

STAFF NOTES

LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

(99 East Broadway, Suite 400, Eugene, OR 97401-3111)

Eugene City Hall Council Chamber
777 Pearl Street, Eugene

February 7, 2008
7:00 p.m.

Annexation of Territory to the City of Springfield (International Church of Foursquare Gospel)

IV.A. BC File C SP 08 – 14

Initiated by Resolution 07-59 by the City of Springfield with consents from property owners

Action under ORS 199.490(2)(a)(A) of the boundary commission law

Received December 31, 2007

Action to be taken by March 30, 2008

Description

The annexation area includes two tax lots located in east Springfield, north of Hayden Bridge Way, east of 5th Street, south of Blackstone Street, and west of Old Orchard Lane

Property owner¹: International Church of Foursquare Gospel (600 Hayden Bridge Way, Springfield)

Tax lots: 12600 and 12700, T17S R03W S23 Map 34

Acres: ± 4.13

Estimate of existing population: 0

Existing land use: Church and related facilities, vacant

Existing zoning in Lane County: LDR\UF, low-density residential with urbanizing fringe overlay

Applicable comprehensive plan: Eugene-Springfield Metropolitan Area General Plan (acknowledged in August 1982 and has been subsequently amended)

Existing public services to the property: Police (Oregon State Police, Lane County Sheriff), schools (Springfield School District 19), roads (Lane County, City of Springfield), fire (Rainbow Water and Fire District contracting with the City of Springfield), water (Rainbow Water and Fire District)

Reason for Annexation

The property owner requested annexation to prepare the site for additional church facility development. The Eugene-Springfield Metropolitan Area General Plan requires properties to annex in order to receive urban services.

Notice

As required by ORS 199.463(1), notice of a public hearing must be published in a newspaper of general circulation not more than 25 days nor less than 15 days before the

¹ Property owner means the owner of the title of real property or the contract purchaser of real property as shown on the last available complete assessment roll. ORS 199.415(13)

hearing. *In this case, notice of the public hearing was advertised in The Eugene Register-Guard on 17, 2008.* A second notice may be published in a newspaper of general circulation or notice of the hearing may be mailed to each owner of land in the affected territory,² as described in the petition,³ not more than 15 days before the hearing. *In this case, notice of the hearing was sent to the affected property owner (Tim Baskin and Lynda Gupton, on behalf of the International Church of Foursquare Gospel, owner of the property proposed for annexation) on January 25, 2008.* The final notice required by the boundary commission law is the posting of a notice of the public hearing in the affected city, district, or territory at least 15 days before the hearing. *In this case, notice of the public hearing was posted in the area of the annexation, at the Springfield city hall, and at the Lane County courthouse on January 23, 2008.*

In conformance with OAR 191-005-0065(3), these staff notes are incorporated as part of the record of the boundary commission public hearing of February 7, 2008.

This annexation proposal was filed with the boundary commission in accordance with ORS 199.490(2)(a)(A), initiated by Resolution No. 07-59 by the City of Springfield. Prior to initiating the annexation, the City of Springfield received written consent from the property owner (Tim Baskin and Lynda Gupton, on behalf of the International Church of Foursquare Gospel) requesting annexation. At the time the annexation was initiated by the city, there were no electors⁴ registered within the annexation area. The statutory provision to receive consents from owners is met.

The proposal was filed with the boundary commission on December 31, 2007, and boundary commission action must occur by March 24, 2008 (90-day statutory time frame). If the annexation is approved by the boundary commission on February 7, 2009, it will become effective upon passage of the final order.

The proposed annexation area includes two tax lots (refer to Maps No. IV-A-1 and IV-A-2). The annexation area is currently developed with one church on site. Annexation to Springfield will allow additional church development to occur.

The annexation area is not contiguous to the main body of the City of Springfield. It is adjacent to other noncontiguous portions of the city. The urban growth boundary (UGB) is located approximately 600 feet north of the annexation area. The annexation area is designated low-density residential in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and is zoned LDRAUF, low-density residential with urbanizing fringe overlay, in Lane County. Upon the effective date of the annexation, the UF overlay will automatically be removed and the annexed properties will be zoned consistent with the plan designation.

² Affected territory means the territory described in the petition. ORS 199.415(3)

³ Petition means the documents required to initiate a boundary change and includes, but is not limited to, an initiating document, legal description, cadastral maps, and information form. ORS 199.415(14), ORS 199.490(4), and OAR 191-006-0000(3)

⁴ Elector means an individual registered to vote at an address within the affected territory. ORS 199.490(1) and (5) and ORS 199.505

The annexation was initiated by the City of Springfield on December 3, 2007. An Annexation Agreement outlining the agreements between the city and the owner for the provision of urban services and financing responsibility has been fully executed for the annexation area.

BOUNDARY COMMISSION REFERRALS

Boundary commission referrals were sent to the Lane County Land Management Division, Lane County Environmental Health Division, Lane County Board of Commissioners, and Rainbow Water and Fire District.

No referral responses were received as of January 30, 2008.

BOUNDARY COMMISSION STANDARDS - STAFF ANALYSIS

In this section of the staff notes, each applicable boundary commission standard is addressed. These standards are derived from ORS 199 and the boundary commission's policy administrative rule (OAR 191, Division 30).

Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of governments. ORS 199.410(1)(b) and 199.410(3)(c)

This annexation request was filed in accordance with provisions in ORS 199 and was determined to be a valid filing in accordance with OAR 191-006 (adopted administrative rule on boundary commission filing requirements). The item was placed on the boundary commission's agenda for February 7, 2008. Notice of the boundary commission's public hearing has been published in accordance with Oregon law. Any person may attend and will be given a reasonable opportunity to be heard.

The proposed annexation area is within the Rainbow Water and Fire District. The fire district contracts with the City of Springfield for fire services within its boundaries. Upon the effective date of the annexation, the annexation area will be automatically withdrawn from the fire district in accordance with ORS 199.510(2)(a) and the city will provide fire services directly to the annexed property.

The Metro Plan identifies the city as the ultimate provider of urban services within the UGB. Policy #18, page II-C-6, in the Metro Plan recognizes that as annexations to the city occur, existing special service districts within the UGB will be dissolved. The continued annexation of properties to the City of Springfield is consistent with the Metro Plan, which likely will result in the elimination of several special districts within the urbanizable area.

Upon annexation, the area will be annexed automatically into the Lane County Metropolitan Wastewater Service District [ORS 199.510(2)(c)]. This special district was formed to provide the financing for the regional wastewater treatment plant serving wastewater users within the cities of Eugene and Springfield and other users within the urbanizable area.

Upon annexation, the area will be annexed automatically into the Willamalane Park and Recreation District, which provides park and recreation facilities and services to territory within the City of Springfield.

This request is consistent with this standard.

Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. ORS 199.410(1), 199.410(2), and 199.410(3)(a) and (e)

The area in this annexation proposal is located within the acknowledged UGB of the Metro Plan. Territory within the UGB ultimately will be within the City of Springfield. Springfield is the unit of government identified in the Metro Plan to provide urban services to territory in this area. The proposed annexation is not contiguous to the main body of the City of Springfield.

Noncontiguous annexations are allowed by state annexation law and provided for in the Metro Plan if certain criteria are met. The Metro Plan policy for noncontiguous annexation (policy #12, page II-C-5) requires that noncontiguous annexations meet the following criteria:

- a. The area to be annexed will be provided urban service(s), which is (are) desired immediately by the residents/property owners.
- b. The area to be annexed can be serviced (with a minimum level of services, as directed in the Metro Plan) in a timely and cost-efficient manner and is a logical extension of the city's service delivery system.
- c. The annexation proposal is accompanied by support within the area proposed for annexation from the owners of at least half the land area in the affected territory.

This annexation is consistent with boundary commission administrative rule implementing policies (1), (2), (5), and (7) which recognize annexation to an existing city as the preferred method of servicing urbanizable land.

- (1) This policy recognizes cities as the logical providers of urban levels of service within urban growth boundaries when consistent with the comprehensive plan.
- (2) This policy expresses the commission's preference for providing urban services through annexation to a city in order to provide urban services to urbanizable lands.
- (5) This policy encourages the provision of urban levels of service within urban growth boundaries.

- (7) This policy expresses the commission's preference for annexation to an existing city over all other alternatives as a means of extending services to urbanizable lands.

Implementing policy (3) recognizes that in order to meet the long-term objectives of annexing out to an acknowledged urban growth boundary, short-term boundaries are created which are logical within the context of the future service boundary. In the long term territory within this geographic area will be annexed to Springfield. Annexation to the city fulfills the policies adopted in the Metro Plan of annexing out to the urban growth boundary.

This proposal to annex territory to the City of Springfield is consistent with boundary commission policies and this standard.

Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary changes, there must be assurance that the proposed unit of government is financially viable. ORS 199.410(1)(d), 199.410(3)(b) and (d)

The proposal is within the Metro Plan urban growth boundary. The Metro Plan was acknowledged by the Land Conservation and Development Commission (LCDC) in August 1982 and has been subsequently amended. The Metro Plan recognizes annexation as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas (policies #8 and #10, page II-C-4) and recognizes that ultimately, all territory within the urban growth boundary will be annexed to an existing city (policy #16, page II-C-6).

The annexation area is currently designated low-density residential in the Metro Plan. If the annexation is approved, the tax lotted properties will be rezoned to a LDR, a city zoning district consistent with the plan designation.

The annexation area will take advantage of urban service delivery systems that are already in place to serve this area. The following facilities and services are either available or can be extended to this annexation area.

Water – The annexation area is within the Rainbow Water and Fire District. The city indicates there is existing 6-inch water line located in Hayden Bridge Way. Service to new development within the annexation area can be provided by this line. Following annexation, the City of Springfield will withdraw the property from the Rainbow Water and Fire District in accordance with ORS 222 and the Springfield Utility Board (SUB) will provide services to the annexation area. An intergovernmental agreement between the water district and SUB and state law will determine the orderly transition of services and finances between the two service providers.

Electricity – Springfield Utility Board (SUB) provides electric service to developed properties in this area of south Springfield. New development in the annexation area will be served by SUB.

Police services – Springfield staff indicates that police currently provide service to other properties in this general area already inside the city. After annexation, this proposal area will receive police services on an equal basis with properties inside the city. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services – Fire protection is currently provided to the annexation area by the Rainbow Water and Fire District. This special district contracts with the City of Springfield for fire services to territory within the district's boundaries. Upon annexation, the annexing area will be withdrawn from the fire district and Springfield will provide fire services directly to the annexation area. Springfield fire stations are located near Pheasant Avenue and Hayden Bridge Way, S 47th Street and Main Street, and S 68th Street and Main Street.

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

Parks and recreation – Upon annexation area to the City of Springfield, the annexing area will also be annexed to the Willamalane Park and Recreation District. Park and recreation services are provided to the City of Springfield by the park district. Indoor recreation facilities, such as the Willamalane Park Swim Center, Lively Park Swim Center, Memorial Building Community Center, and Willamalane Adult Activity Center will be available to residents as new development occurs. 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. There is one park currently located in the vicinity of the annexation area, Royal Delle, a 2.76-acre neighborhood park on Blackstone Street. Other nearby recreational opportunities include Harvest Landing and Page Park.

Schools – Springfield School District 19 serves this area. Existing schools—Guy Lee elementary, Hamlin and Springfield high—serve this neighborhood; however, the annexation area does not contain any residential dwellings and should not generate any additional demands on the school system.

Wastewater – Springfield staff indicated that the existing church within the annexation area is not currently connected to the city wastewater system. There are three possible connection points for extension of wastewater service to the annexation area: an existing 6-inch line within Blackstone Street northeast of the annexation area; an 8-inch line that extends south of Blackstone Street roughly parallel with and about 80 feet offset from the east property line of the annexation area; and an 8-inch line at the intersection of Mint Meadow Way and Old Orchard Lane (approximately 500 feet east of the southeastern corner of the annexation area). The public wastewater lines within and extending from Blackstone Street are located within the city limits. However, extension of a wastewater line from the intersection of Mint Meadow Way and Old

Orchard Lane along Hayden Bridge Way would be outside the city limits until the right-of-way is annexed.

Upon the annexation effective date, the area will be annexed automatically to the Lane County Metropolitan Wastewater Service District [ORS 199.510(2)(c)].

Stormwater – Springfield staff indicated that roof runoff is directed onto the site and passes into a series of catch basins within the site parking lot. From the catch basin system, stormwater infiltrates into a drywell. There is an existing 18-inch stormwater line adjacent to the annexation area within Hayden Bridge Way. Approval from Lane County is needed before connection to this system may occur. Any further development or redevelopment in the annexation area will require appropriate stormwater management techniques in accordance with city standards.

Streets – The annexation area abuts Hayden Bridge Way on its south side, which is fully improved with curb and gutter, pavement, sidewalks, and street lights. An interconnected transportation system will be required in order to provide access and a transportation system for the provision of fire and life safety services to and from the annexing properties. Hayden Bridge Way is not located within the Springfield city limits.

Solid waste management – Private firms and individuals collect and transport solid waste to the Lane County administered landfill.

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

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

The minimum level of key urban facilities and services, as defined on page V-3 of the Metro Plan, are either immediately available or can be provided within a reasonable future time frame as needed. This request is consistent with this standard.

Consider the comprehensive plan's economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. ORS 199.410(3)(d) and 199.462(1)

The annexation proposal is consistent with the Metro Plan, as it is an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the Metro Plan were developed to meet the future needs of the metropolitan community. The existing and proposed uses are consistent with the long-range plan for the area and will fulfill the growth policies in the Metro Plan and in Oregon law.

This request is consistent with this boundary commission standard.

STAFF RECOMMENDATION

The boundary commission staff recommends that the proposed annexation to the City of Springfield (BC File C SP 08 – 14) be approved as submitted based on the following findings and reasons.

The findings are organized to respond to boundary commission standards outlined in ORS 199, the boundary commission law. The following findings and reasons are based on approval of the request as submitted. If the boundary commission modifies or denies the proposal, the findings and reasons would need to be adjusted.

Findings:

1. This proposal was initiated with the boundary commission by the City of Springfield after receiving consents from the property owner on December 31, 2007, in accordance with ORS 199.490(2)(a)(B). The proposal was found to be a valid filing under OAR 191-006.
2. The proposed annexation, as submitted, included two tax lots (T17S R03W S23 Map 34 tax lots 12600 and 12700) comprising approximately 4.13 acres and was owned by the International Church of Foursquare Gospel. The annexation area was developed with a church facility and was not contiguous to the main body of the City of Springfield.
3. The land use designation for the annexation area was low-density residential in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan).
4. The annexation area was zoned LDR/UF, low-density residential with urbanizing fringe, in Lane County. After the annexation effective date, the property was rezoned LDR consistent with the land use designation.

Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of government. ORS 199.410(1)(b) and 199.410(3)(c)

5. The boundary commission held a public hearing on February 7, 2008. Notice of the public hearing was given in accordance with ORS 199 provisions. All interested parties were given a reasonable opportunity to be heard.
6. After annexation to Springfield, the annexation area would be withdrawn from the Rainbow Water and Fire District. There would be some financial impact on the district because it derives its water revenue from user fees and the annexation area was developed with a church. The annexation area would be withdrawn from the district through separate proceedings by the City of Springfield in accordance with ORS 222. On behalf

of the City of Springfield, the Springfield Utility Board provided service directly to the annexation area.

7. Upon the effective date of the annexation, the area was annexed automatically to the Lane County Metropolitan Wastewater Service District in accordance with ORS 199.510(2)(c).
8. Upon the effective date of the annexation, the area was annexed automatically to the Willamalane Parks and Recreation District in accordance with ORS 199.510(2)(c).
9. This request was consistent with this standard.

Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. ORS 199.410(1), 199.410(2), and 199.410(3)(a) and (e)

10. Annexation to the City of Springfield was identified in the acknowledged Metro Plan as the preferred method for providing key urban facilities and services to the area within Springfield's portion of the urban growth boundary.
11. Annexation to an existing city was the method for extending urban facilities and services to urbanizable land in the boundary commission's policy administrative rule, implementing policies (1), (2), (5), and (7).
12. The proposed annexation was the means of boundary change outlined in the Metro Plan and the boundary commission administrative rules for ultimately providing urban facilities and services to this territory. Annexation of tax lotted property fulfilled the Metro Plan policies of annexing out to the urban growth boundary.
13. The proposed annexation met the criteria for noncontiguous annexations in the boundary commission law and the Metro Plan.
14. This request was consistent with boundary commission policies and this standard.

Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary changes, there must be assurance that the proposed unit of government is financially viable. ORS 199.410(1)(d), 199.410(3)(b), and (d)

15. The annexation area was within the urban growth boundary of the acknowledged Metro Plan [Land Conservation and Development Commission (LCDC) action in 1982 and as subsequently amended]. Annexation of tax lotted property assisted in fulfilling the Metro Plan policies of annexing out to the urban growth boundary.

16. The Metro Plan recognized annexation to the City of Springfield as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas.
17. The proposed use (church) was consistent with the policies in the Metro Plan requiring urban levels of development within the urban growth boundary.
18. The City of Springfield indicated that the required services outlined in Metro Plan policy #8, page II-C-4 and defined on page V-3, were either available or can be provided in a timely manner.
19. This request was consistent with this standard.

Consider the comprehensive plan's economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. ORS 199.410(3)(d) and 199.462(1)

20. The annexation proposal was consistent with the Metro Plan, as it was an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the Metro Plan were developed to meet the future needs of the metropolitan community. The proposed use was consistent with the long-range plan for the area and fulfilled the growth policies in the Metro Plan and in Oregon law.
21. This request was consistent with this standard.

Reasons:

1. The proposal was supported by the City of Springfield and the property owner.
2. The proposal was consistent with the LCDC acknowledged Metro Plan.
3. The services required in the Metro Plan were either available or could be provided in a timely manner when needed.
4. The proposal was consistent with past boundary commission actions supporting annexation to the City of Springfield.
5. The proposal was consistent with boundary commission administrative rule policies.

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