

SUPPLEMENTAL MATERIAL

W.F.A.

**SUPPLEMENTAL  
AGENDA COVER MEMO**

**DATE:** January <sup>20</sup>19, 2006 (Memo)  
January 25, 2006 (First Reading)  
February 15, 2006 (Second Reading/Public Hearing)

**TO:** LANE COUNTY BOARD OF COMMISSIONERS

**FROM:** Stephanie Schutz/Planner

**DEPARTMENT:** Public Works/Land Management Division

**TITLE:** **ORDINANCE NO. 2-06** IN THE MATTER OF AMENDING CHAPTER 10 OF LANE CODE TO ADOPT AMENDMENTS TO THE SPRINGFIELD DEVELOPMENT REGULATIONS FOR APPLICATION TO URBANIZABLE LANDS WITHIN THE SPRINGFIELD URBAN GROWTH AREA (LC 10.600-15) AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (Applicant: City of Springfield)

The Springfield City Council, by unanimous vote, adopted Ordinance No. 6151 on January 17, 2006.

This Springfield City Council Ordinance amends SDC Section 5.090 for consistency regarding the status of transferability of property under a Ballot Measure 37 Claim.

**ATTACHMENT:**

Adopted Springfield Ordinance No. 6151 (General)

**ORDINANCE**

**ORDINANCE NO. 6152 6151 (General)**

**AN ORDINANCE AMENDING THE SPRINGFIELD DEVELOPMENT CODE,  
SECTION 5.090 AND DECLARING AN EMERGENCY**

**THE CITY COUNCIL OF THE CITY OF SPRINGFIELD FINDS THAT:**

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

**WHEREAS**, Article 7 of the SDC sets forth procedures for the amendment of this document; and

**WHEREAS**, on July 18, 2005, the Springfield City Council held a public hearing and adopted the SDC "housekeeping" amendments Ordinance 6133 (Case Number LRP 2005-00012); and

**WHEREAS**, the Intergovernmental Agreement between the City of Springfield and Lane County requires the Lane County Board of Commissioners to adopt amendments to the SDC that are effective within the City's urbanizable area; and

**WHEREAS**, on October 18, 2005, the Lane County Planning Commission held a work session on this SDC "housekeeping" amendment application and raised a question concerning SDC Section 5.090; and

**WHEREAS**, City staff determined that a minor amendment of Section 5.090 was necessary in order to resolve any uncertainties concerning consistency among Lane Code, the Springfield Municipal Code and the SDC; and

**WHEREAS**, on December 6, 2005, the Springfield Planning Commission held a public hearing on this SDC amendment application (Case Number LRP 2005-00036) and unanimously recommended City Council adoption of the attached Ordinance; and

**WHEREAS**, on January 17, 2006, the Springfield City Council held a public hearing and is now ready to take action on this matter based upon the above recommendation and the evidence and testimony already in the record as well as the evidence and testimony presented at this public hearing held in the matter of adopting this ordinance amending the SDC.

NOW THEREFORE, THE CITY OF SPRINGFIELD ORDAINS AS FOLLOWS:

**Section 1: Section 5.090 is hereby amended to read as follows:** "Notwithstanding the foregoing provisions and regulations of this Article, any waivers to the standards of this Code granted by the City Council in response to a Demand for compensation, as may be permitted in accordance with the Springfield Municipal Code 1997, shall supersede the provisions and regulations of this Article and shall be transferable to a future purchaser of the property only to the extent required by Ballot Measure 37."

**Section 2: Declaration of Emergency.** It is hereby found and declared that matters pertaining to the amendment of, and additions to the Springfield Development Code affect the public health, safety and welfare of the City of Springfield and that this Ordinance shall, therefore, take effect immediately upon its passage by the Council and approval by the Mayor.

**ADOPTED** by the Common Council of the City of Springfield by a vote of 6 for and 0 against, this 17th day of January, 2006.

**APPROVED** by the Mayor of the City of Springfield, this 17th day of January, 2006.

ATTEST:

Amy Sowa  
City Recorder

[Signature]  
Mayor

RECEIVED & APPROVED  
Jordan J. Larkin  
1/11/06  
OFFICE OF CITY ATTORNEY

City of Springfield, Oregon

CERTIFIED TRUE COPY

Amy Sowa  
City Recorder