BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 17-12-19-09

In The Matter of Annexing Territory to the Rainbow Water and Fire District To Provide Fire Protection and Domestic Water Services to the Annexed Territory; Assessor's Map 17-03-24-00, Tax Lot 00401 (File No. W-RA-2017-ANX-3)

WHEREAS, a petition initiating the annexation of territory to the Rainbow Water and Fire District was filed with Lane County on July 21, 2017 in accordance with ORS 198.857; and

WHEREAS, the territory proposed for annexation is described in Exhibit A and depicted on the maps shown on Exhibit B, both of which are attached and incorporated by this reference; and

WHEREAS, the Board of Commissioners of the Rainbow Water and Fire District adopted a resolution approving the proposed annexation on July 12, 2017 (Resolution No. 2017-13); and

WHEREAS, legal notice was published in the Register Guard on November 28 and December 12, 2017 and posted in three public places by November 28, 2017 for a December 19, 2017 public hearing; and

WHEREAS, the Board of County Commissioners conducted a public hearing on December 19, 2017 to receive and consider both oral and written evidence.

NOW, THEREFORE, IT IS ORDERED as follows:

1. That the territory described on Exhibit A and depicted on Exhibit B is hereby annexed to Rainbow Water District and that this annexation is effective as of December 19, 2017 in accordance with ORS 198.747(2).
2. That the findings set forth in Exhibit C are hereby adopted and incorporated by this reference.
3. That based on the findings and evidence submitted, and the applicable law, the Petition for Annexation is hereby approved.

ADOPTED this 19th day of December, 2017

Pat Farr, Chair
Lane County Board of Commissioner

APPROVED AS TO FORM

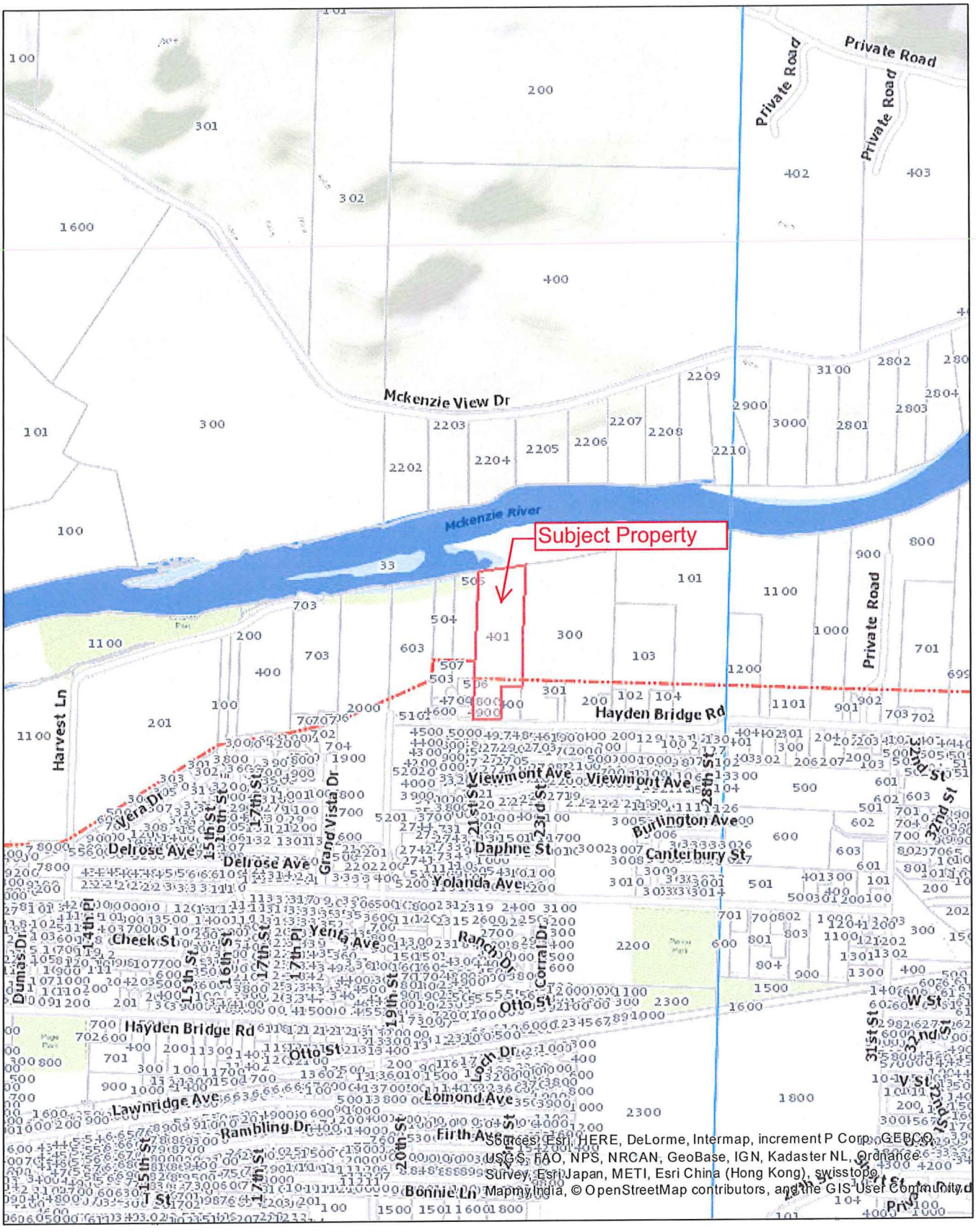
Date 12-13-17 Lane County

OFFICE OF LEGAL COUNSEL

EXHIBIT "A"
Legal Description

Beginning at a point being South 81°47'15" West 116.71 feet and South 00°07' West 925.67 feet from the Northerly Northwest corner of the F. Scott Donation Land Claim No. 51 in Township 17 South, Range 3 West of the Willamette Meridian; thence North 89°56'10" West 150.00 feet; thence South 00°07' West 260.40 feet to a point being North 00°07' East 30.00 feet from the Northerly line of the THIRD ADDITION TO EL BONITA GARDENS, as platted and recorded in Book 52, Page 26, Lane County Oregon Plat Records; thence parallel to said North line, North 89°56'10" West 215.00 feet to a point on the Easterly line of the SECOND ADDITION TO PHYLLIS PARK, as platted and recorded in Book 61, Page 18, Lane County Oregon Plat Records; thence parallel with the said Easterly line, North 00°07' East 1132.98 feet; thence North 80°34'26" East 370.13 feet; thence South 00°07" West 933.60 feet to the Point of Beginning, in Lane County, Oregon.

EXHIBIT A



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc. for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

N

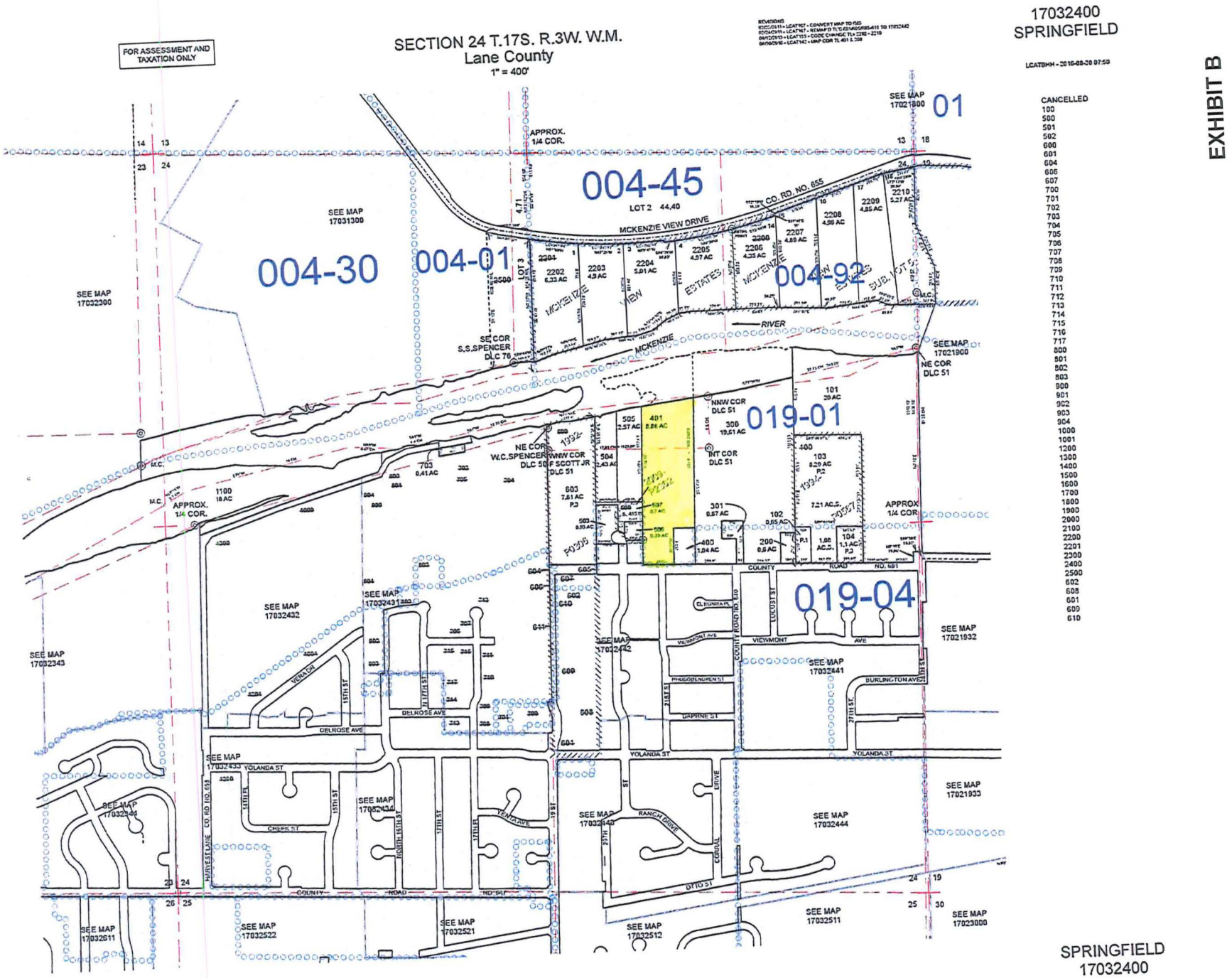
0 250 500 1,000 Feet

Vicinity Map

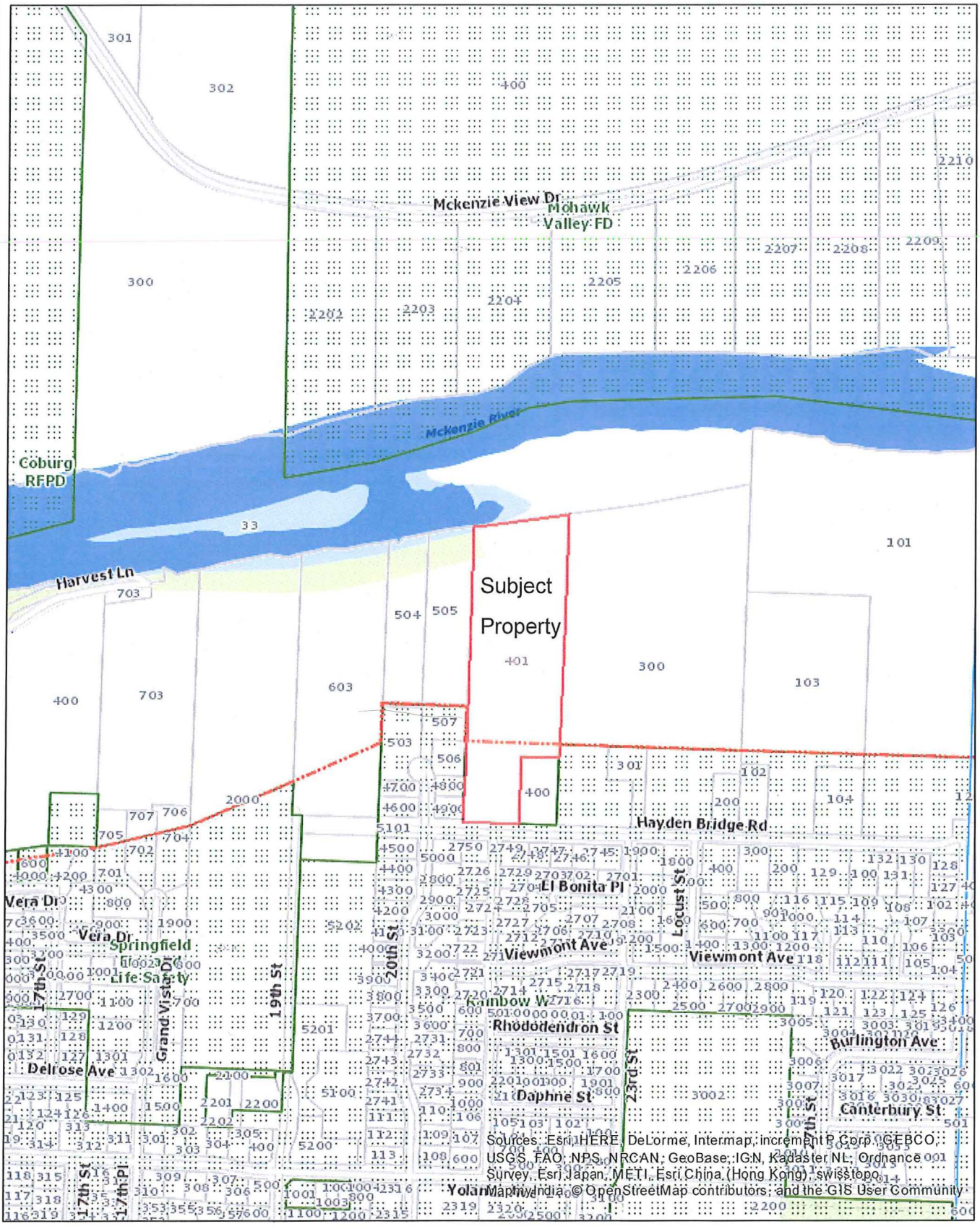
Lane County, Oregon

EXHIBIT B

EXHIBIT B



SPRINGFIELD
17032400



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc, for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.

N

0 125 250 500 Feet

RWD Boundary Map

Lane County, Oregon **EXHIBIT B**

RECEIVED JUL 21 2017

COUNTY CLERK DISTRICT BOUNDARY CHANGE APPLICATION CHECKLIST

☑ **FILING FEES:** Number of Acres 8.86 *(as determined from the required Map & Tax Lot List)*

Total Fee Paid: $3,550.00 ☐ Cash ☒ Check # 1032623

5540111-244-416590 (County Clerk Fund-5%) $ 177.55

3628010-570-466611 (Land Management Fee) $ 3,372.50 Date Received: 7/20/17

Staff Initials: JS Receipt #: 4913924

Less than 1 acre:	$2,080.
1 acre or more, but less than 5 acres:	$2,660.
5 acres or more, but less than 10 acres:	$3,550.
10 acres or more but less than 25 acres:	$4,480.
25 acres or more but less than 50 acres:	$5,560.
50 acres or more but less than 100 acres:	$6,400.
100 acres or more:	$8,820.

☒ **PETITION FOR ANNEXATION** *(Must be complete)*

☒ **PETITION SIGNATURE SHEET** *(Must be approved in writing prior to collecting signatures w/petition for annexation attached)*

Date approved for circulation: 6/29/17 Staff Initials: AS

Date submitted with signatures: 7/11/17 Staff Initials: LA

Date signature verification complete: 7/11/17 Staff Initials LA

☒ **SUPPLEMENTAL ANNEXATION INFORMATION FORM** *(Must be complete)*

MAPS (Please label each map with type, i.e., cadastral/vicinity):

☒ Cadastral Map(s)

☒ Vicinity Map (8 ½ by 11")

LEGAL DESCRIPTION

☒ Printed Format

☒ Electronic Copy (Microsoft word or compatible format)

☑ DOR ASSIGNED #20-PLS-2017 *(Evidence of DOR preliminary review)*

MAP & TAX LOT LIST

☒ Paper Copy

N/A ☐ Electronic Copy *(only if 10 or more owners or tax lots in annexation area)*

☑ **AFFECTED DISTRICT APPROVAL** *(Signed Resolution by board of the affected district indicating whether the annexation area can be served and how.)*

☒ **DECISION CRITERIA – WRITTEN STATEMENT** *(from whomever is annexing)*

N/A ☐ **RESOLUTION BY CITY** *(Only applies if annexation area within city limits. Refer to **Petition for Annexation** form.)*

INITIATING METHOD:

☒ A Single Property Owner *[ORS 198.857]*

☐ B All Property Owners *[ORS 198.855(3)]*

☐ C Electors and Owners *[ORS 198.855(3)]*

☐ D Electors and Owners *[ORS 198.855(1)]* (elections are required in both the proposed annexation area and the affected district)

Number of Precincts _____ Fee ($100.00 Deposit per Precinct) _____

Total Fee Paid: _____ ☐ Cash ☐ Check #_____

Date forwarded to Land Management: 7/20/2017

☒ **Entered in RABITS**

App # W-RA-2017-ANX-3
(completed by County Staff)

ATTACHMENT 2

BEFORE THE LANE COUNTY BOARD OF COMMISSIONERS, OREGON

This PETITION is filed pursuant to ORS 198.705 to 198.955.

PETITION FOR ANNEXATION to the RAINBOW WATER AND FIRE DISTRICT *(District Name)*

- The principle Act of this district is ORS Chapter **487**

Initiating Method for Annexation: (please check one)

☒ A *Single Property Owner [ORS 198.857]*
☐ B *All Property Owners [ORS 198.855(3)]*
☐ C *Electors and Owners [ORS 198.855(3)]*
☐ D *Electors and Owners [ORS 198.855(1)]*
(elections are required in both the proposed annexation area and the affected district)

List the names of all other governments that provide services within the proposed annexation boundaries: *(example: Lane County Community College, School, o r other special districts)*

District/County Name	Principle Act
Lane County	**451**
Lane Community College	**341**
Lane Education Service District	**334**
Springfield School District	**330**
Willamalane Park and Recreation District	**266**

- Proposed territory to be annexed is: [X] Inhabited [ ] Uninhabited
- Any known terms and conditions associated with thi s petition:

_____

_____

- Is any of the annexation area within any city? ☐ YES ☒ NO (If yes, city resolution required.)
- The following petitioner(s) request that annexation proceedings be taken for the territory proposed.

Name	Address	Date
Shaun Hyland	2100 Hayden Bridge Road, Springfield, OR 97477	
Name	Address	Date
Name	Address	Date

App #_____
(completed by County Staff)

I:\CDCC\ELEC\District Annexations\Petition for Annexation Form.doc 8/12/09

1

ATTACHMENT 2

ATTACHMENT 2

PETITION SIGNATURE SHEET / DISTRICT ANNEXATION

App #_____
(completed by County Staff)

Proposed Annexation to **Rainbow Water and Fire District**
(Name of District)

To give consent to annex 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 Lane 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. ***(Do not collect signatures prior to written approval by County Clerk. Applicant to only complete top half of form.)***

Signature	Date Signed m/d/y	Print Name	Residence Address *street, city, zip code*	Map & Tax Lot # *township - range - section - lot#*	☐ Land Owner	Acres *(qty)*	☐ Reg Voter
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

APPROVED FOR CIRCULATION
THIS 29 DAY OF June, 2017

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)*

Completed by County Staff "Only"

CERTIFICATION OF ELECTORS

The total number of active registered voters in the proposed district annexation are _____. I hereby certify that this petition includes _____ valid signatures representing _____ *(%) of the* total active registered voters that reside in the proposed annexation.

_____
Lane County Clerk or Deputy Signature

_____
Date Certified

CERTIFICATION OF PROPERTY OWNERS

According to the Lane County Assessment and Taxation records, the total number of landowners in the proposed annexation are _____*.(qty)* This petition reflects that ____ *(qty)* landowners *(or legal representatives)* listed on this petition represent a total percent of _____ *(%)* landowners and _____ *(%)* acres as determined by the map and tax lots attached to the filed petition. *A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.*

_____
Lane County Department of Assessment and Taxation **or** Lane County Clerk or Deputy on behalf of A&T

_____
Date Certified

BEFORE THE LANE COUNTY BOARD OF COMMISSIONERS, OREGON

This PETITION is filed pursuant to ORS 198.705 to 198.955.

PETITION FOR ANNEXATION to the RAINBOW WATER AND FIRE DISTRICT *(District Name)*

- The principle Act of this district is ORS Chapter **487**

Initiating Method for Annexation: (please check one)

☒ A *Single Property Owner [ORS 198.857]*
☐ B *All Property Owners [ORS 198.855(3)]*
☐ C *Electors and Owners [ORS 198.855(3)]*
☐ D *Electors and Owners [ORS 198.855(1)]*
(elections are required in both the proposed annexation area and the affected district)

List the names of all other governments that provide services within the proposed annexation boundaries: *(example: Lane County Community College, School, o r other special districts)*

District/County Name	Principle Act
Lane County	**451**
Lane Community College	**341**
Lane Education Service District	**334**
Springfield School District	**330**
Willamalane Park and Recreation District	**266**

- Proposed territory to be annexed is: [X] Inhabited [ ] Uninhabited
- Any known terms and conditions associated with thi s petition:

_____

_____

- Is any of the annexation area within any city? ☐ YES ☒ NO (If yes, city resolution required.)
- The following petitioner(s) request that annexation proceedings be taken for the territory proposed.

Shaun Hyland 2100 Hayden Bridge Road, Springfield, OR 97477

Name Address Date

Name Address Date

Name Address Date

App # _____
(completed by County Staff)

I:\CDCC\ELEC\District Annexations\Petition for Annexation Form.doc 8/12/09

ATTACHMENT 2

ATTACHMENT 2

PETITION SIGNATURE SHEET / DISTRICT ANNEXATION

App #_____
(completed by County Staff)

Proposed Annexation to **Rainbow Water and Fire District**
(Name of District)

To give consent to annex 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 Lane 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. ***(Do not collect signatures prior to written approval by County Clerk. Applicant to only complete top half of form.)***

	Signature	Date Signed m/d/y	Print Name	Residence Address *street, city, zip code*	Map & Tax Lot # *township - range - section - lot#*	☐ Land Owner	Acres *(qty)*	☐ Reg Voter
1.	Laura Hyland		Laura Hyland	2100 Hayden Br. Rd, Splfd, 97477	1703240000401	Y	~~8.9~~	Y
2.	Shaun Hyland		Shaun Hyland	2100 Hayden Br. Rd, Splfd, 97477	1703240000401	Y	~~8.9~~	Y
3.			Hyland Joint Trust			Y	8.86	
4.								
5.								
6.								
7.								
8.								
9.								
10.								

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, Shaun Hyland *(printed name of circulator)*, hereby certify that every person who signed this sheet did so in my presence.

X_____ *(signature of circulator)*

Completed by County Staff "Only"

CERTIFICATION OF ELECTORS

The total number of active registered voters in the proposed district annexation are 4. I hereby certify that this petition includes 2 valid signatures representing 50 *(%) of the* total active registered voters that reside in the proposed annexation.

_____
Lane County Clerk or Deputy Signature

7/11/17
Date Certified

CERTIFICATION OF PROPERTY OWNERS

According to the Lane County Assessment and Taxation records, the total number of 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 percent of 100)%(landowners and 100) %(acres as determined by the map and tax lots attached to the filed petition. *A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.*

_____
Lane County Department of Assessment and Taxation or Lane County Clerk or Deputy on behalf of A&T

7-19-17
Date Certified

RECEIVED
JUL 19 2017
Lane County
Assessment & Taxation

BEFORE THE LANE COUNTY BOARD OF COMMISSIONERS, OREGON

This PETITION is filed pursuant to ORS 198.705 to 198.955.

PETITION FOR ANNEXATION to the RAINBOW WATER AND FIRE DISTRICT *(District Name)*

- The principle Act of this district is ORS Chapter **487**

Initiating Method for Annexation: (please check one)

☒ A *Single Property Owner [ORS 198.857]*
☐ B *All Property Owners [ORS 198.855(3)]*
☐ C *Electors and Owners [ORS 198.855(3)]*
☐ D *Electors and Owners [ORS 198.855(1)]*
(elections are required in both the proposed annexation area and the affected district)

List the names of all other governments that provide services within the proposed annexation boundaries: *(example: Lane County Community College, School, o r other special districts)*

District/County Name	Principle Act
Lane County	**451**
Lane Community College	**341**
Lane Education Service District	**334**
Springfield School District	**330**
Willamalane Park and Recreation District	**266**

- Proposed territory to be annexed is: [X] Inhabited [ ] Uninhabited
- Any known terms and conditions associated with thi s petition:

_____

_____

- Is any of the annexation area within any city? ☐ YES ☒ NO (If yes, city resolution required.)
- The following petitioner(s) request that annexation proceedings be taken for the territory proposed.

Name	Address	Date
Shaun Hyland	2100 Hayden Bridge Road, Springfield, OR 97477	
Name	Address	Date
Name	Address	Date

App #_____
(completed by County Staff)

I:\CDCC\ELEC\District Annexations\Petition for Annexation Form.doc 8/12/09

ATTACHMENT 2

LANE COUNTY

Property Account Summary

As Of 7/19/2017 Status: Active

Account No.: 1107406 **Alternate Property Number:** 1703240000401

Account Type: Real Property

TCA: 01901

Situs Address: 2100 HAYDEN BRIDGE RD
SPRINGFIELD OR 97477

Legal: Township 17 Range 03 Section 24 Quarter 00 TL 00401

Parties:

Role	Name & Address
Owner	HYLAND JOINT TRUST 2535 GRAND VISTA DR SPRINGFIELD OR 97477
Taxpayer	HYLAND JOINT TRUST 2535 GRAND VISTA DR SPRINGFIELD OR 97477
Trustee	HYLAND LAURA 2535 GRAND VISTA DR SPRINGFIELD OR 97477
Trustee	HYLAND SHAUN 2535 GRAND VISTA DR SPRINGFIELD OR 97477

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	$495,034	$442,081	$374,600	$328,949	$333,191
AVR	$397,413	$385,838	$374,600	$328,949	$333,191
TVR	$397,413	$385,838	$374,600	$328,949	$333,191

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	401 Rural residential improved
	Change Property Ratio	4XX Tract
	Size	8.86
	Code Split	N
	Neighborhood	204500

Exemptions:

(End of Report)

ATTACHMENT 2

LANE COUNTY
SUPPLEMENTAL ANNEXATION
INFORMATION FORM

(Complete all the following questions and provide all the requested information. This form will be used to determine whether or not the application can be considered a land use decision and for the purpose of analysis and decision making by the Lane County Board of Commissioners. Attach any responses that require additional space, restating the question or request for information on additional sheets.)

Contact Person: Shaun Hyland
Mailing Address: 1941 Laura Street
City/Zip Springfield, Oregon 97477
Phone # (541) 726-8081
E-Mail shaun@jhconst.com

The attached petition is for *annexation to* Rainbow Water & Fire District *(district name).*

Supply the following information regarding the annexation area.

- Estimated Population **(at present)**: Five
- Number of Existing Residential Units: One
- Land Area: 8.86 (RLID) total acres
- Existing Plan Designation(s): _____
- Existing Zoning(s): Low Density Residential
- Existing Land Use(s): Single family residential parcel
- Existing improvements (public or private); water; streets; sanitary sewer; storm drainage; parks; fire protection (both structural and timberland); electrical:
  Public Street (Lane County), Electrical Service
- Applicable Comprehensive Plan(s): _____
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans.
- Are there development plans associated with this proposed annexation?
  Yes (No)
  If yes, describe.
  City of Springfield - Partition - TYP217-00007
- Is the proposed use or development allowed on the property under the current plan designation and zoning?
  (Yes) No

ATTACHMENT 2

- Indicate whether a change of zoning, a Conditional Use Permit or a Special Use Permit is required to allow the proposed use or development.

Zone Change:	Yes	(No)
Conditional Use Permit:	Yes	(No)
Special Use Permit:	Yes	(No)

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

  (Yes) No

  If no, state the reasons why all property not included?

  _____

  _____

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

(Name)	*(Name)*
(Address)	*(Address)*
(City) *(Zip)*	*(City)* *(Zip)*
(Name)	*(Name)*
(Address)	*(Address)*
(City) *(Zip)*	*(City)* *(Zip)*

(The Section Below is for Land Management Staff Use *Only*)

Application Initiated by *(refer to Instructions for Filing Application by Individuals)*:

☒ A-Single Property Owner [ORS 198.857]
☐ B-All Property Owners [ORS 198.855(3)]
☐ C-Electors and Owners [ORS 198.855(3)]
☐ D-Electors and Owners [ORS 198.855(1)]

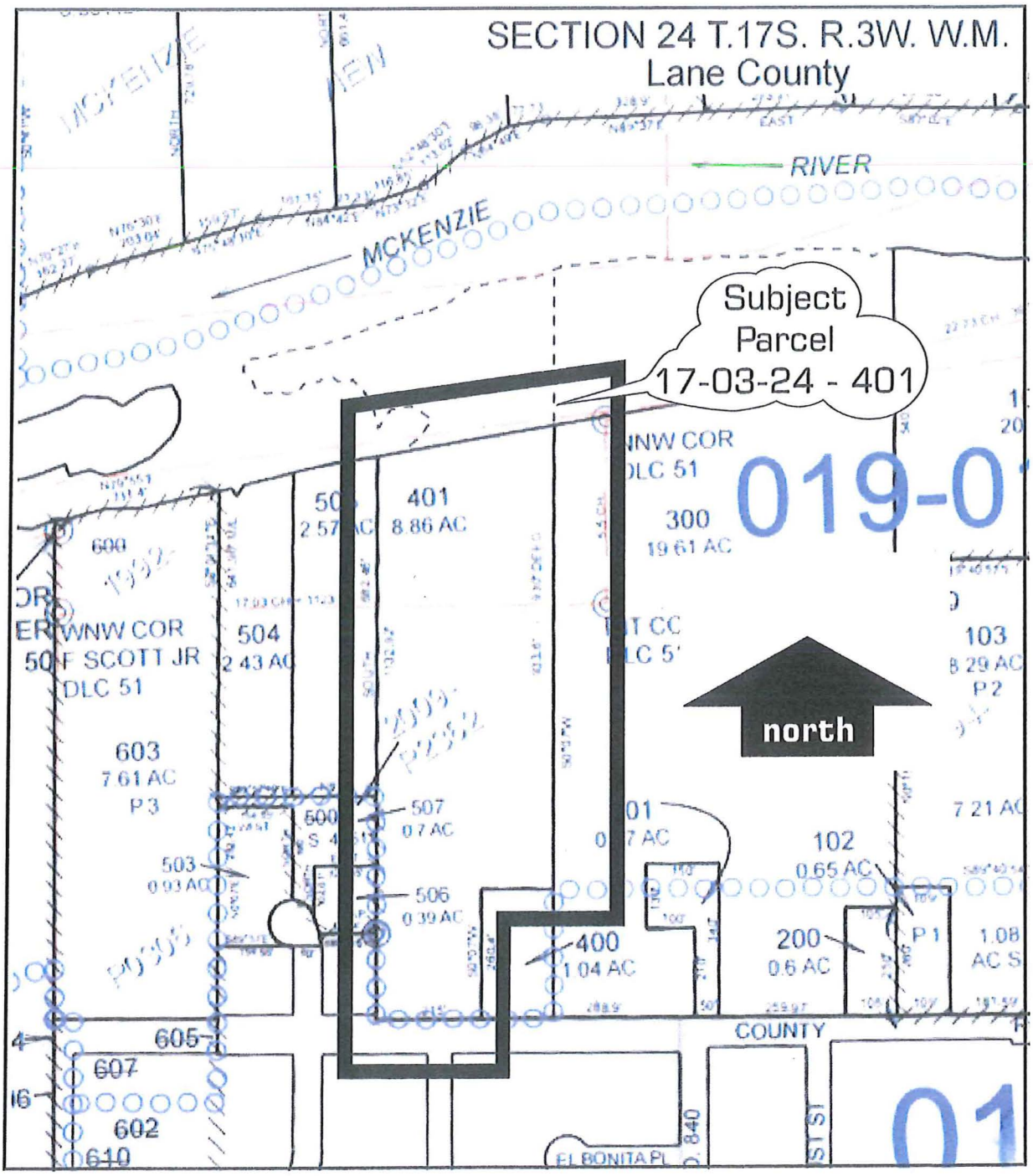
Date received from Lane County Clerk: _____

Annexation Request Applies to Land Use:
☒ YES **- annexation application condition of Springfield Partition Approval**
☐ NO

_____ _____
Planner, Land Management Division Date Signed

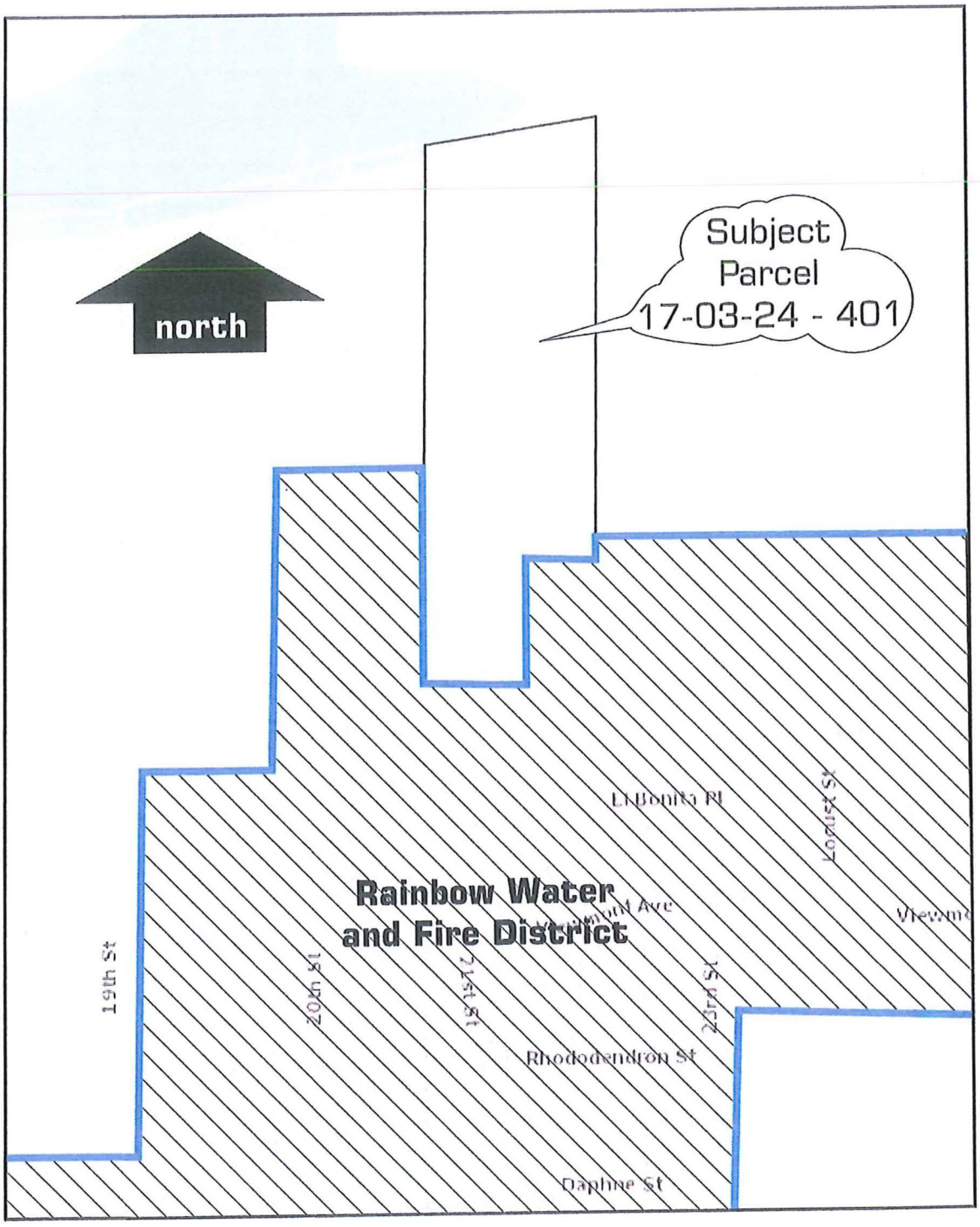
App #_____
(completed by County Staff)

ATTACHMENT 2



cadastral map

ATTACHMENT 2



vicinity map

ATTACHMENT 2

EXHIBIT "A"
Legal Description

Beginning at a point being South 81°47'15" West 116.71 feet and South 00°07' West 925.67 feet from the Northerly Northwest corner of the F. Scott Donation Land Claim No. 51 in Township 17 South, Range 3 West of the Willamette Meridian; thence North 89°56'10" West 150.00 feet; thence South 00°07' West 260.40 feet to a point being North 00°07' East 30.00 feet from the Northerly line of the THIRD ADDITION TO EL BONITA GARDENS, as platted and recorded in Book 52, Page 26, Lane County Oregon Plat Records; thence parallel to said North line, North 89°56'10" West 215.00 feet to a point on the Easterly line of the SECOND ADDITION TO PHYLLIS PARK, as platted and recorded in Book 61, Page 18, Lane County Oregon Plat Records; thence parallel with the said Easterly line, North 00°07' East 1132.98 feet; thence North 80°34'26" East 370.13 feet; thence South 00°07" West 933.60 feet to the Point of Beginning, in Lane County, Oregon.

ATTACHMENT 2

James McLaughlin

From: James McLaughlin
Sent: Wednesday, July 19, 2017 12:21 PM
To: 'elections.customer@co.lane.or.us'
Subject: Annexation to Rainbow Water and Fire District (Hyland Joint Trust)

Beginning at a point being South 81°47'15" West 116.71 feet and South 00°07' West 925.67 feet from the Northerly Northwest corner of the F. Scott Donation Land Claim No. 51 in Township 17 South, Range 3 West of the Willamette Meridian; thence North 89°56'10" West 150.00 feet; thence South 00°07' West 260.40 feet to a point being North 00°07' East 30.00 feet from the Northerly line of the THIRD ADDITION TO EL BONITA GARDENS, as platted and recorded in Book 52, Page 26, Lane County Oregon Plat Records; thence parallel to said North line, North 89°56'10" West 215.00 feet to a point on the Easterly line of the SECOND ADDITION TO PHYLLIS PARK, as platted and recorded in Book 61, Page 18, Lane County Oregon Plat Records; thence parallel with the said Easterly line, North 00°07' East 1132.98 feet; thence North 80°34'26" East 370.13 feet; thence South 00°07" West 933.60 feet to the Point of Beginning, in Lane County, Oregon.

Feel free to contact me if you have any questions.
.....jim

Johnson Broderick Engineering, LLC
325 West 13th Avenue
Eugene, Oregon 97401-3402
Office (541) 338-9488
Cell (541) 729-4886
www.jbe.us.com

ATTACHMENT 2

Boundary Change Preliminary Review

DOR 20-P45-2017

OREGON DEPARTMENT OF REVENUE

Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737
boundary.changes@oregon.gov

Rainbow Water District
Office Manager
PO Box 8
Springfield OR 97477-0008

June 1, 2017

Documents received: 5/30/2017, 6/1/2017
From:

This letter is to inform you that the map and description for your planned Propesed Annexation to Rainbow Water District

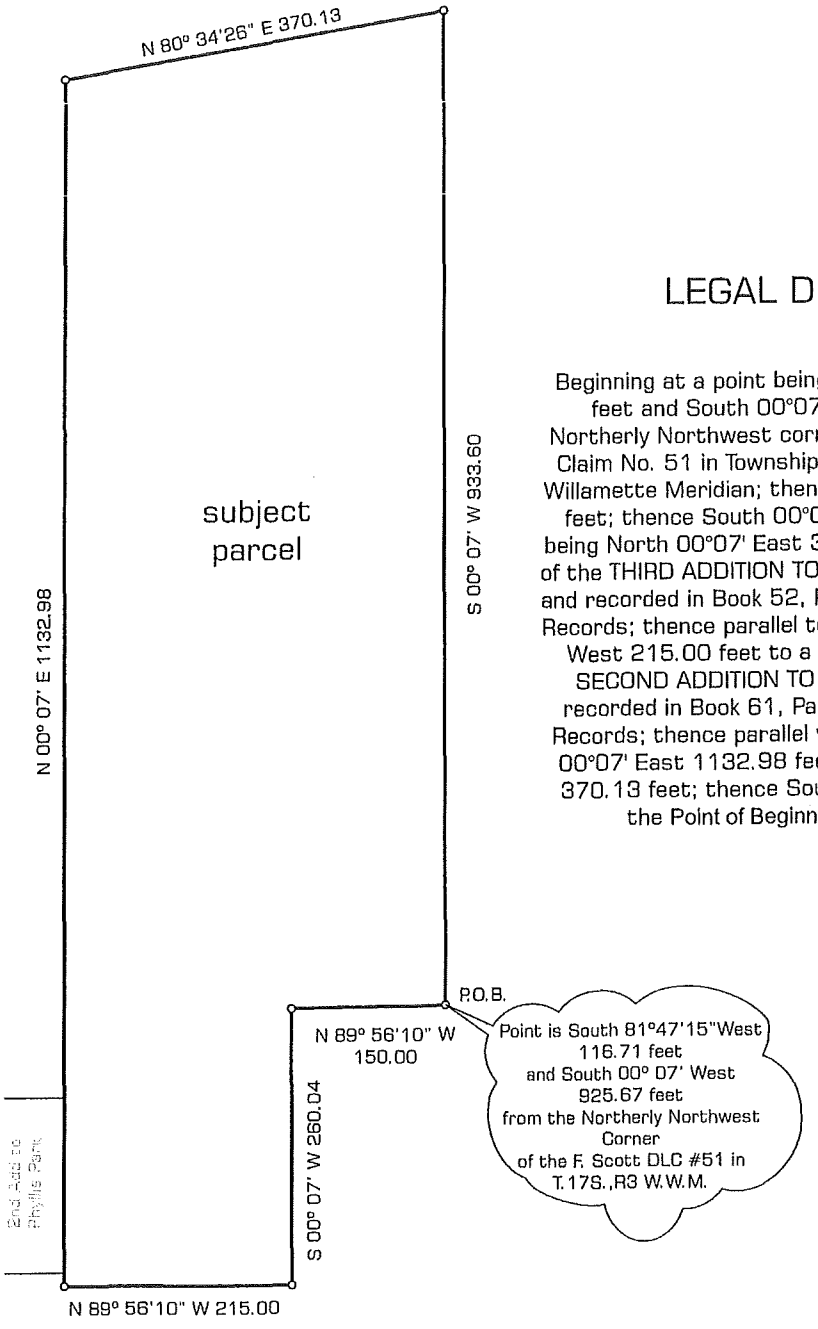
(JBE Project No 16280.02) in Lane County have been reviewed per your request. They MEET the requirements of ORS 308.225 for use with an Order, Ordinance, or Resolution which must be submitted to the Lane County Assessor and the Department of Revenue in final approved form before March 31 of the year in which the change will become effective.

the map and legal work, but please when you submit for final add the township range and section to the map

Preliminary Review

If you have any questions please contact Robert Ayers, 503-983-3032

ATTACHMENT 2



LEGAL DESCRIPTION

Beginning at a point being South 81°47'15" West 116.71 feet and South 00°07' West 925.67 feet from the Northerly Northwest corner of the F. Scott Donation Land Claim No. 51 in Township 17 South, Range 3 West of the Willamette Meridian; thence North 89°56'10" West 150.00 feet; thence South 00°07' West 260.40 feet to a point being North 00°07' East 30.00 feet from the Northerly line of the THIRD ADDITION TO EL BONITA GARDENS, as platted and recorded in Book 52, Page 26, Lane County Oregon Plat Records; thence parallel to said North line, North 89°56'10" West 215.00 feet to a point on the Easterly line of the SECOND ADDITION TO PHYLLIS PARK, as platted and recorded in Book 61, Page 18, Lane County Oregon Plat Records; thence parallel with the said Easterly line, North 00°07' East 1132.98 feet; thence North 80°34'26" East 370.13 feet; thence South 00°07" West 933.60 feet to the Point of Beginning, in Lane County, Oregon.

17-03-24-00-00401
Located in

Section 24
Township 17 South
Range 3 West
Willamette Meridian

Taxing District Boundary Change Preliminary Review. DOR # 20-P45-2017

ATTACHMENT 2

ATTACHMENT 2

LANE COUNTY ELECTIONS
All applications must include a hard copy of this completed form reflecting all properties and owners with the annexation area.
An electronic copy in Excel must also be submitted whenever there are 10 or more owners or tax lots within the annexation area.
An electronic copy of this form can be obtained from the County Clerk.

Map & Tax Lots List for proposed annexation to Rainbow Water & Fire DISTRICT

(completed by County Staff)

*All persons who own an interest in the property, or who are purchasers of property on a contract sale that is recorded with Lane County, are to be listed separately on each line, even if the same propert
*Generally, this means that both husband and wife would be listed separately, if both names on the deed. In the case of a corporation or business, all owners listed on the Assessment and Taxation records or current recorded property transactions should be listed.

										✓	✓
(see above)	Site Address (indicate if vacant land)				Map & Tax Lot #s				Acres	Assessed Value	Land	Reg
Property Owner *	Street #	Street Name	City, Zip, and Unit	T	R	S	Lot #		(qty)	Current Tax Rolls	Owner	Voter
Hyland Joint Trust	2100	Hayden Bridge Rd.	Springfield,97477	17	03	24	401		8.86	$ 495,034		
Laura Hyland (trustee)	2100	Hayden Bridge Rd.	Springfield,97477	17	03	24	401		8.86	$ 495,034	x	x
Shaun Hyland (trustee)	2100	Hayden Bridge Rd.	Springfield,97477	17	03	24	401		8.86	$ 495,034	x	x

I\CDCC\ELEC\Annexations\Map & Tax Lots List.xls
Revised April 3, 2017

RESOLUTION NO. 2017-13
Rainbow Water and Fire District
Approval of Hyland Annexation to District Petition

WHEREAS, on August 22, 1949, by Lane County election, the Rainbow Water District was *incorporated as a community for the purpose of supplying its residents with water for domestic purposes*, and

WHEREAS, on June 9, 1952, by Lane County election, the district was *empowered to provide protection for its inhabitants from fire*, and

WHEREAS, Oregon Revised Statutes Chapter 198.857 grants power to a property owner to petition Lane County for annexation into a district with the approval of the district board, and

WHEREAS, Shaun and Laura Hyland own a property at MapLot 1703240000401, and have requested that this property be annexed into the Rainbow Water and Fire District to receive both fire protection and domestic water service, and

NOW THEREFORE BE IT RESOLVED, the Rainbow Water and Fire District Board of Commisioners does hereby establish:

1. Water supply is sufficient to serve the subject property.
2. The property is not located within the boundaries of any fire protection district.
3. The property is outside the city limits of the City of Springfield and Rainbow Water District is the appropriate utility to supply domestic water to this property.
4. The Rainbow Water and Fire District Board of Commissioners accepts this petition for annexation into the district, and requests the support of the Lane County Board of Commissioners to meet the property owner's request for annexation.

ADOPTED by a vote of 4 Yes votes and 0 No votes, this 12th day of July, 2017.

Mary Jean Wilson
President, Board of Commissioners

Attest:
Secretary, Board of Commissioners

Rainbow Water District

ATTACHMENT 2

I, Shaun Hyland in support of my request to annex, submit the following statement indicating compliance the following:

The subject property is not within a district formed under the same principle ACT:

The property proposed for annexation to Rainbow Water and Fire District (Principle Act 264) is not currently located within any other water or fire district boundaries.

The subject property can reasonably be served or continued to be served by the facilities or services provided by the district:

The proposal meets this criterion. Currently the Rainbow Water District (RWD) is under contract with the Eugene-Springfield Fire and EMS Department to provide fire protection services to RWD members. Domestic water for the site can be accommodated by the district. Further RWD Board adopted Resolution No. 2017 – 13 supporting annexation of the subject property.

No land included in the affected territory will be removed if the land is
Benefited:
The proposal meets this criterion. As proposed, no land in the annexation area will be removed if the land is benefitted.

The boundary change is consistent with the Lane County Rural Comprehensive Plan, other applicable refinement plans, and other adopted land use regulations or agreements.

The subject property is located within the unincorporated portion of the City of Springfield's Urban Growth Boundary and is subject to the Eugene-Springfield Metropolitan Plan Area General Plan. The applicable Metro Plan Goal is found within section G.2. of the Public Facilities and Serviced Element:

> G. 2. Provide public facilities and services in a manner that encourages orderly and sequential growth. Annexation to the Rainbow Water and Fire District will provide essential services necessary for the orderly development of the property. Therefore, the request is consistent with applicable comprehensive plan and satisfies this criterion. No other refinement plans, adopted land use regulations or agreements have been identified that conflict with this proposal.

Shaun Hyland — 7-11-17
Date

DECISION CRITERIA
Applicant's Written Statement

ATTACHMENT 2

ATTACHMENT 2

Lane County Clerk

Receipt #: 493924
Station: 12
Receipt Name: SHAUN HYLAND

Receipt Date: 07/20/2017 09:39 AM
Cashier: CASHIER 16

Comments: ANNEXATION RAINBOW WFD

JOHN HYLAND CONST., INC.
SPRINGFIELD, OREGON 97475

1032623

Vendor Name: Lane County Clerk

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
7-19-17	071917	176859	3550.00	.00	3550.00

CHECK DATE	CHECK NUMBER	TOTALS			
7-19-17	1032623		3550.00	.00	3550.00

Thank You

Miscellaneous Fees		
Annexation - LMD - # acres	8.86	$3,550.00

Receipt Total **$3,550.00**

CHECK 1032623 $3,550.00

TYPE II TENTATIVE PARTITION REVIEW, STAFF REPORT & DECISION

Project Name: Shaun Hyland Partition

Project Proposal: Partition a residential parcel into two parcels

Case Number: TYP217-00007

Project Location: 2100 Hayden Bridge Rd (Map 17-03-24-00, Tax Lot 401)

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

Comprehensive Plan Designation:
LDR (*Metro Plan*)

Pre-Submittal Meeting: Jan. 20, 2017

Application Submitted: Feb. 14, 2017

Decision Issued: March 17, 2017

Recommendation:
Approved with Conditions

Appeal Deadline Date: April 3, 2017

Associated Applications: PRE17-00001 (Pre-Submittal Meeting)

CITY OF SPRINGFIELD DEVELOPMENT REVIEW TEAM

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Civil Engineer	Utilities	Clayton McEachern	541-736-1036
Civil Engineer	Sanitary & Storm Sewer	Clayton McEachern	541-736-1036
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-3661
Building Official	Building	David Bowlsby	541-726-3668

APPLICANT'S DEVELOPMENT REVIEW TEAM

Owner/Applicant:	Applicant's Representative:	Surveyor:
Shaun Hyland	Jim McLaughlin, PLS	Ryan Erickson, PLS
Hyland Construction	Johnson Broderick Engineering	EGR & Associates Inc.
1941 Laura Street	325 West 13th Avenue	2535B Prairie Road
Springfield OR 97477	Eugene OR 97401	Eugene OR 97402

ATTACHMENT 3

DECISION: Tentative Approval, with conditions, as of the date of this letter. The standards of the Springfield Development Code (SDC) applicable to each criterion of Partition Approval are listed herein and are satisfied by the submitted plans and notes unless specifically noted with findings and conditions necessary for compliance. PUBLIC AND PRIVATE IMPROVEMENTS, AS WELL AS THE FINAL PLAT, MUST CONFORM TO THE SUBMITTED PLANS AS CONDITIONED HEREIN. This is a limited land use decision made according to City code and state statutes. Unless appealed, the decision is final. Please read this document carefully.

(See Attachment A and Page 17 for a summary of the conditions of approval.)

OTHER USES AUTHORIZED BY THE DECISION: None. Future development will be in accordance with the provisions of the SDC, filed easements and agreements, and all applicable local, state and federal regulations.

REVIEW PROCESS: This application is reviewed under Type II procedures listed in SDC 5.1-130 and the partition criteria of approval, SDC 5.12-100. This application was accepted as complete on February 14, 2017; therefore, this decision is issued on the 31st day of the 120 days mandated by the state.

SITE INFORMATION: The subject property is a roughly rectangular parcel that extends from Hayden Bridge Road to the south bank of the McKenzie River. The property comprises approximately 8.9 acres and has about 215 feet of frontage on Hayden Bridge Road along the south boundary. The City's Urban Growth Boundary (UGB) runs east-west across the property at a point 375 feet north of the northern boundary of Hayden Bridge Road. As such, about three-quarters of the subject property is outside the Springfield UGB. The property is municipally addressed as 2100 Hayden Bridge Road and the Assessor's description for the subject property is Map 17-03-24-00, Tax Lot 401. The site is zoned and designated Low Density Residential (LDR) in accordance with the adopted *Metro Plan*. Because the property is outside the current Springfield City limits it has an Urbanizable Fringe Overlay District (UF-10) applied.

The subject site has a partially developed public street frontage (Hayden Bridge Road) along the southern boundary. Approximately the southern one-half of the street is developed with paving, curb and gutter. The northern one-half (approximately) of Hayden Bridge Road along the site frontage is not developed with paving, curb or gutter. Approval of the proposed partition would create two LDR parcels with UF-10 overlay: a rectangular 0.75 acre parcel with approximately 190 feet of frontage on Hayden Bridge Road, and the remainder parcel that comprises approximately 8.1 acres. The applicant's submittal includes a conceptual 4-lot subdivision plan for the parcel that fronts onto Hayden Bridge Road demonstrating that urban densities could be achieved in the future.

The proposed partition area is partially within the Planning jurisdiction of the City (those portions inside the Springfield UGB) and partially within Lane County jurisdiction (portions outside the UGB and the Hayden Bridge Road frontage). Because of the split jurisdiction, the proposed partition is subject to the provisions of the Springfield Development Code (SDC) and certain aspects are also governed by the Lane Code (LC). Where the applicable Code provisions differ between Springfield and Lane County, the more restrictive provision will apply.

WRITTEN COMMENTS:

Procedural Finding: Applications for Limited Land Use Decisions require the notification of property owners/occupants within 300 feet of the subject property allowing for a 14-day comment period on the application (SDC 5.1-130 and 5.2-115). The applicant and parties submitting written comments during the notice period have appeal rights and are mailed a copy of this decision for consideration.

Procedural Finding: In accordance with SDC 5.1-130 and 5.2-115, notice was sent to property owners/occupants within 300 feet of the subject site on February 23, 2017. Staff responded to one telephone inquiry and no written comments were received.

CRITERIA OF PARTITION TENTATIVE APPROVAL:

SDC 5.12-125 states that the Director shall approve or approve with conditions a Partition Tentative Plan application upon determining that criteria A through I of this Section have been satisfied. If conditions cannot be attached to satisfy the criteria, the Director shall deny the application.

A. The request conforms to the provisions of this Code pertaining to lot/parcel size and dimensions.

Finding 1: In accordance with SDC 3.2-215, parcels on east-west streets shall have a minimum size of 4,500 ft^2 with at least 45 feet of street frontage.

Finding 2: In accordance with SDC 3.2-215 and 3.2-220, panhandle parcels shall have a minimum size of 4,500 ft^2 (within the pan area) with at least 20 feet of frontage for a single panhandle. However, in accordance with Lane Code 15.010(35), parcels that abut the right-of-way of a County Road shall have a usable [frontage] of at least 30 feet. Hayden Bridge Road is classified as a Lane County urban local road.

Finding 3: Staff observes that a 30-foot wide panhandle frontage would allow for future re-partitioning of the panhandle parcel since at least 26 feet of frontage is required for a multiple panhandle parcel in accordance with SDC 3.2-215. Therefore, the 30-foot panhandle width standard will apply to this proposal.

Finding 4: The applicant's proposal identifies Parcel 2 as a rectangular parcel with frontage on Hayden Bridge Road, and Parcel 3 as a panhandle "remainder" parcel. There is no Parcel 1 depicted on the partition plan. The parcel numbers used herein are based on those depicted on the applicant's tentative partition plan.

Finding 5: Proposed Parcel 2 meets the dimensional requirements for a parcel on an east-west street.

Finding 6: Proposed Parcel 3 does not meet the dimensional requirements for a panhandle parcel on a County urban local road. Upon increasing the panhandle frontage to 30 feet the parcel would comply with LC 15.010(35).

Condition of Approval:

1. **The Final Partition Plan shall provide at least 30 feet of frontage for the panhandle parcel that is identified as Parcel 3 on the applicant's tentative plan.**

Conclusion: As conditioned herein, this proposal satisfies Criterion A.

B. The zoning is consistent with the Metro Plan diagram and/or applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.

Finding 7: The subject property is zoned and designated Low Density Residential (LDR) in accordance with the Springfield Zoning map and the adopted *Metro Plan*. The zoning of the property is LDR, consistent with the adopted Comprehensive Plan and the applicant is not proposing to change the zoning or designation.

Conclusion: This proposal satisfies Criterion B.

C. Capacity requirements of public improvements, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Public Works Director or a utility provider shall determine capacity issues.

General Finding 8: For all public improvements, the applicant shall retain a private professional civil engineer to design the partition improvements in conformance with City codes, this decision, and the current

Engineering Design Standards and Procedures Manual (EDSPM). The private civil engineer also shall be required to provide construction inspection services.

General Finding 9: City Building Permits are required for installation of private utilities. The developer is proposing to extend public utilities from connection points on Hayden Bridge Road, which is a Lane County facility. The developer is advised to obtain necessary Lane County Facility Permits prior to initiation of any construction activity.

General Finding 10: The Development & Public Works Director's representatives and Lane County staff have reviewed the proposed partition. City and County staff's review comments have been incorporated in findings and conditions contained herein.

General Finding 11: Criterion C contains sub-elements and applicable code standards. The partition application as submitted complies with the code standards listed under each sub-element unless otherwise noted with specific findings and conclusions. The sub-elements and code standards of Criterion C include but are not limited to:

Public improvements in accordance with SDC 4.2-100 and 4.3-100

- Public and Private Streets (SDC 4.2-105 – 4.2-145)
- Sanitary Sewer Improvements (SDC 4.3-105)
- Stormwater Management (SDC 4.3-110 – 4.3-115)
- Utilities (SDC 4.3-120 – 4.3-130)
- Water Service and Fire Protection (SDC 4.3-130)
- Public and Private Easements (SDC 4.3-140)

Public and Private Streets

Finding 12: The proposed partition area has frontage on Hayden Bridge Road along the south boundary. Along the property frontage, Hayden Bridge Road is a Lane County facility that is classified as an urban local road. The road has 70 feet of right-of-way width with approximately 20 feet of pavement width – primarily within the southern half of the right-of-way. The south side of Hayden Bridge Road, across from the subject property frontage, has been improved as a partial-width street with paving, curb and gutter. The subject property frontage has not been improved with paving, curb and gutter.

Finding 13: In accordance with Lane Code 15.105(1), when a land division or other development is proposed, the County may require dedication of right-of-way or easements and improvements necessary to meet the applicable road design standards of Lane Code 15.700–15.708 and other requirements of this chapter.

Finding 14: In accordance with Lane Code 15.704(1)(a), the Urban Local Street standards apply to County roads functionally classified as local roads within Urban Growth boundaries. Further, in accordance with Lane Code 15.704(1)(d), within the urban growth boundaries the applicable design standards of the respective city shall apply to County Roads functionally classified as local roads. For this reason, Lane County defers to the City of Springfield's design standards for the segment of Hayden Bridge Road along the subject property frontage.

Finding 15: In accordance with SDC 4.2-105.G.2, whenever a proposed land division or development will increase traffic on the city street system and the development site has unimproved street frontage, that street frontage shall be fully improved to City specifications. Further, in accordance with SDC 4.2-105.G.2.a, when fully improved street right-of-way abuts the property line of the subject property, street improvements shall be constructed across the entire property frontage.

Finding 16: The abutting property to the west of the subject site (2801 20th Street) has curb, gutter and paving along the Hayden Bridge Road frontage of the lot. At or near the boundary between the two

properties, the road transitions to partial-width pavement without curb and gutter along the northern edge. As such, existing conditions have a fully improved street right-of-way abutting the property line of the subject site.

Finding 17: The existing conditions on Hayden Bridge Road provide for curb, gutter and paving up to and across from the subject property frontage, but there are no sidewalks or streetlights in the vicinity of the partition area. Installation of sidewalks, street trees, and street lighting is not warranted with the proposed partition. Therefore, an Improvement Agreement postponing the installation of sidewalks and streetlights will be required for the proposed parcels.

Finding 18: The applicant is not showing any street frontage improvements on the tentative partition plan. The applicant will need to provide for completion of the northern half of Hayden Bridge Road to a 36-foot wide paved urban local street standard with curb and gutter along the entire property frontage. Lane County Facility Permits will be required for the road work.

Finding 19: In accordance with SDC 4.2-140, where street trees cannot be planted in the public right-of-way, trees in the front yard setback can be substituted for street trees in accordance with SDC 4.2-140.B. Maintenance of street trees on private property is the responsibility of the landowner.

Finding 20: The subject property has four existing trees along the proposed Parcel 2 frontage on Hayden Bridge Road. The existing private trees on proposed Parcel 2 would satisfy the requirement for street trees if they are retained on the site. If any or all of the private street trees are proposed for removal to facilitate installation of utilities and the future residential dwelling on Parcel 2, replacement of these street trees will be necessary. Replacement street trees can be within appropriate locations inside the Hayden Bridge Road right-of-way or inside the property frontage of Parcel 2.

Conditions of Approval:

2. **Prior to approval of the Final Partition Plat, the applicant shall provide for completion of the northern half of Hayden Bridge Road along the entire property frontage to a 36-foot wide paved urban local street standard with curb and gutter.**

3. **Prior to approval of the Final Partition Plat, the applicant shall obtain Lane County permits as may be necessary for construction of Hayden Bridge Road improvements along the entire property frontage.**

4. **Prior to approval of the Final Partition Plat, the Hayden Bridge Road improvements shall be fully completed and accepted by the City and Lane County. Alternatively, the applicant shall provide a bond or financial surety satisfactory to the City and Lane County for completion of the Hayden Bridge Road improvements concurrently with or subsequent to Final Partition Plat.**

5. **Prior to approval of the Final Partition Plat, the applicant shall execute and record an Improvement Agreement for future sidewalks, street trees, and street lighting for the Hayden Bridge Road frontage of Parcels 2 and 3.**

6. **Prior to issuance of Final Occupancy for a future dwelling on Parcel 2, the owner of Parcel 2 shall demonstrate to the satisfaction of the City that street tree requirements have been adequately met through the provision of public street trees, private street trees, or a combination thereof.**

Conclusion: As conditioned herein, existing transportation facilities would be adequate to accommodate the additional volume of traffic generated by the proposed development in a safe and efficient manner.

Sanitary Sewer Improvements

Finding 21: Section 4.3-105.A of the SDC requires that sanitary sewers shall be installed to serve each new development and to connect developments to existing mains. Additionally, installation of sanitary sewers shall provide sufficient access for maintenance activities.

Finding 22: SDC 4.3-105.C requires that the design of proposed sanitary sewers shall consider potential additional development within the contributing area as contemplated by the adopted *Metro Plan*.

Finding 23: The proposed partition area is geographically isolated from the nearest public sewer line, which is located approximately 1160 feet to the southwest of the subject property as measured westward along the Hayden Bridge right-of-way to the intersection with the 19th Street right-of-way and then south to an existing public sewer line that is stubbed out in 19th Street.

Finding 24: In accordance with SDC 4.3-105.E, proposed developments in the City's unincorporated urbanizable area require a septic system design approved by the Lane County Sanitarian.

Finding 25: The applicant has not provided evidence of an approved septic system design for Parcels 2 and 3.

Condition of Approval:

7. **Prior to approval of the Final Partition Plat, the applicant shall obtain septic system approval for Parcels 2 and 3 from the Lane County Sanitarian and provide evidence thereof to the City.**

Stormwater Management

Finding 26: Section 4.3-110.C of the SDC states that a stormwater management system shall accommodate potential runoff from its entire upstream drainage area, whether inside or outside of the development.

Finding 27: Section 4.3-110.D of the SDC requires that runoff from a development shall be directed to an approved stormwater management system with sufficient capacity to accept the discharge.

Finding 28: Section 4.3-110.E of the SDC requires new developments to employ drainage management practices that minimize the amount and rate of surface water runoff into receiving streams, and that promote water quality.

Finding 29: The proposed parcel size and favorable soil conditions should allow for all surface drainage to be handled onsite and infiltrate or follow historic overland flow patterns to the McKenzie River. No additional private stormwater improvements are required to accommodate future residential dwellings on the site.

Finding 30: City and Lane County records indicate there is an existing 21-inch storm sewer line that runs north-south through the property. The existing storm sewer line conveys runoff from 21st Street and a portion of Hayden Bridge Road to a discharge point at or near the south bank of the McKenzie River. The stormwater line is shown within an existing 20-foot wide stormwater easement that bisects the property; the easement runs between the north boundary of Hayden Bridge Road and the McKenzie River.

Finding 31: Anecdotal information, including a visual investigation by the applicant, suggests that the public stormwater line might not exactly follow the mapped north-south alignment and, instead, may deflect to the east around the former house site on Parcel 3. What is not in dispute is the fact that public street runoff from 21st Street enters curb inlets at the intersection with Hayden Bridge Road, passes through a piped system beneath Hayden Bridge Road to an existing manhole near the midpoint of the property frontage, and discharges somewhere inside the subject property. There is uncertainty about whether the public stormwater drainage makes it all the way to the presumed outfall at the McKenzie River, is discharged elsewhere on the property, or infiltrates somewhere within the property due to damaged or truncated storm sewer pipes.

Finding 32: Lane County staff advises that a review of the status and location of the 20-foot wide storm sewer easement depicted within the property and described to run out to the McKenzie River, and discussed in a January 3, 2017 email to the applicant, was issued without complete information about how the storm sewer system works in the area. The January 3, 2017 email from County Engineer Peggy Keppler advised that Lane County staff has reviewed the easement and stated that "As you described the pipe runs under the house and outfalls west of the well house, but does not go to the river. [The applicant] indicates that the system did not appear to be in use." Regardless of the quantity of drainage currently handled by the stormwater pipe passing through the subject property, it is the applicant's responsibility to retain the existing drainage system.

Finding 33: Lane County staff advises that the existing stormwater pipe and easement was conveyed to provide stormwater discharge for land south of the subject property that was developed in the 1960s as the El Bonita Gardens subdivision additions. The two curb inlets at the north end of 21st Street drain to the manhole along the subject property frontage and then north into the stormwater easement that was conveyed to the benefit of properties to the south of Hayden Bridge Road (Document #1963-097315, Lane County Deeds & Records). Lane County and City staff contend that the stormwater easement is public in character because it has been serving a subdivision area and streets dedicated to the public for approximately 50 years. Further, the easement was conveyed to provide drainage for the property which it is now serving, so while the easement has not been specifically conveyed to or accepted by Lane County, it remains public in nature and serves Lane County roads that have been dedicated to the public.

Finding 34: Lane County Road Maintenance staff advises that the stormwater drainage system that originates at the north end of 21st Street, passes beneath Hayden Bridge Road to the manhole near the midpoint of the property frontage, and then discharges at an undetermined location within the subject property has never required any maintenance or repairs. For this reason, County staff has not entered upon the site to investigate the exact location and status of the stormwater line and outfall on the subject property.

Finding 35: City and Lane County staff agree that the existing stormwater pipe and easement should be retained as they provide a current and long-term public benefit for the neighborhood. In the event that the stormwater line was previously relocated from its assumed alignment – for example, to accommodate the previous house that was built in 1975 – the exact alignment will need to be determined to assist the property owner with appropriately locating the building sites on Parcels 2 and 3 and also to assist the City and Lane County staff with long-term infrastructure planning and maintenance of the public drainage system.

Finding 36: To assist with determining the location and status of the stormwater pipe that runs north of the existing manhole within the Hayden Bridge Road frontage of the subject site, Springfield Operations staff would be willing to run a TV camera into the system and share this data with Lane County and the property owner.

Finding 37: Based on the foregoing, the existing stormwater pipes and easement will need to be retained on the site unless and until a suitable replacement stormwater system and public stormwater easement can be provided by the applicant.

Finding 38: Lane County staff advises that the required improvements to Hayden Bridge Road (Condition 2) are likely to trigger a review of stormwater requirements. The applicant is requested to coordinate with Brad Lemhouse, Senior Engineering Associate, at 541-682-6928 for review and approval of any required stormwater improvements.

Conditions of Approval:

8. **Prior to approval of the Final Partition Plat, the exact alignment of the existing stormwater pipe that conveys public runoff from 21st Street to the McKenzie River and the location of the outfall shall be determined to the extent possible through the collective efforts of the City, Lane County, and the property owner.**

9. **Prior to approval of the Final Partition Plat, a suitable public stormwater easement shall be reconveyed to Lane County as may be required for the use and benefit of the existing piped stormwater system that runs within the property. The location, alignment, and dimensions of the public stormwater easement shall be satisfactory to Lane County and the City.**

Utilities

Finding 39: Section 4.3-120.B of the SDC requires each developer to make arrangements with the utility providers to provide utility lines and facilities to serve the development area. Springfield Utility Board (SUB) provides electrical service to this area of the City.

Finding 40: In accordance with SDC 4.3-120.B, the applicant is responsible for the cost of design and installation of utility lines and facilities necessary to serve the partition area.

Finding 41: In accordance with SDC 4.3-125, all utility lines serving the development site shall be placed underground.

Finding 42: The applicant is proposing to extend electrical service to Parcels 2 and 3 from an existing vault along the western boundary of Parcel 3. The proposed electrical service meets the requirements of SDC 4.3-120.B.

Water Service and Fire Protection

Finding 43: Section 4.3-130.A of the SDC requires each development area to be provided with a water system having sufficiently sized mains and lesser lines to furnish adequate supply to the development and sufficient access for maintenance. Rainbow Water District coordinates the design of the water system within unincorporated portions of Springfield, including the subject site. All new water system facilities and modifications required to serve the proposed partition area must be placed in the public right-of-way and constructed in accordance with Rainbow Water District standards. Rainbow Water District also contracts with Eugene-Springfield Fire for the provision of fire and emergency medical response to its service area.

Finding 44: The former house on the subject property (since demolished) was served by a private well and the applicant is proposing to retain the well for the use and benefit of Parcel 3.

Finding 45: The applicant is proposing a connection to the existing 6-inch water line owned and operated by Rainbow Water District and to install a water service line for the future home on Parcel 2.

Finding 46: Rainbow Water District advises that the subject property and the neighboring property to the east (2160 Hayden Bridge Road) have not been annexed to the Rainbow Water District. Therefore, connection to the public water system cannot be obtained unless and until the Parcel 2 area is annexed to the Rainbow Water District. Alternatively, the applicant will need to demonstrate that another viable water source can be provided for proposed Parcel 2.

Finding 47: Because the subject property is not currently annexed to the Rainbow Water District, it falls outside a fire and emergency medical response area. Emergency service providers would not be obligated to respond to the partition area, but they likely would and then bill the property owner for an out-of-district response. For this reason, even if water service is not requested, annexation of the entire partition area to the Rainbow Water District is advisable to ensure the property is fully covered by emergency services.

Finding 48: The nearest responding fire station to the proposed development area is Fire Station 3 (1225 28th Street).

Condition of Approval:

10. Prior to approval of the Final Partition Plat, the partition area shall be annexed to the Rainbow Water District to afford provision of water service to Parcel 2. Alternatively, the applicant shall demonstrate another viable water source for Parcel 2 to the satisfaction of the City.

Public and Private Easements

Finding 49: Section 4.3-140.A of the SDC requires applicants proposing developments to make arrangements with the City and each utility provider for the dedication of utility easements necessary to fully service the development or land beyond the development area. The minimum width for Public Utility Easements (PUEs) adjacent to street rights-of-way shall be 7 feet. The minimum width for all other PUEs shall be 7 feet unless the Development & Public Works Director requires a larger easement to allow for adequate maintenance.

Finding 50: To meet the requirements of SDC 4.3-140.A, the applicant is proposing to dedicate a 7-foot wide PUE along the Parcel 2 and 3 frontages on Hayden Bridge Road.

Finding 51: There is an existing utility easement along the west boundary of the subject property and it will be contained within Parcel 3 of the proposed partition. The applicant is proposing to record a 10-foot wide private utility easement along the west boundary of Parcel 2 to supplement the existing easement and to accommodate existing and proposed utilities serving Parcels 2 and 3.

Finding 52: There is an existing stormwater easement that runs north-south through the entire length of the property as described in Document #1963-97315, Lane County Deeds & Records. However, the easement is depicted on the applicant's tentative plan as being truncated about 370 feet north of the northern boundary of Hayden Bridge Road. As previously stated and conditioned herein (Conditions 8 and 9), the configuration of the stormwater easement will need to be retained as currently described but could change once the exact location and alignment of the underlying stormwater pipe is determined. Staff advises that the locations of the existing and proposed septic tanks, drain fields, and reserve areas serving Parcels 2 and 3 will need to be adjusted as may be necessary to remain entirely outside of any existing, proposed, or reconfigured easements.

Conclusion: As conditioned herein, this proposal satisfies Criterion C.

D. The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations.

General Finding 53: Criterion D contains two elements with sub-elements and applicable Code standards. The partition application as submitted complies with the code standards listed under each sub-element unless otherwise noted with specific findings and conclusions. The elements, sub-elements and Code standards of Criterion D include but are not limited to:

D.1 Conformance with standards of SDC 3.2-200 (Residential Zoning), SDC 4.1-100 (Infrastructure Standards), SDC 4.4-100 (Landscaping, Screening and Fence Standards), SDC 4.6-100 (Vehicle Parking, Loading and Bicycle Parking Standards), and SDC 5.17-100 (Site Plan Review)

- Parcel Coverage and Setbacks (SDC 3.2-215)
- Height Standards (SDC 3.2-215)
- Private Infrastructure Standards (SDC 4.1-100)
- Landscaping Standards (SDC 4.4-105)
- Screening (SDC 4.4-110)
- Fence Standards (SDC 4.4-115)
- On-Site Lighting Standards (SDC 4.5-100)
- Vehicle Parking Standards (SDC 4.6-100)

D.2 Overlay Districts and Applicable Refinement Plan Requirements

- The site is within the mapped 10+ year Time of Travel Zone for City drinking water wells.
- The site is not within an adopted Refinement Plan area.
- The site is within the Urbanizable Fringe Overlay District (UF-10).
- The site is within the mapped flood hazard area of the McKenzie River.

D.1 Conformance with standards of SDC 3.2-200 (Residential Zoning), SDC 4.1-100 (Infrastructure Standards), SDC 4.4-100 (Landscaping, Screening and Fence Standards), SDC 4.6-100 (Vehicle Parking, Loading and Bicycle Parking Standards), and SDC 5.17-100 (Site Plan Review)

Parcel Coverage and Setbacks

Finding 54: The applicant is proposing to construct a new dwelling on Parcel 3 and a conceptual building envelope area is depicted on Parcel 2. Proposed Parcels 2 and 3 will be vacant until residential building permits are issued for these parcels. In accordance with SDC 3.2-215 and 3.2-230, the maximum building coverage for LDR parcels is 45%, including the principal dwelling and any regulated accessory structures such as carports, garages, shop buildings, covered porches, and sheds.

Height Standards

Finding 55: In accordance with SDC 3.2-215 and 3.2-225, the maximum building height in the LDR District is 30 feet except where modified by solar access standards. Any future development on Parcels 2 and 3 will require determination of solar setback compliance through Building Permit review. The future developer or builder will be required to demonstrate compliance with the solar access standards of SDC 3.2-225 prior to issuance of Building Permits.

Private Infrastructure Standards

Finding 56: In accordance with SDC 4.1-110.D.2, specifications for private improvements shall meet the requirements of the Development Code and the City's Building Official. The applicant will need to demonstrate that the existing septic system on Parcel 3 is adequate to serve a future dwelling. Similarly, the applicant will need to demonstrate that a private septic system can be installed to serve Parcel 2.

Finding 57: The applicant will need to demonstrate that potable water service can be provided to a future dwelling on Parcel 3 by way of the existing well on the property. If the applicant chooses to provide well water to Parcel 2 a private water line with accompanying private easement will need to be installed prior to platting of the partition.

Landscaping Standards

Finding 58: In accordance with SDC 3.2-215 footnote (5), all residential building setbacks shall be landscaped unless the setback is for a garage or carport.

Finding 59: In accordance with SDC 4.4-100, site landscaping consists of trees, shrubs, groundcover plants and turf, or a combination thereof. Site landscaping does not consist of only gravel or bark mulch ground cover, unless the latter is used as a growing medium for planted trees and shrubs.

Screening

Finding 60: In accordance with SDC 4.4-110.B, screening may be used to provide visual separation between adjacent properties. However, there is no specific requirement for screening between compatible Low Density Residential properties.

Fence Standards

Finding 61: The Springfield Development Code regulates the height and style of fencing in residential districts. However, there is no specific requirement for fencing between compatible LDR parcels.

Finding 62: In accordance with SDC Table 4.4-1 footnote (2)(a), the maximum height of a fence in the front yard setback is 4 feet high for chain link or wrought iron, and 3 feet high for a slatted chain link or other sight obscuring fences.

Finding 63: There is an existing masonry pillar and wrought iron fence along the property frontage on Hayden Bridge Road. It appears that the fence may exceed the height provisions of the City's Development Code and may also encroach into the public right-of-way. Staff advises that the fence may remain in its current location and configuration but cannot be reconstructed or replaced unless the fence meets the standards of the City's Development Code. Additionally, if the fence encroaches within the Hayden Bridge Road right-of-way, the applicant will need to remove or relocate the fence to the surveyed property line. Alternatively, the applicant can enter into a Right-of-Way Use Agreement allowing for a privately owned and maintained feature to occupy a portion of the public right-of-way.

Condition of Approval:

11. **Prior to approval of the Final Partition Plat, the applicant shall demonstrate to the satisfaction of the City and Lane County that the existing fence along the Hayden Bridge Road frontage does not encroach into the public right-of-way. To correct any fence encroachment, the applicant shall relocate the fence to the surveyed southern boundary of the partition area. Alternatively, the applicant shall enter into a Right-of-Way Use Agreement for the private fence such that the property owner(s) are responsible for ongoing maintenance of the fence within the public right-of-way.**

On-Site Lighting Standards

Finding 64: It is not expected that outdoor residential lighting for the proposed dwellings within the partition area would cause light trespass onto adjacent properties. The future dwellings on Parcels 2 and 3 will need to abide by the residential lighting provisions of the City's Development Code, Section 4.5-100.

Vehicle Parking Standards

Finding 65: In accordance with SDC 4.6-100, a minimum of two off-street parking spaces are required for each single family dwelling. Provision of adequate off-street parking for Parcels 2 and 3 will be reviewed at the time of Building Permit submittal. The size and configuration of the proposed parcels suggests that on-site parking requirements will be easily met.

Conclusion: As conditioned herein, this proposal satisfies Criterion D.1.

D.2 Overlay Districts and Applicable Refinement Plan Requirements

Finding 66: Development Review staff has reviewed the application in regard to the Drinking Water Protection Overlay District, Floodplain Overlay District, Urbanizable Fringe Overlay District, and Refinement Plan requirements. The proposed partition area is subject to the provisions of three separate overlay districts as noted below.

Finding 67: The subject site is within the mapped 10+ Year Time of Travel Zone for the City's drinking water wells. Because of the nature of development proposed for the site (single family residential dwellings) it is not expected that activities within the partition area would pose an unusual risk to groundwater resources. However, the applicant is advised to exercise caution during construction activities

on the site, including grading, excavation and installation of utilities, to ensure that ground water and surface water resources are protected. Construction plans for the proposed parcels and any future dwellings thereon will need to include the following wellhead protection notes:

WELLHEAD PROTECTION CONSTRUCTION NOTES:

- *DNAPL Prohibition*: The contractor and all subcontractors are required to provide the owner's engineer with copies of MSDSs for all chemicals proposed for use on-site prior to use or delivery to the property. Based on these MSDSs, the engineer will determine if the chemical is approved for use on this site (i.e., whether or not the product contains DNAPLs). The engineer may contact the SUB Drinking Water Source Protection Coordinator (541-744-3745) with any questions about evaluating products for DNAPLs.
- Any chemical spills or leaks must be cleaned up immediately and clean-up materials disposed off-site and in accordance with Lane County and DEQ requirements. In every case, care shall be taken to prevent groundwater contamination.
- *Chemical handling, storage, and use*: Contractors/developers shall be responsible for the safe handling and storage of chemicals, petroleum products, and fertilizers and the prevention of groundwater and storm water runoff contamination. Chemicals used during construction, including paint and cleaning materials/wastes, must not enter the soil or be washed into the storm water system. All chemicals should be stored in adequate secondary containment.
- *Equipment maintenance and fueling*: Precautions must be taken to prevent fluid-containing equipment located outside from leaking, including providing a dedicated area for fueling and maintenance of equipment. This area should be prepared and maintained in a way that prevents spills or leaks from migrating to the soil or storm water drainage system.
- No fill materials containing hazardous materials shall be used on this site.

Finding 68: Springfield staff advises that groundwater protection can be maintained for septic systems through basic maintenance practices. A pamphlet outlining basic septic system maintenance strategies is included with the decision for the applicant's information.

Finding 69: The subject site is entirely within the mapped flood hazard area of the McKenzie River. In accordance with provisions of the Floodplain Overlay District (FPO), SDC 3.3-400, a base flood elevation will need to be established for both proposed parcels. Future dwellings to be constructed on the proposed parcels will need to be elevated at least one foot above the calculated base flood elevation to meet FEMA requirements. Prior to platting of the partition area or issuance of any Building Permits, determination of the base flood elevation for each proposed parcel will need to be done through the City's Floodplain Overlay District permitting process.

Finding 70: The subject site is outside the current City limits and lies partially within the Springfield UGB. Therefore, the property is subject to the provisions of the Urbanizable Fringe Overlay District (UF-10), SDC 3.3-800. Specific requirements of the UF-10 District are also outlined in Criterion I below.

Finding 70: Approximately the northern two-thirds of the property (as measured by linear distance) is located outside the UGB and therefore the net developable area within the Springfield UGB is approximately 2.25 acres. Staff advises that only the 2.25-acre partition area that is entirely within the UGB will be used for the purpose of determining compliance with SDC 3.3-800 and 5.12-125.I.

Finding 71: Staff observes that the location of the delineated UGB is incorrectly depicted on the applicant's submitted plans. The UGB line for this property is determined to be 375 feet north of the northern boundary of Hayden Bridge Road and should be depicted as such on the preliminary partition plans submitted for platting.

Finding 72: The site is not within an adopted Refinement Plan area. Therefore, there are no specific Refinement Plan policies that apply to the proposed partition.

Conditions of Approval:

12. **All construction plans for the partition area shall contain the Wellhead Protection Notes outlined in Finding 67 of the tentative partition decision.**

13. **Prior to approval of the Final Partition Plat or issuance of Building Permits for Parcels 2 or 3 or the undivided parent parcel, the applicant shall obtain a Floodplain Overlay District permit to establish the calculated base flood elevations for the parcels created by the partition plat. The calculated base flood elevations shall be monumented and appropriately commemorated on the plat document.**

14. **The City's delineated Urban Growth Boundary shall be correctly depicted on the preliminary partition plat map as being 375 feet north of the northern boundary of the Hayden Bridge Road right-of-way.**

Conclusion: As conditioned herein, this proposal satisfies Criterion D.2.

E. **Physical features, including, but not limited to: steep slopes with unstable soil or geologic conditions; areas with susceptibility to flooding; significant clusters of trees and shrubs; watercourses shown on the Water Quality Limited Watercourse Map and their associated riparian areas; wetlands; rock outcroppings; open spaces; and areas of historic and/or archaeological significance, as may be specified in Section 3.3-900 or ORS 97.740-760, 358.905-955 and 390.235-240, shall be protected as specified in this Code or in State or Federal law.**

Finding 73: The proposed partition area is flat and slopes gradually to the north toward the McKenzie River. There is no evidence of steep slopes or instability on the property.

Finding 74: As previously stated and conditioned herein (Condition 13), the applicant will need to obtain a Floodplain Overlay District permit before the partition can be platted.

Finding 75: The applicant has identified 19 qualifying trees within the proposed partition area. However, none of the trees are proposed for removal to accommodate future development. In the event that tree removal is proposed, the applicant will need to obtain a Tree Felling Permit for the removal of more than five (5) qualifying trees from any legal parcel during any 12 month period.

Finding 76: The Metro Area General Plan, Water Quality Limited Watercourse Map, State Designated Wetlands Map, Hydric Soils Map, Wellhead Protection Zone Map, FEMA Map and the list of Historic Landmark sites have been consulted and there are no natural features inside the City's UGB that need to be protected or preserved on this site. If any artifacts are found during construction, there are state laws that could apply; ORS 97.740, ORS 358.905, ORS 390.235. If human remains are discovered during construction, it is a Class "C" felony to proceed under ORS 97.740.

Condition of Approval:

15. **Prior to initiation of any construction or utility installation activity that will result in the removal of more than five (5) trees from any one parcel during any 12-month period, the applicant shall obtain a Tree Felling Permit.**

Conclusion: As conditioned herein, this proposal satisfies Criterion E.

F. **Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and**

public areas; minimize driveways on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for State highways.

Finding 77: The Development Review Committee reviewed the proposed partition at a meeting on March 7, 2017. The public street system, as existing and conditioned herein, is sufficient to serve the proposed partition area. Provision of at least two off-street parking spaces will be required for each dwelling and the parking space provision will be reviewed in conjunction with Building Permit issuance.

Transportation System Impacts

Finding 78: Abutting the subject site to the south, Hayden Bridge Road tapers from a fully developed paved urban local street immediately west of the site to a partial-width urban local street along the property frontage. As previously stated and conditioned herein (Condition 2), the northern half of Hayden Bridge Road will need to be constructed to urban standards in conjunction with the partitioning of the property.

Finding 79: Based on ITE Land Use Code 210 (Single-Family Detached Housing), full development of the partition area with one additional dwelling unit would generate approximately 10 additional vehicle trips per day and one PM peak-hour vehicle trip onto the surrounding street system.

Finding 80: Assumed development also may generate pedestrian and bicycle trips. According to the "Household" survey done by LCOG in 1994, 12.6 percent of household trips are made by bicycle or walking and 1.8 percent are by transit bus. These trips may have their origins or destinations at a variety of land uses, including this site. Pedestrian and bicycle trips create the need for sidewalks, pedestrian crossing signals, crosswalks, bicycle parking and bicycle lanes. There are no public sidewalks in the immediate vicinity so these improvements have been deferred through an Improvement Agreement for the proposed parcels.

Finding 81: The partition area is somewhat distant from the nearest public transit facilities, which are located a little more than one-half mile southwest of the subject property near the intersection of 19th Street and Hayden Bridge Road. Transit bus service is provided by LTD Route #17 (5th Street/Hayden Bridge) operating along 19th Street and Hayden Bridge Road west of 19th Street.

Finding 82: Existing and planned transportation facilities would be adequate to accommodate the additional volume of traffic generated by the proposed development. Therefore, the proposed partition should have no significant traffic impacts to the surrounding public street system.

Site Access and Circulation

Finding 83: Installation of driveways on a street increases the number of traffic conflict points. A greater number of conflict points increases the probability of traffic crashes. In accordance with SDC 4.2-120.C, driveways shall be designed to allow safe and efficient vehicular ingress and egress as specified in Tables 4.2-2 through 4.2-5, the City's EDSPM and the City's Standard Construction Specifications.

Finding 84: In accordance with Lane Code 15.137(4), where the right of access exists to a local road as defined in LC 15.010(18)(e), more than one approach to the road from a lot or parcel may be considered if, in the judgment of the County Engineer or their designee, additional driveway approaches are necessary to accommodate and service traffic to and from a property and additional driveway approaches will not interfere with driver expectancy and the safety of traffic on the road.

Finding 85: The section of Hayden Bridge Road adjacent to the subject property is located within the Springfield UGB and homes to the south and west are developed to urban densities with individual driveways serving each dwelling. The existing property has a paved driveway approach onto Hayden Bridge Road that is proposed to be retained to serve Parcel 3. A new driveway approach is proposed to serve Parcel 2. City and County staff finds that one additional driveway approach onto Hayden Bridge

Road is a reasonable accommodation to serve traffic to and from the partition area, and that the additional driveway will not interfere with driver expectancy or safety of through traffic on the street.

Finding 86: Lane County staff finds that the existing paved driveway serving proposed Parcel 3 is sufficient and appears to meet current standards. However, it appears that a Facility Permit was not issued for the installation of the existing driveway. Provided there are no changes or modifications to the existing driveway a County Facility Permit is not required for the existing access serving proposed Parcel 3.

Finding 87: In accordance with Lane Code 15.205(1), a Facility Permit is required for the placement of facilities within the County road right-of-way, including but not limited to road improvements, new or reconstructed driveways, utility installations, excavation or grading, stormwater facilities, and other facilities and appurtenances. The proposed driveway and utility installations serving Parcel 2 will require a Facility Permit.

Finding 88: As proposed and conditioned herein, the existing and planned facilities are adequate to meet the site access, driveway, and vision clearance requirements of SDC 4.2-120 and 4.2-130.

Condition of Approval:

16. **Prior to issuance of Building Permits for Parcels 2 or 3 or the undivided parent parcel, the applicant shall obtain a Lane County Facilities Permit for work within the Hayden Bridge Road right-of-way including the installation of driveways, utilities, road improvements, and other facilities and appurtenances necessary to serve the partition area. The work covered by the Lane County Facilities Permit shall be completed to the satisfaction of the County prior to issuance of final occupancy for any new buildings within the partition area.**

Conclusion: As conditioned herein, this proposal satisfies Criterion F.

G. Development of any remainder of the property under the same ownership can be accomplished as specified in this Code.

Finding 89: The applicant is proposing to partition two parcels from a single parent parcel, thereby creating a new 0.75 acre parcel and leaving an ~8.1 acre remainder. Out of the ~8.1-acre remainder, approximately 1.5 acres is within the City's UGB and is therefore considered developable. Both proposed parcels can be developed or potentially further developed because they have legal and physical frontage on Hayden Bridge Road and are not landlocked.

Conclusion: This proposal satisfies Criterion G.

H. Adjacent land can be developed or is provided access that will allow its development as specified in this Code.

Finding 90: The adjacent land to the west and south is already developed as part of the Phyllis Park and El Bonita Gardens subdivisions. Adjacent land to the east is developed with residential and agricultural uses and has direct access to Hayden Bridge Road. The land to the north abuts the south bank of the McKenzie River. Therefore, this condition is not applicable to the proposed partition.

Conclusion: This proposal satisfies Criterion H.

I. Where the Partition of property that is outside of the city limits but within the City's urbanizable area and no concurrent annexation application is submitted, the standards specified below shall also apply.

1. The minimum area for the partitioning of land in the UF-10 Overlay District shall be 10 acres.

2. **EXCEPTIONS:**

   a. **Any proposed new parcel between 5 and 10 acres shall require a Future Development Plan as specified in Section 5.12-120.E for ultimate development with urban densities as required in this Code.**

   b. **In addition to the standards of Subsection 2.a above, any proposed new parcel that is less than 5 acres shall meet 1 of the following standards:**

      i. **The property to be partitioned shall be owned or operated by a governmental agency or public utility; or**

      ii. **A majority of parcels located within 100 feet of the property to be partitioned shall be smaller than 5 acres.**

      iii. **No more than 3 parcels shall be created from 1 tract of land while the property remains within the UF-10 Overlay District.**

      EXCEPTION: Land within the UF-10 Overlay District may be partitioned more than once as long as no proposed parcel is less than 5 acres in size.

Finding 91: The subject property is outside the current Springfield City limits and approximately 2.5 acres of the 8.9-acre parent parcel lies within the City's UGB. For this reason, and for the purpose of determining compliance with this section, the partition area is considered to be approximately 2.5 acres in size.

Finding 92: In accordance with SDC 5.12-125.I.2.a, the applicant has provided a conceptual plan showing how Parcel 2 could be redivided in the future to meet urban densities. Both parcels lie within close proximity to single family homes that are developed to urban densities in the Phyllis Park and El Bonita Gardens subdivisions. In accordance with SDC 5.12-125.I.2.b.ii, of the 12 properties that are within 100 feet of the subject site only one is larger than 5 acres. Additionally, the applicant is proposing to create only two parcels from the original parent parcel in accordance with SDC 5.12-125.I.2.b.3. Therefore, the proposed partition meets the requirements of SDC 5.12-125.I.

Conclusion: This proposal satisfies Criterion I.

CONCLUSION: The tentative partition, as submitted and conditioned, complies with Criteria A-I of SDC 5.12-125. Portions of the proposal approved as submitted may not be substantively changed during platting without an approved modification application in accordance with SDC 5.12-145.

What needs to be done: The applicant will have up to one year from the date of this letter to meet the applicable conditions of approval or Development Code standards and to submit a Final Partition Plat. Please refer to SDC 5.12-135 & 5.12-140 for more information. **THE PUBLIC AND PRIVATE IMPROVEMENTS AND THE FINAL PLAT MUST BE IN SUBSTANTIAL CONFORMITY WITH THE TENTATIVE PLANS AND THE CONDITIONS OF APPROVAL.**

The Final Plat is required to go through a pre-submittal process. After the Final Plat application is complete, it must be submitted to the Springfield Development & Public Works Department. A separate application and fees will be required. Upon signature by the City Surveyor and the Planning Department, the Plat may be submitted to Lane County Surveyor for signatures prior to recording. **No individual parcels may be transferred until the plat is recorded and five (5) copies of the filed partition are returned to the Development & Public Works Department by the applicant.**

CONDITIONS OF APPROVAL:

1. **The Final Partition Plan shall provide at least 30 feet of frontage for the panhandle parcel that is identified as Parcel 3 on the applicant's tentative plan.**

2. **Prior to approval of the Final Partition Plat, the applicant shall provide for completion of the northern half of Hayden Bridge Road along the entire property frontage to a 36-foot wide paved urban local street standard with curb and gutter.**

3. **Prior to approval of the Final Partition Plat, the applicant shall obtain Lane County permits as may be necessary for construction of Hayden Bridge Road improvements along the entire property frontage.**

4. **Prior to approval of the Final Partition Plat, the Hayden Bridge Road improvements shall be fully completed and accepted by the City and Lane County. Alternatively, the applicant shall provide a bond or financial surety satisfactory to the City and Lane County for completion of the Hayden Bridge Road improvements concurrently with or subsequent to Final Partition Plat.**

5. **Prior to approval of the Final Partition Plat, the applicant shall execute and record an Improvement Agreement for future sidewalks, street trees, and street lighting for the Hayden Bridge Road frontage of Parcels 2 and 3.**

6. **Prior to issuance of Final Occupancy for a future dwelling on Parcel 2, the owner of Parcel 2 shall demonstrate to the satisfaction of the City that street tree requirements have been adequately met through the provision of public street trees, private street trees, or a combination thereof.**

7. **Prior to approval of the Final Partition Plat, the applicant shall obtain septic system approval for Parcels 2 and 3 from the Lane County Sanitarian and provide evidence thereof to the City.**

8. **Prior to approval of the Final Partition Plat, the exact alignment of the existing stormwater pipe that conveys public runoff from 21st Street to the McKenzie River and the location of the outfall shall be determined to the extent possible through the collective efforts of the City, Lane County, and the property owner.**

9. **Prior to approval of the Final Partition Plat, a suitable public stormwater easement shall be reconveyed to Lane County as may be required for the use and benefit of the existing piped stormwater system that runs within the property. The location, alignment, and dimensions of the public stormwater easement shall be satisfactory to Lane County and the City.**

10. **Prior to approval of the Final Partition Plat, the partition area shall be annexed to the Rainbow Water District to afford provision of water service to Parcel 2. Alternatively, the applicant shall demonstrate another viable water source for Parcel 2 to the satisfaction of the City.**

11. **Prior to approval of the Final Partition Plat, the applicant shall demonstrate to the satisfaction of the City and Lane County that the existing fence along the Hayden Bridge Road frontage does not encroach into the public right-of-way. To correct any fence encroachment, the applicant shall relocate the fence to the surveyed southern boundary of the partition area. Alternatively, the applicant shall enter into a Right-of-Way Use Agreement for the private fence such that the property owner(s) are responsible for ongoing maintenance of the fence within the public right-of-way.**

12. **All construction plans for the partition area shall contain the Wellhead Protection Notes outlined in Finding 67 of the tentative partition decision.**

13. **Prior to approval of the Final Partition Plat or issuance of Building Permits for Parcels 2 or 3 or the undivided parent parcel, the applicant shall obtain a Floodplain Overlay District permit to establish the**

calculated base flood elevations for the parcels created by the partition plat. The calculated base flood elevations shall be monumented and appropriately commemorated on the plat document.

14. **The City's delineated Urban Growth Boundary shall be correctly depicted on the preliminary partition plat map as being 375 feet north of the northern boundary of the Hayden Bridge Road right-of-way.**

15. **Prior to initiation of any construction or utility installation activity that will result in the removal of more than five (5) trees from any one parcel during any 12-month period, the applicant shall obtain a Tree Felling Permit.**

16. **Prior to issuance of Building Permits for Parcels 2 or 3 or the undivided parent parcel, the applicant shall obtain a Lane County Facilities Permit for work within the Hayden Bridge Road right-of-way including the installation of driveways, utilities, road improvements, and other facilities and appurtenances necessary to serve the partition area. The work covered by the Lane County Facilities Permit shall be completed to the satisfaction of the County prior to issuance of final occupancy for any new buildings within the partition area.**

Additional Information: The application, all documents, and evidence relied upon by the applicant, and the applicable criteria of approval are available for free inspection and copies are available for a fee at the Development Services Department, 225 Fifth Street, Springfield, Oregon.

Appeal: This Type II Tentative Partition decision is considered a decision of the Director and as such may be appealed to the Planning Commission. The appeal may be filed with the Development & Public Works Department by an affected party. The appeal must be in accordance with **SDC 5.3-100, Appeals**. An Appeals application must be submitted to the City with a fee of $250.00. The fee will be returned to the appellant if the Planning Commission approves the appeal application. In accordance with SDC 5.3-115 which provides for a 15-day appeal period and Oregon Rules of Civil Procedures, Rule 10(c) for service of notice by mail, the appeal period for this decision expires at **5:00 p.m. on April 3, 2017.**

Questions: Please call Andy Limbird in the Development & Public Works Department at (541) 726-3784 or email alimbird@springfield-or.gov if you have any questions regarding this process.

Prepared By:

Andy Limbird

Andy Limbird
Senior Planner

Encl: Attachment A – Tentative Partition Plan
Attachment B – Homeowner's Guide to Septic System Maintenance

ATTACHMENT 3

Please be advised that the following is provided for information only and is not a component of the partition decision.

FEES AND PERMITS

Systems Development Charges:
The applicant must pay applicable Systems Development Charges when building permits are issued for developments within the City limits or within the Springfield Urban Growth Boundary. The cost relates to the amount of increase in impervious surface area, transportation trip rate, and plumbing fixture units (Springfield Code Chapter II, Article 11). Some exceptions apply to Springfield Urban Growth areas.

Systems Development Charges (SDCs) will apply to the construction of buildings and site improvements within the subject site. The Charges will be based upon the rates in effect at the time of permit issuance for buildings or site improvements on each portion or phase of the development.

Among other charges, SDCs for park and recreation improvements may be collected based on the SDC policy in effect at that time. Willamalane Park and Recreation District advises that the SDC for park and recreation improvements is presently $3,636 for each new single-family dwelling.

Public Infrastructure Fees:
It is the responsibility of the private developer to fund the public infrastructure as may be required to provide utilities to the property.

Other Permits:

- City Building Permits – Permits may be required for construction of dwellings, accessory structures such as garages or carports, and installation of utilities necessary to serve the development site.

- Lane County Facility Permit – Required for working within the Hayden Bridge Road right-of-way. Contact Brad Lemhouse at 541-682-6928 for information on the Facility Permit requirements.

- City Land & Drainage Alteration Permit (LDAP) – An LDAP will be required for site grading and construction. Contact the Springfield Development & Public Works Department at 541-726-5849 for appropriate application requirements.