS 133.721) operating within the City; ~~and~~ The notice will include:
- (i) Each site address to be annexed as recorded on Lane County assessment and taxation rolls or found in RLID; and
- (ii) A complete copy of the Ordinance approving the annexation including exhibits.
- (b) ~~Send Mail a~~ notice of the annexation to the Federal Emergency Management Agency, Oregon Secretary of State, Oregon Department of Revenue, Lane County Clerk, Lane County Assessor, and affected districts, ~~and owners and electors in the affected territory~~. The notice ~~shall~~ will include:

~~(i) — A complete copy of the Ordinance approving the annexation including exhibits;~~

~~(ii) — A legal description and map of the annexed territory;~~

~~(iii) — The findings, and~~

~~(iv) — Each site address to be annexed as recorded on Lane County assessment and taxation rolls or found in RLID;~~

~~(e)~~ The notice to the Secretary of State will also include copies of the petitions signed by electors and/or owners of the affected territory as required in SDC 5.7.125.

- (2) If the effective date of an annexation is more than ~~4~~one year after ~~the City Council passes the Ordinance approving its~~adoption of the Ordinance approving the annexation, the Director ~~shall~~will mail a notice of the annexation to the Lane County Clerk not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.

*Commentary: Most annexations include withdrawal from a special service district such as rural fire protection district or a water district that are subject to the public hearing requirements in ORS 222.520. Withdrawals can be done concurrently with an annexation that is adopted after a public hearing, or any time after the annexation under the process in ORS 222.524. The withdrawal has notice requirements similar to annexation public hearings for newspaper notice and posted notice. This section of code has been simplified and clarified to distinguish the types of withdrawals from special service district options, to clarify the review procedures that apply to withdrawal of territory from special districts, and to provide public hearing notice requirements.*

#### 5.7.160 Withdrawal from Special Service Districts.

(A) ~~A special service district is any of the districts identified in ORS 198. The Director will recommend to the City Council for consideration the withdrawal of annexed territory from special districts as specified in ORS chapter 222.~~ Withdrawal from special districts may occur ~~concurrently with:~~

(1) ~~the approved annexation ordinance~~ Concurrently with the annexation of territory to the City, subject to Type 3 or Type 4 review procedures applicable to the annexation application including a public hearing as specified in ORS 222.520; or

(2) At any time after the effective date of the annexation of territory to the City, following a public hearing as specified in ORS 222.524 and subsection (B) below.

~~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.~~

(B) Territory may be withdrawn from a special district at any time after annexation to the City, subject to Type 4 review procedures and the following public hearing requirements. Withdrawal from special districts processed separate from an ~~the process annexing~~

~~annexation the territory to the City~~ requires a Public Hearing with notice as required ~~below~~ in SDC 5.7.130.

- ~~(1) Notice of the public hearing at which an annexation application will be considered must be published in a local newspaper with general circulation once each week for two successive weeks prior to the hearing date.~~
  - ~~(2) Notice of the public hearing at which an annexation application will be considered must be posted in four public places in the City for two successive weeks prior to the hearing date.~~
- (C) **Criteria.** In determining whether to withdraw the territory, the City Council ~~shall~~ must determine whether the withdrawal is in the best interest of the City.
- (D) **Effective Date.** The effective date of the withdrawal ~~shall be~~ is as specified in ORS 222.465.
- (E) **Notice of Withdrawal.** Notice will be provided in the same manner as specified in SDC 5.7.15~~50~~.

*Commentary: Appeals are part of the review process. Therefore, the standards in this section were moved to 5.7.145 Review to clarify and simplify the code.*

#### **~~5.7.165 Appeals.~~**

~~Appeals of the City Council decision shall be to the Land Use Board of Appeals, as specified in SDC 5.1.800.~~

## STAFF REPORT

### TYPE 4 – LEGISLATIVE AMENDMENTS TO THE SPRINGFIELD DEVELOPMENT CODE

**CASE NUMBER:** 811-24-000026-TYP4  
**HEARING DATE:** October 21, 2024  
**REPORT DATE:** October 17, 2024  
**PROJECT NAME:** Springfield Development Code Amendments: Annexations  
**AFFECTED AREA:** All properties outside the city limits and within the City of Springfield Urban Growth Boundary

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#### I. NATURE OF THE REQUEST

This project is a continuation of work related to a larger Springfield Development Code Update project that has been ongoing since 2018 involving a phased plan to update the entire Development Code. This project is part of Phase 3 of the Development Code Update which includes sections that were not updated in Phase 1 (Housing) or Phase 2 (Employment Lands). This project amends the Annexations section of the Development Code in an effort to enable efficient, timely review that aligns with state law.

#### II. BACKGROUND

The annexation section of the Springfield Development Code (SDC) is changing to:

- **Provide clarity for the public to prepare applications.** The code amendments restructure SDC 5.7.125 ‘Initiation Method Requirements and Application Requirements’ so that an applicant may easily determine what documents must be submitted for the various application types (annexation in accordance with owner consent (ORS 222.125), triple majority (ORS 222.170(1)), or double majority (ORS 222.170(2))).
- **Improve efficiency and timeliness for staff and officials to process applications and make a decision.** The code amendments to SDC 5.7.115 add a review process that does not require a public hearing for annexations processed using the owner consent provisions (ORS 222.125).
  - Currently, a City Council public hearing is required with one narrow exception: “a single lot/parcel adjacent to the city limits and city services and not dividable by Partition or Subdivision.”
  - Previous phases of the Development Code Update project reduced minimum lot sizes and allowed “middle housing” land divisions. The clause “not dividable by Partition or Subdivision” is now less applicable because much smaller properties are now dividable. State law does not require a public hearing for owner consent annexations. Changing Springfield’s process as allowed under state law would reduce staff time and costs to process certain annexations that are initiated by owner consent.
- **Remove some definitions from SDC 5.7.113.** Several terms are unnecessary to define or are redundant (i.e., defined in other areas of the Code). Therefore, several terms were removed.
- **Clarify the review process for Annexations.** The amendments moved the Recommendation to City Council (SDC 5.7.135) and Appeals (SDC 5.7.165) standards to the Review process standards section in SDC 5.7.115.

**The project objectives are to:**

- 1) Provide easy to understand code language presented in a clear and user-friendly format.
- 2) Provide a straightforward initiation and review path for annexations.
- 3) Enable efficient review of annexation applications, which includes a discussion on whether to continue to allow or expand instances when annexation would not require a public hearing.

### **III. SITE INFORMATION**

The amendments are not site-specific; they apply to a large area and a large number of properties. Affected properties are those within the City of Springfield's Urban Growth Boundary (UGB) but outside the city limits. Annexation occurs when the property owner(s) and in some cases, the electors residing within the proposed annexation area, request to be included within the city limits. The proposed annexation must be contiguous to the city limits and result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as defined in SDC 5.7.100.

### **IV. PROCEDURAL REQUIREMENTS AND CITIZEN INVOLVEMENT**

Under SDC 5.6.110, legislative amendments of the Development Code text are reviewed under a Type 4 procedure. Type 4 procedures, as defined in SDC 5.1.600, require a review and recommendation by the Planning Commission and adoption of ordinance by City Council.

The Development and Public Works Director initiated these development code amendments as is allowed under SDC 5.6.105(B). The Springfield Planning Commission held a public hearing for the purpose of developing its recommendation to the Springfield City Council on August 6, 2024. The City Council held a public hearing prior to adopting changes to the regulations for annexation. Lane County has determined that the proposed code amendments will not require county co-adoption under the terms of the City of Springfield and Lane County Urban Transition Agreement.

In accordance with the City of Springfield Citizen Involvement Program, the Committee for Citizen Involvement (CCI) reviewed and approved a Community Involvement Strategy for this proposal on January 3, 2024. Per this strategy, the City has completed the following:

- In January 2024, created a project page on Springfield Oregon Speaks with links to the Development Code Updates webpage on the City of Springfield website. The webpages provided opportunities for the public to view key messages or relevant resources and provide input.
- Mailed notice of the proposed amendments, public workshops, and Planning Commission Hearing on June 20, 2024, to property owners inside the urban growth boundary, but outside the city limits, and within 300 feet of city wastewater per the Citizen Involvement Strategy.
- As required by SDC 5.1.615(E), provided agency referrals to the Development Review Committee regarding the proposed amendments via email on August 1, 2024.
- Submitted notice of the proposed amendments to the Department of Land Conservation and Development (DLCD) on July 2, 2024, 35 days in advance of the first evidentiary hearing as required by ORS 197.610(1) and OAR 660-018-0020.
- Held two public workshops to request feedback and convey the main points of the project to the public on July 17 and July 18, 2024.



- Published notice of the proposed amendments in *The Chronicle* on July 17, 2024 and September 26, 2024 as required by SDC 5.1.615.
- Posted notice of the proposed amendments and the dates of the public hearings on the City of Springfield website and in Springfield City Hall which routinely posts public hearing notices.

Written comments received through Springfield Oregon Speaks and via email are included in Attachment 5 – Public Comments.

For this request, the Springfield Planning Commission made a recommendation to the Springfield City Council. Decisions of the Springfield City Council may be appealed to the Oregon Land Use Board of Appeals within 21 calendar days of the date the decision becomes final as specified in ORS 197.830 (SDC 5.1.630(F)).

## V. APPROVAL CRITERIA & FINDINGS

The request is subject to approval criteria in SDC 5.6.115, which covers adoption or amendment of refinement plans, plan districts and the development code. The following approval criteria are listed under SDC 5.6.115:

**(A)** *In reaching a decision on the adoption or amendment of refinement plans and this code's text, the City Council shall adopt findings that demonstrate conformance to the following:*

- (1)** *The Metro Plan and Springfield Comprehensive Plan;*
- (2)** *Applicable State statutes; and*
- (3)** *Applicable State-wide Planning Goals and Administrative Rules.*

**(B)** *Applications specified in SDC 5.6.105 may require co-adoption by the Lane County Board of Commissioners.*

Findings showing that the proposed amendments to the development code meet the applicable criteria of approval appear in regular text below. Direct citations or summaries of criteria appear in ***bold italics*** and precede or are contained within the relevant findings.

### ***Conformance with the Metro Plan and Springfield Comprehensive Plan***

The adopted Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and Springfield Comprehensive Plan are the acknowledged long-range plans that provide the broad framework for land use planning within the City of Springfield's UGB. The Springfield Comprehensive Plan contains topics or "elements." Each element contains goals and policies that will guide Springfield's growth and development through the planning period.

The *Springfield Comprehensive Plan Urbanization Element* is the chapter of the Springfield Comprehensive Plan that guides future development in Springfield by describing how and where land will be developed and infrastructure provided to meet long term growth needs while maintaining and improving community livability. The Springfield Comprehensive Plan – Urbanization Element replaces the applicable sections of the Metro Plan pertaining to urbanizable lands.

The policies and implementation strategies in the Urbanization Element ensure that urban facilities and services directly related to the efficient transition of land from urbanizable to urban pursuant to Statewide Planning Goal 14 Urbanization<sup>1</sup> are provided in a timely, orderly, and efficient manner to serve planned land uses within Springfield’s UGB and the metropolitan area. The Springfield Comprehensive Plan Urbanization Element retains the long-standing Metro area urbanization policy criteria for approving annexations (see Policy 30 response below). The Urbanization Element has also been acknowledged by the Land Conservation and Development Commission (LCDC).

The Annexations code amendments are consistent with the following Springfield Comprehensive Plan policies:

***Springfield Comprehensive Plan: Urbanization Element***

***Policy 1 – Urbanizable lands within the 2030 UGB shall be converted to urban uses as shown in the Springfield Comprehensive Plan Map and as more particularly described in neighborhood refinement plans, other applicable area-specific plans, and the policies of this Plan.***

Finding 1: This policy requires the City of Springfield to have land use regulations that allow for the conversion of urbanizable lands to urban uses. Annexation is part of that process. The Springfield Comprehensive Plan amends the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) through adoption of ordinances since 2011. The Springfield Comprehensive Plan includes the following elements: Land Use, Economic, Residential Land Use & Housing, Recreation, Transportation, and Urbanization. In December 2016, Springfield adopted the Urbanization Element in compliance with Statewide Planning Goal 14, Urbanization.

Finding 2: When an annexation application is submitted to the City, staff review the property for compliance with the Springfield Zoning Map and Springfield Comprehensive Plan (which became effective March 1, 2024, replacing the Metro Plan Diagram within the Springfield UGB). The staff report outlines how the minimum level of key urban facilities and services as required in the Springfield Comprehensive Plan – Urbanization Element policies, any neighborhood refinement plans, or other applicable area-specific plans, can be served. The code amendments are consistent with this adopted policy.

***Policy 30 – Unincorporated land within the Springfield UGB may be developed with permitted uses at maximum density only upon annexation to the City when it is found that key urban facilities and services can be provided to the area to be annexed in an orderly and efficient manner. Provision of these services to the area proposed for annexation is consistent with the timing and location for such extension, where applicable, in the City’s infrastructure plans – such as the Public Facilities and Services Plan; the Springfield Transportation System Plan; the City’s Capital Improvement Program; and the urbanization goals, policies and implementation strategies of this Element – or a logical time within which to deliver these services has been determined, based upon demonstrated need and budgetary priorities.***

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<sup>1</sup> Goal 14. Urbanization – To provide for an orderly and efficient transition from rural to urban land use, to accommodate population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

***Policy 31 – For the purposes of land use planning and annexation approval, the Springfield Comprehensive Plan defines key urban facilities and services as: wastewater service; stormwater service; transportation; solid waste management; water service; fire and emergency medical services; police protection; citywide park and recreation programs; electric service; land use controls; communication facilities; and public schools on a district-wide basis.***

Finding 3: Several factors must be met for an annexation to meet the criteria of approval in SDC 5.7.140. The first (A), is that any annexing property must meet the contiguity requirements for the purpose of advancing an annexation request<sup>2</sup>. An amendment to the approval criterion (B) adds the “Springfield Comprehensive Plan” as one of the documents that includes policies that govern annexation. The amendment to approval criterion (C) recognizes that the key urban facilities and services are defined in the Springfield Comprehensive Plan as per Policies 30 and 31.

Finding 4: SDC 5.7.125 Application Initiation and Application Submittal requires an annexation application include a “public/private utility plan describing how the proposed affected territory can be served by a full/minimum level of key urban facilities and services.” These required plans describe what is known regarding facility providers, existing facilities, and anticipated service extension(s) and is addressed at the time of application submittal. At that time, staff will determine whether or not urban service delivery systems are already available and in place to the annexing property or if it can be logically extended from points nearby to the serve the subject property. The code amendments are consistent with these adopted policies.

***Policy 34 – When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by one of the following methods in this priority order:***  
***(a) Annexation to City; or***  
***(b) Contractual annexation agreements with City***

Finding 5: Annexation is the process by which properties outside city limits become incorporated into the city and thus can receive urban services. Annexation is the first priority when unincorporated territory within the UGB is requesting to be served with a new urban service and the proposed code as amended still requires annexation prior to urban development in most cases. There are instances when a homeowner has failing septic system in which it is advantageous to allow for connection to sanitary sewer prior to annexation to prevent an environmental issue and continued occupancy of the home. In this case, providing new urban service is through an Annexation Contract when the urban service would be provided prior to annexation. The changes to SDC 3.3.825 ultimately require annexation through an annexation contract when connecting to city services. Thus, the code amendments are consistent with this adopted policy.

***Policy 35 – The City shall not extend water or wastewater service outside city limits to serve a residence or business without first obtaining a valid annexation petition, a consent to annex agreement, or when a health hazard abatement annexation is required.***

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<sup>2</sup> Per ORS 222.111 the affected territory proposed to be annexed must be within the City’s urban growth boundary and contiguous to the city limits or separated from the City only by a public right-of-way or a stream, lake or other body of water.

Finding 6: The code amendments add an option in SDC 3.3.825 for owners of a developed property to connect to city water or sanitary sewer prior to annexation if there is an annexation contract, which was not previously provided as an option under the code. The code amendments are consistent with this adopted policy.

### ***Conformance with Applicable State Statutes***

Finding 7: ORS 197.610 requires local jurisdictions to submit proposed comprehensive plan or land use regulation changes to the Department of Land Conservation and Development (DLCD). Notice of the proposed amendments to the Springfield Development Code was provided to DLCD 35 days in advance of the Planning Commission public hearing in compliance with ORS 197.610 and ORS 197.620(3). Therefore, the amendments are consistent with the state statute.

Finding 8: The last time the Springfield Development Code amended 5.7.100 Annexations, was to create SDC 5.7.100 following the abolishment of the Lane County Local Government Boundary Commission (Boundary Commission) in 2007. At that time, the legislature shifted the responsibility of processing annexation applications to the City of Springfield City Council while annexation to districts, district creation, and district dissolution became the purview of Lane County.

Finding 9: ORS 222 establishes the jurisdiction of cities to regulate and approve annexation of territory. Annexations are either a quasi-judicial decision, per ORS 197.797, or a legislative decision.<sup>3</sup> Several sections of the code are changing to clarify the application and initiation types and to improve efficiency and timeliness for staff and officials to process applications and make a decision.

- SDC 5.7.113 Definitions was amended to simplify and clarify the main types of Initiation Method of Annexation: an owner-consent initiated annexation per ORS 222.125, a triple majority annexation per ORS 222.170(1), and a double majority annexation per ORS 222.170(2). The City Council may, also by resolution, initiate annexation of public rights-of-way or other public land contiguous to the city limits. The language in the definitions section matches the language in the ORS.
- In an effort to simplify the annexation process, the language in SDC 5.7.115 Review was amended to allow some owner-consent initiated annexations<sup>4</sup> without a public hearing. ORS 222.125 does not require an owner-consent initiated annexation to include a public

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<sup>3</sup> Annexations to the City of Springfield are controlled by the Springfield Comprehensive Plan and Metro Plan and are subject to Oregon land use law. There are two kinds of land use public hearings: quasi-judicial hearings and legislative hearings. The type of hearing required is determined under state law by evaluating the factors listed by the Oregon Supreme Court in *Strawberry Hill 4 Wheelers v. Board of Comm'rs*, 287 Or 591 (1979):

- (1) Is the process bound to result in a decision?
- (2) Is the decision bound to apply preexisting criteria to concrete facts?
- (3) Is the action directed at a closely circumscribed factual situation or a relatively small number of persons?

If an annexation proposal is quasi-judicial, then the conduct of that hearing is outlined in ORS 197.797. The proposed amendments better clarify that annexations may be quasi-judicial or legislative depending upon the particular proposal, and better identify the public hearing requirements for said decisions to comply with state law.

<sup>4</sup> The definition of owner-consent initiated annexation: All of the owners of land in the territory and not less than 50 percent of the electors, if any, residing in the territory have consented in writing to the annexation and file a statement of their consent to annexation with the City.

hearing. The code amendments provide an owner-consent initiated annexation process for some applications that eliminates the need for a public hearing unless City Council defers action until after a public hearing is held.

- The timing of mailed notice was changed from 14 days to 20 days per ORS 197.797(3)(f)(A) for quasi-judicial public hearings. Following City Council direction at the work session on September 16, 2024, SDC 5.7.130 was amended to provide notice of a public hearing to owners and occupants within 100 feet of the perimeter of the affected territory in compliance with ORS 197.797(2). For legislative annexation decisions, a Type 4 annexation application as noted in SDC 5.1.630(D) continues to require “notice of decision be mailed to the applicant, property owner, those persons who submitted written or oral testimony, those who requested notice, and as required by ORS 222 State law and SDC 5.7.150.”

Finding 10: Other sections of the code are changing for clarity.

- The SDC 5.7.155 Effective Date and Notice of Approved Annexation was amended to clarify the language for the effective date of annexation after more than one year as the Charter provides that the Mayor can disapprove an Ordinance after passage by the Council, which sends the ordinance back to the Council for a second vote. This language comes from ORS 222.183 which states “If the effective date of an annexation is more than one year after the date of a proclamation of annexation....” Proclamation of the annexation occurs when the ordinance is adopted per the charter – so it can be a different date than Council passage if the Mayor initially disapproves the ordinance.
- Many annexations include withdrawal from a special service district such as rural fire protection district or a water district that are subject to the public hearing requirements in ORS 222.520. Withdrawals can be done concurrently with an annexation that is adopted after a public hearing, *or* any time after the annexation under the process in ORS 222.524. The withdrawal has notice requirements similar to annexation public hearings for newspaper notice and posted notice. SDC 5.7.160 Withdrawal from Special Service Districts has been simplified and clarified to distinguish the types of withdrawals from special service district options, to clarify the review procedures that apply to withdrawal of territory from special districts, and to provide public hearing notice requirements.

**CONCLUSION:** Based on the findings above, the code amendments are consistent with applicable state statutes.

### ***Conformance with Applicable State-wide Planning Goals and Administrative Rules***

***Statewide Planning Goal 1 – Citizen Involvement. To develop a citizen involvement program that provides the opportunity for citizens to be involved in all phases of the planning process.***

Finding 11: Requirements under Goal 1 are met by adherence to the citizen involvement process required by the Metro Plan and Springfield’s Program for Citizen Involvement. As detailed above, a public outreach process occurred during the development code amendment process as per the Community Involvement Strategy which was approved by the Committee for Citizen Involvement. The amendments are subject to the Type 4 legislative procedure, which



requires public notification and public hearings before the Planning Commission and City Council. The procedure has been established by the City and determined to be consistent with the City's acknowledged Citizen Involvement Program and Statewide Planning Goal 1. The project page on Springfield Oregon Speaks, the public workshops, and the public hearing notice and hearings before the Planning Commission and City Council are recognized as opportunities for citizen participation.

**Finding 12:** The City Council has some discretion in determining when an owner-consent initiated annexation would require a public hearing. Public hearings require staff time and expense to post, publish, and mail the required public notice. Property owners are required to pay a fee to cover the average cost of a public notice, so they are also impacted by the additional cost. Holding public hearings allow for public comment, but not all public comments are relevant to the approval criteria as noted throughout this Staff Report, and therefore may not affect the outcome of annexation approval. Thus, the goal of these amendments is to enable efficient, timely development review to support Springfield's economic development priorities while honoring Springfield's hometown feel now and in the future.

Therefore, the amendments are in compliance with Goal 1.

***Statewide Planning Goal 2 – Land Use Planning. To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.***

**Finding 13:** This goal outlines the land use planning process and policy framework. Per Goal 2 (OAR 660-015-0000(2): "All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan."

**Finding 14:** The Metro Plan, Springfield Comprehensive Plan, and Springfield Development Code have been acknowledged by DLCD as being consistent with the Statewide Planning Goals. The City has followed the land use planning process and policy framework established in the City's acknowledged comprehensive plan elements and Springfield Development Code as a basis for all decision and actions related to the use of land and to assure an adequate basis for such decisions and actions. The Annexations code amendments will be adopted by the City Council after a public hearing. Public comments from residents outside City limits indicated that approval of an annexation should occur by a body that includes a resident from outside City limits, within the urban growth boundary, because the annexation decision may affect those residing outside City limits. ORS chapter 222 requires the "City legislative body" to proclaim an annexation by Ordinance or Resolution. Per the Springfield Charter, the Springfield City Council is the legislative body for the City of Springfield. The makeup of the City Council is determined by the Springfield Charter. Charter amendments require citywide voter approval per Section 2 of Article 11, of the Oregon Constitution. The code amendment process has provided opportunities for review and comment by citizens and the local government.

Therefore, the amendments are in compliance with Goal 2.

***Statewide Planning Goal 3 – Agricultural Lands. To preserve agricultural lands.***

Finding 15: The amendments are for property located within the urban growth boundary of Springfield and do not affect any land designated for agricultural use. Therefore, Goal 3 does not apply.

**Statewide Planning Goal 4 – Forest Lands. To conserve forest lands.**

Finding 16: The amendments are for property located within the urban growth boundary of Springfield and do not affect any land designated for forest use. Therefore, Goal 4 does not apply.

**Statewide Planning Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources. To conserve open space and protect natural and scenic resources.**

Finding 17: The Springfield Development Code is currently acknowledged to be in compliance with Statewide Planning Goal 5. Pursuant to OAR 660-023-0250(3) local governments are not required to apply Goal 5 in consideration of an amendment unless the amendment affects a Goal 5 resource. The amendment would only affect the resource if it: creates or amends a resource list or portion of an acknowledged plan that protects or addresses specific requirements of a Goal 5; allows new uses that could conflict with a Goal 5 resource; or the amendment affects an acknowledged UGB and information is submitted demonstrating that a resource site is included in the amended UGB area.

Finding 18: The amendments do not create or amend the City's list of Goal 5 resources, do not allow new uses that could conflict with a Goal 5 resource, and do not amend the acknowledged UGB. The code amendments take into consideration that certain areas and districts could affect how a property is served by water, sewer, storm water drainage or streets by requiring a public hearing for owner-consent initiated annexations when the territory is includes a locally significant riparian area or locally significant wetland which are Goal 5 resources. (No public hearing is required for owner-consent initiated annexations if the proposal comprises a single lot or parcel zoned R-1 and designated LDR that is less than 10,000 square feet or is for territory that is served by a failing septic system, as defined by the Oregon Department of Environmental Quality.)

Therefore, the amendments are in compliance with Goal 5.

**Statewide Planning Goal 6 – Air, Water and Land Resources Quality. To maintain and improve the quality of the air, water and land resources of the state.**

Finding 19: Goal 6 addresses waste and discharges from development and is aimed at protecting air, water and land from impacts from those discharges. This goal requires local comprehensive plans to consider all waste and process discharges from urban and rural residential use and their carrying capacity. The amendments do not have an impact on Goal 6 and do not authorize any new development or increase intensity of development in a way that threatens to violate state or federal regulations.

Finding 20: The code amendments require a public hearing for owner-consent initiated annexations when the territory includes a Water Quality Limited Watercourse, unless the proposal comprises a single lot or parcel zoned R-1 and designated LDR that is less than 10,000 square feet or is for territory that is served by a failing septic system. As such, the public may raise relevant issues around protection of water quality during the annexation process.

The amendments are in compliance with Goal 6.

***Statewide Planning Goal 7 – Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.***

Finding 21: Goal 7 requires local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The Goal prohibits development in natural hazard areas without appropriate safeguards. The Springfield Development Code is acknowledged to be in compliance with Goal 7. The amendments do not have an impact on Goal 7 as they do not alter the City's acknowledged land use programs regarding landslide areas (SDC 3.3.500, Hillside Development Overlay District) or flood protection (SDC 3.3.400, Floodplain Overlay District).

Finding 22: The code amendments require a public hearing for owner-consent initiated annexations owner-consent initiated annexations when the territory is in the Hillside Overlay District or the Floodplain Overlay District, unless the proposal comprises a single lot or parcel zoned R-1 and designated LDR that is less than 10,000 square feet or is for territory that is served by a failing septic system. As such, the public may raise relevant issues around natural hazards during the annexation process.

Therefore, the amendments are in compliance with Goal 7.

***Statewide Planning Goal 8 – Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.***

Finding 23: Recreational services within Springfield are the responsibility of the Willamalane Park & Recreation District. These amendments will not change the existing process that is established in the intergovernmental agreement authorized by Resolution No. 08-20 whereby a property is automatically added to the Willamalane Park & Recreation District at the same time the property is annexed to the City (if the property is not already within the District). Willamalane has an adopted 20-Year Comprehensive Plan for the provision of park, open space and recreation services for Springfield based on existing and projected populations. These amendments have no influence on population projects as they do not change permitted density within residential plan designations, nor do they influence the ability of the park district to acquire land for parks.

Therefore, the amendments are in compliance with Goal 8.

***Statewide Planning Goal 9 – Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health welfare, and prosperity of Oregon's citizens.***

**Finding 24:** Goal 9 requires the City to “provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies.” The City’s adopted Economic Opportunities Analysis and Commercial Industrial Buildable Lands Inventory is acknowledged to comply with Goal 9.

**Finding 25:** The unincorporated land within the Springfield UGB is urbanizable and is considered part of Springfield’s land base for housing and employment as identified in the buildable lands inventories. It is assumed that buildable lands will eventually be included in the City’s incorporated areas and developed to accommodate designated urban uses and densities.

**Finding 26:** The amendments do not render any property unusable for commercial or industrial uses and will enable service extensions to be provided to these sites consistent with the economic development policies contained in the Economic Opportunities Analysis and Commercial Industrial Buildable Lands Inventory.

Therefore, the amendments are consistent with Goal 9.

**Statewide Planning Goal 10 – Housing. To provide for the housing needs of citizens of the state.**

**Finding 27:** Goal 10 requires jurisdictions inventory buildable lands for residential use and develop plans that encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which meet the financial capabilities of Oregon households and allow for flexibility of housing location type and density. The City of Springfield completed a Housing Needs Analysis and Buildable Lands Inventory in 2011. This document serves as the City’s compliance document under Goal 10 and provides the basis for the City’s determination that Springfield’s UGB has sufficient buildable land to meet the identified housing needs during the 20-year planning period.

**Finding 28:** The policies of the Springfield Comprehensive Plan – Residential Land Use and Housing Element are intended to refine, update, and support (as opposed to replace) the goals, objectives and policies of the Metro Plan’s Residential Land Use and Housing Element. Consistent with the Metro Plan policies A.4<sup>5</sup> and A.8<sup>6</sup> and the Urbanization Element of the Springfield Comprehensive Plan policy 30<sup>7</sup>, these amendments will facilitate provision of housing

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<sup>5</sup> A.4 – Use annexation, provision of adequate public facilities and services, rezoning, redevelopment, and infill to meet the 20-year projected housing demand.

<sup>6</sup> A.8 – Require development to pay the cost, as determined by the local jurisdiction, of extending public services and infrastructure. The cities shall examine ways to provide subsidies or incentives for providing infrastructure that support affordable housing and/or higher density housing.

<sup>7</sup> Policy 30 – Unincorporated land within the Springfield UGB may be developed with permitted uses at maximum density only upon annexation to the City when it is found that key urban facilities and services can be provided to the area to be annexed in an orderly and efficient manner. Provision of these services to the area proposed for annexation is consistent with the timing and location for such extension, where applicable, in the City’s infrastructure plans — such as the Public Facilities and Services Plan; the Springfield Transportation System Plan; the City’s Capital Improvement Program; and the urbanization goals, policies and implementation strategies of this Element — or a logical time within which to deliver these services has been determined, based upon demonstrated need and budgetary priorities.

by allowing unserved land to annex to the City and receive necessary services to enable urban density development.

Thus, the amendments are consistent with Goal 10.

**Statewide Planning Goal 11 – Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

Finding 29: Goal 11 requires the City to plan and develop an efficient arrangement of public facilities and services to serve urban and rural development. Pursuant to OAR 660-011-0020(2) a public facility plan must identify significant public facility projects which support the land uses designated in the comprehensive plan. The Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) and the Springfield 2035 Transportation System Plan (TSP) are the City's acknowledged public facilities and transportation plans that inform infrastructure investments (i.e., water, stormwater, wastewater, electricity, and transportation). The TSP is addressed under Goal 12 below. There are no changes to the PFSP in conjunction with these amendments, and the text amendments are otherwise consistent with Goal 11 as explained below.

Finding 30: As discussed above and throughout, the policy direction for urbanization and annexation is based on the need to plan for the orderly and efficient extension of public facilities and services. The annexation code amendments are not expected to result in an overburdening of public facilities and services and new public facilities and services will be designed to serve anticipated development. The amendments do not result in a need to adjust or amend existing policies or projects in the City's adopted facility plans.

Therefore, compliance with Goal 11 is maintained for the annexation code amendments.

**Statewide Planning Goal 12 – Transportation. To provide and encourage a safe, convenient and economic transportation system.**

Finding 31: The Transportation Planning Rule (TPR), at OAR 660-012-0060, requires the City to adopt mitigation measures whenever "an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility." An amendment causes a significant effect under the TPR when it changes the functional classification of an existing or planned transportation facility, changes the standards for implementing the functional classification system, or meets any of the standards in OAR 660-012-0060(1)(A) - (C) regarding degradation of the performance of an existing or planned transportation facility.

Finding 32: A land use regulation amendment "significantly affects" transportation under Subsection 1(a) if it "Change[s] the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan)." The amendments do not change any functional classification under OAR 66-012-0060(1)(a).

Finding 33: A land use regulation amendment "significantly affects" transportation under Subsection 1(b) if it "Change[s] standards implementing a functional classification system." The



amendments do not change the City's standards for implementing its functional classification system under OAR 66-012-0060(1)(b).

Finding 34: Under Subsection (1)(c), a land use regulation amendment "significantly affects" transportation if it results in (A) types or levels of travel or access inconsistent with the functional classification of a transportation facility; (B) degrades the performance of a transportation facility such that it would not meet performance standards identified in the TSP or comprehensive plan; or (C) degrades the performance of a transportation facility that is otherwise projected to not meet the performance standards in the TSP or comprehensive plan.

Finding 35: The Annexation amendments do not result in any of the significant effects listed in OAR 66-012-0060(1)(c)(A) through (C) because they do not change existing standards applicable to any uses or within any land use district once a property is annexed; they merely streamline and simplify the review processes and standards for annexation within the city's existing land use districts. Additionally, the annexation criteria of approval will continue to require that transportation facilities and services (as a minimum key urban facility and service) can be provided in a timely, orderly, and efficient manner.

Therefore, the amendments are consistent with Statewide Planning Goal 12.

***Goal 13 – Energy Conservation. Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.***

Finding 36: The City's acknowledged Goal 13 regulations remain unaffected by the amendments. The amendments to SDC 3.3.800 for urbanizable fringe overlay district and SDC 5.7.100 for annexations, also do not change the uses allowed in the land use designation and zoning districts applicable after annexation (the land use designation determines the applicable zoning, both before and after annexation).

Therefore, the amendments are consistent with Statewide Planning Goal 13.

***Goal 14 –Urbanization. To provide for an orderly and efficient transition from rural to urban land use.***

Finding 37: Goal 14 requires cities to estimate future growth rates and patterns, and to incorporate, plan, and zone enough land to meet the projected demands. The purpose of the Springfield Comprehensive Plan Urbanization Element is to inform and guide long range land use and public facilities planning to address Springfield's land needs for the planning period 2010-2030 in compliance with Statewide Planning Goal 14.

Finding 38: The unincorporated land within the Springfield UGB is urbanizable and is considered part of Springfield's land base for housing and employment as identified in the buildable lands inventories. It is assumed that buildable lands will eventually be included in the City's incorporated area and developed to accommodate designated urban uses and densities. However, Springfield is also required by Oregon law to implement land use controls regulating interim development on unincorporated land to prevent land divisions and uses that would preclude future development of planned urban uses and densities. Springfield zoning

implements this provision of the law through two different zoning mechanisms, the Agriculture – Urban Holding Area Zoning District (AG)<sup>8</sup> and the Urbanizable Fringe Overlay Zoning District (UF-10)<sup>9</sup>. Both zoning mechanisms were established to implement the goal of compact growth through provisions that maintain the supply of land for urban development in areas between the City limits and the UGB until appropriate urban facilities and services are planned or available and annexation to Springfield can occur.

Finding 39: These code amendments revise the Annexation section of the Springfield Development Code. The amendments are necessary to address code that is less applicable following previous phases of the Development Code Update Project (for more information on this see the response to Goal 2 above). However, these changes do not substantially amend the requirements of an annexation application, the criteria of approval for annexation, or the notice of the approved annexation. The only significant amended section is to the requirement for a public hearing.

Therefore, the amendments are consistent with the requirements of Statewide Planning Goal 14.

***Goal 15 – Willamette River Greenway. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.***

Finding 40: Statewide Planning Goal 15 requires cities to adopt local greenway plans, along with criteria for new development or uses along the river. Pursuant to SDC 3.3.320(A), uses allowed in the Willamette Greenway Overlay District are the same as those in the underlying land use district; thus, the amendments do not repeal, replace, or void the existing code provisions related to Goal 15 and no changes are proposed to the existing overlay protections from this amendment.

Therefore, the amendments are consistent with the requirements of Statewide Planning Goal 15.

***Goal 16 – 19 Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.***

Finding 41: Statewide Planning Goals 16 – 19 relate to coastal lands in Oregon, which are not applicable within the planning jurisdiction of the City of Springfield and are not applicable to these amendments.

## **VI. CONCLUSION**

Based upon the evidence above and the criteria of SDC 5.6.115 for approving amendments to the Springfield Development Code, the text amendments to the Urbanizable Fringe Overlay District (SDC 3.3.800) and Annexations (SDC 5.7.100) are consistent with these criteria.

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<sup>8</sup> The AG Zoning District was established and applied to land after 2015 to implement the Urban Holding Area – Employment and Natural Resource plan designations.

<sup>9</sup> The UF-10 Zoning District was established and applied to lands prior to 2015 and is a zoning overlay placed over multiple plan designations.