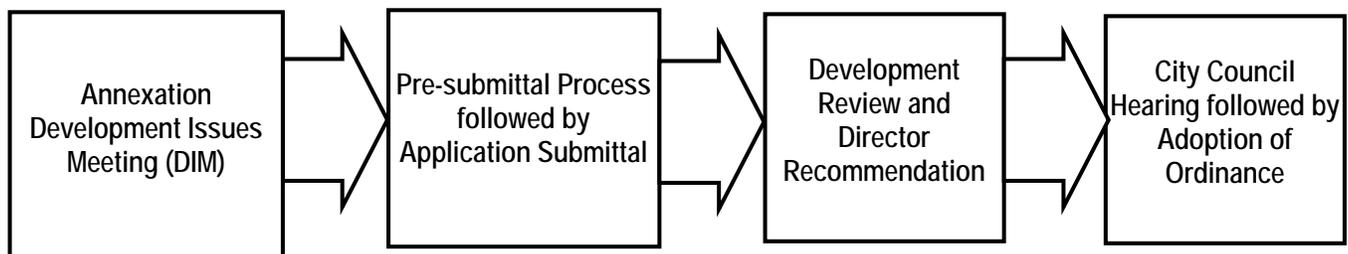




## Annexation Application Narrative

Annexation to the City of Springfield is a land use decision made by the Springfield City Council in accordance with Springfield Development Code (SDC) Section 5.7-100, Annexations, and other applicable sections of the Code. City staff reviews the annexation proposal and makes a recommendation to Council on timing, appropriateness, legality, and availability of services. The Council then makes a decision and adopts an Ordinance. The chart that follows generally summarizes the process.



The following steps are necessary to complete an annexation application:

### Step 1. Annexation Development Issues Meeting (DIM)

A Development Issues Meeting (DIM) is required prior to the submittal of an annexation application (SDC 5.7-120, Development Issues Meeting). The purpose of the DIM is to give an applicant the opportunity to discuss his/her annexation proposal with City staff responsible for reviewing and making recommendations to City Council on annexation decisions. The discussion can be general or specific, depending on the level of detail provided with the application. The goal of the DIM is to:

1. Review the annexation proposal and provide general information to an applicant related to the current capacity of surrounding public facilities and availability of key urban services in the general vicinity.
2. If adequate services are not available to serve the proposed annexation, the City will determine if an opportunity for an Annexation Agreement exists.
3. Convey the submittal requirements, initiation method<sup>1</sup> and criteria for annexation approval contained in SDC Section 5.7-100, Annexations.
4. Provide application forms and prepare the applicant for the pre-submittal process.

<sup>1</sup> "More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory." (SDC 5.7-125.B.2.b.i)

## **Applicant Submits an Annexation DIM Application**

- The applicant must submit an Annexation DIM application conforming to the DIM Submittal Requirements Checklist included with your application packet.
- Staff strives to conduct the DIM within two to four weeks of receiving the application based on availability of schedule. DIMs are typically conducted every Thursday, from 1:30 p.m. – 3:30 p.m.
- The applicant's proposal is circulated to the relevant staff in preparation for the one hour meeting.

## **Applicant and the City Conduct the DIM**

- The applicant and any member of the applicant's design team who will be doing research for application submittal should attend the DIM.
- The meeting is scheduled for one hour unless additional time is scheduled.
- Staff attending the meeting will be prepared to discuss annexation issues raised in the submittal by the applicant. Other issues raised during the meeting may also be discussed as time allows.

The DIM is not a land use decision and does not confer any development rights, establish any conditions, or bind the applicant or the City to any course of action. The meeting conveys the status of known facilities and services. The status may change over time as conditions or standards change.

## **Step 2. Pre-Submittal**

The purpose of the pre-submittal process is to provide an opportunity for the property owner, applicant, and the development team to meet with City staff to determine if an application is complete for processing prior to formal submittal to the City. Key elements of the application will be reviewed, including the materials required with the annexation application packet. Staff will make a determination of completeness at the close of the meeting. A complete application will facilitate the review process. The pre-submittal timeline and process are as follows.

### **Applicant Submits an Annexation Application Packet for Pre-Submittal**

- The applicant must complete the materials required with the annexation application.
- A pre-submittal meeting to discuss completeness is mandatory. Staff strive to conduct pre-submittal meetings within ten to fifteen working days of receiving a pre-submittal application. Pre-submittal meetings are conducted every Tuesday and Friday, from 10:00 a.m. – noon.

## **Applicant and the City Conduct the Pre-Submittal Meeting**

- The applicant, owner, and design team are strongly encouraged to attend the pre-submittal meeting.
- The meeting is held with representatives from Public Works Engineering and Transportation, Community Services (Building), Fire Marshal's office, and the Planning Division and is scheduled for one hour.
- The planner provides the applicant with an Annexation Pre-Submittal Completeness Checklist specifying the items required to make the application complete. The applicant will acknowledge the status of the application by signing the checklist and will have 180 days from the date of the meeting to perfect and submit a complete application to the City. Alternatively, the applicant may acknowledge the incomplete status of the application by signature on the pre-submittal application and request a decision on the basis of the current submittal.

## **Step 3. Application Submittal**

As noted above, an application will be deemed complete when City staff receives an acknowledged Completeness Check with a request for processing or a signed re-submittal of an annexation application with a request for processing and fees in accordance with the most recent schedule adopted by City Council.

## **Step 4. Development Review**

Once an application has undergone pre-submittal procedures and is accepted by the City, the application will receive a comprehensive review by the City. During the review process, the Development Review Committee (DRC) will ensure that Code requirements are complied with and will recommend approval, modification, or denial to the Director, who will forward a written recommendation to the City Council based on the approval criteria specified in SDC Section 5.7-140, Criteria.

## **Step 5. City Council Hearing**

Annexation applications are reviewed under the Type IV procedure, without Planning Commission consideration consistent with the requirements of SDC Section 5.2-110, Hearing Body Jurisdiction. Notice of the public hearing is mailed, published in the newspaper, and posted consistent with the requirements of SDC Section 5.7-130, Notice.

A public hearing on the annexation request will be held by City Council. After the public hearing, the City Council may take action on the request. If Council determines additional information is needed, the annexation request can be carried forward to a future meeting.

When considering an annexation request, the City Council must find that the annexation proposal conforms to the following criteria:

- The annexation area is within the City's urban growth boundary and is contiguous to the city limits or separated from the city only by a public right-of-way or a stream, lake, or other body of water.
- The proposed annexation is consistent with applicable policies in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and any applicable refinement plans or Plan Districts.
- The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.
- Where applicable, fiscal impacts to the City have been mitigated through an Annexation Agreement or other mechanism approved by the City Council. [SDC Section 5.7-140, Criteria]

If the annexation is approved by the City Council, the UF-10 overlay zoning district (Urban Fringe) will cease to apply and the current City zoning shall apply unless a zoning map amendment has been submitted and approved by the City [SDC Section 5.7-150, Zoning]. If the annexation is disapproved by the City Council, the proceedings end.

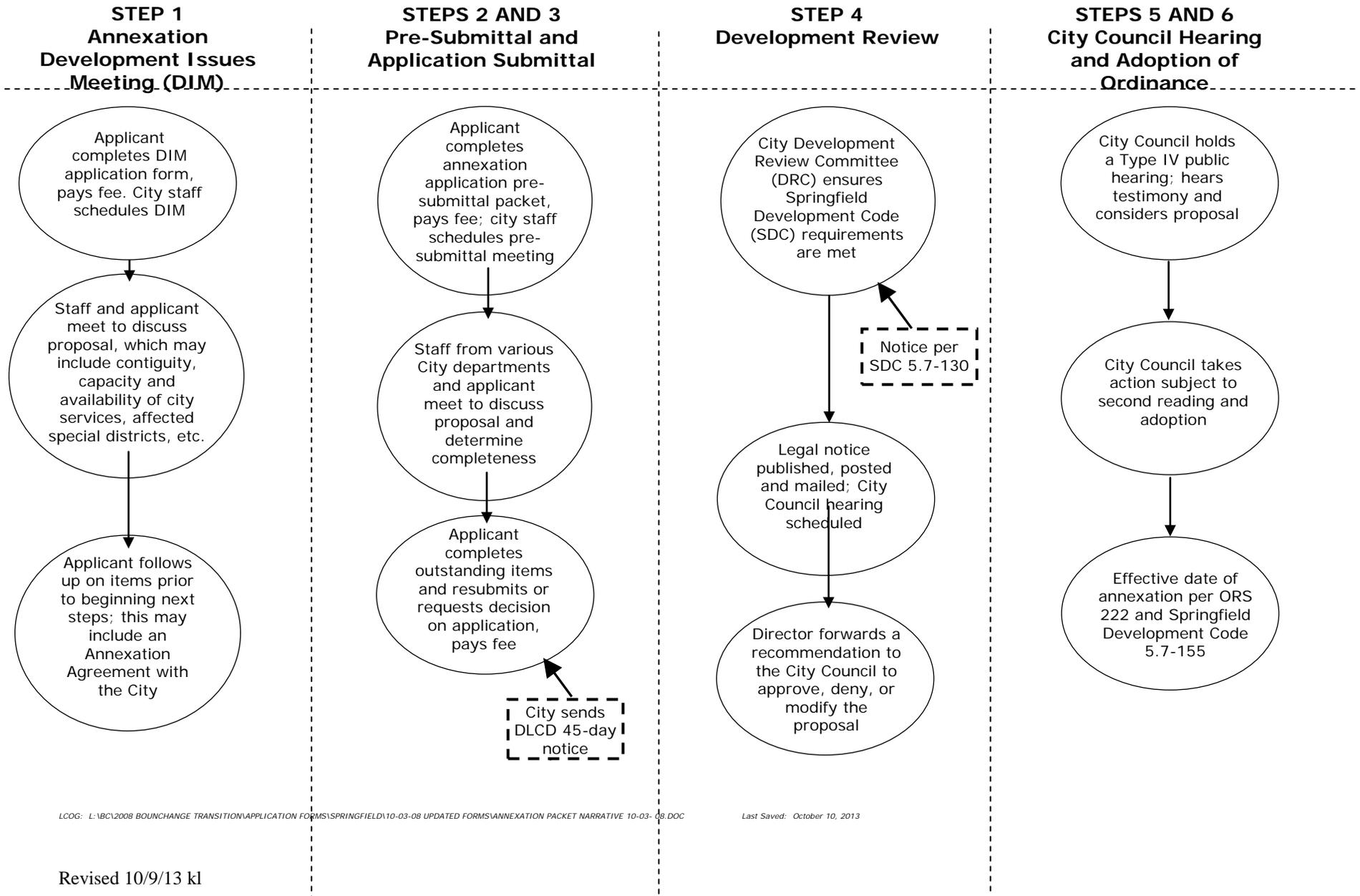
If the annexation area is within a water supply district or fire district, the City will process a request to withdraw the annexing territory from the water district and fire district. The withdrawal request will be processed concurrently with the annexation request. If the annexation area is within Lane County Metropolitan Wastewater Service District or Willamalane Parks and Recreation District, the annexation occurs concurrently by an intergovernmental agreement.

## **Step 6. Adoption of Ordinance**

The City Council's decision on an annexation application will be by Ordinance. The Ordinance will be effective consistent with SDC Section 3, Chapter 5, and Section 5.7-155, Effective Date and Notice of Approved Annexation. The Ordinance will be mailed to the following.

- Department of Revenue
- Secretary of State
- Lane County Assessment and Taxation
- Lane County Elections
- Affected special districts
- Owners and electors as applicable in the annexation area

# Springfield Annexation Processing





## Development Issues Meeting Submittal Requirements Checklist

- Application Fee** – refer to the Development Code Fee Schedule for the appropriate fee calculation formula. A copy of the fee schedule is available at the Development Services Department. The applicable application, technology, and postage fees are collected at the time of complete application submittal.
- Development Issues Meeting Application Form**
- Five (5) Questions** – list specific questions the applicant would like staff to answer during the meeting. So that each question may be fully evaluated, the list is limited to five questions. Examples of relevant issues for annexation include but are not limited to the following:
  - Contiguity
  - Availability and capacity of surrounding city services
  - Affected special districts
  - Fees
- Three (3) Copies of the Proposal - suggested information valuable for staff to review the proposal is listed below. It is not necessary to include all of these items on the site or plot plan. However, applicants are encouraged to address as many as possible given that the level of information that will be derived from the meeting is commensurate with the level of detail provided in the application.

Applicants are also encouraged to include additional information on the plan as listed in the Springfield Development Code (SDC) 5.7, Annexations.

- Drawn in ink on quality paper no smaller than 11" x 17"
- Scale appropriate to the area involved and sufficient to show detail of the plan and related data, such as 1" = 30', 1" = 50' or 1" = 100'
- North arrow
- Date of preparation
- Street address and assessor's map and tax lot number
- Dimensions (in feet) and size (either square feet or acres) of the annexation area
- Location and size of existing and proposed utilities, including connection points
- On-site drainage collection system and flow patterns, the size and location of drain lines and catch basins, dry wells, and natural drainageways to be retained
- Area and dimensions of all property to be conveyed, dedicated, or reserved for future public road right-of-way
- Approximate location, number and dimensions of proposed lots
- How streets in the proposal area connect with existing streets
- Future development plan, which may include proposed and existing buildings (location, dimensions, size) or other impervious surfaces



### Annexation Application Type IV

Application Type	<i>(Applicant: Check one)</i>
------------------	-------------------------------

Annexation Application Pre-Submittal:	<input type="checkbox"/>
Annexation Application Submittal:	<input type="checkbox"/>

Required Proposal Information	<i>(Applicant: Complete This Section)</i>
-------------------------------	---

Property Owner:		Phone:	
Address:		Fax:	
		E-mail:	
Owner Signature:			
Owner Signature:			

Agent Name:		Phone	
Company:		Fax:	
Address:		E-mail	
Agent Signature:			

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf, except where signatures of the owner of record are required, only the owner may sign the petition.

ASSESSOR'S MAP NO:		TAX LOT NO(S):	
Property Address:			
Area of Request:	Acres:	Square Feet:	
Existing Use(s) of Property:			
Proposed Use of Property:			

Required Property Information	<i>(City Intake Staff: Complete This Section)</i>
-------------------------------	---

Case No.:		Date:		Reviewed By: (initials)	
Application Fee:		Postage Fee:		Total Fee:	

## Owner Signatures

This application form is used for both the required pre-submittal meeting and subsequent complete application submittal. Owner signatures are required at both stages in the application process.

**An application without the Owner's original signature will not be accepted.**

### Pre-Submittal

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Pre- Submittal Meeting. If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf. I/we do hereby acknowledge that I/we are legally responsible for all statutory timelines, information, requests and requirements conveyed to my representative.

**Owner:**

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

**Signature**

\_\_\_\_\_  
**Print**

### Submittal

I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Pre-Submittal Meeting, I affirm the information identified by the City as necessary for processing the application is provided herein or the information will not be provided if not otherwise contained within the submittal, and the City may begin processing the application with the information as submitted. This statement serves as written notice pursuant to the requirements of ORS 227.178 pertaining to a complete application.

**Owner:**

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

**Signature**

\_\_\_\_\_  
**Print**

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

**Application Fee** [SDC 5.7-125(B)(15)]

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

**Petition/Petition Signature Sheet** [SDC 5.7-125(B)(2)]

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

Consent by Property Owners [ORS 222.170(1)]

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

**Certification of Ownership** [SDC 5.7-125(B)(5)]

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

**Owners Worksheet**

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

**Supplemental Information Form** [SDC 5.7-125(B)(1) and (11)]

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

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

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

Title Report has to be issued within the past 30 days documenting ownership and listing all encumbrances.

**Annexation Description** [SDC 5.7-125(B)(9)]

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

**Cadastral Map** [SDC 5.7-125(B)(10)]

Three clean copies of the most current cadastral map or maps, to scale, must be provided. An additional cadastral map at the same scale shall be provided that shows the proposed annexation area in relationship to the existing city limits. Cadastral maps can be purchased from the Lane County Assessment and Taxation Office.

**ORS 222.173 Waiver Form** [SDC 5.7-125(B)(8)]

Complete the attached waiver (Form 4). The waiver should be signed by each owner within the proposed annexation area.

**Public/Private Utility Plan** [SDC 5.7-125(B)(12)]

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

**Written Narrative** addressing approval criteria as specified below. All annexation requests must be accompanied with a narrative providing an explanation and justification of response with the criteria stated in the application (also stated below). [SDC 5.7-125(B)(13) and (14)]

- A. The affected territory proposed to be annexed is within the City's portions of the urban growth boundary and is contiguous to the city limits or separated from the City limits only by a public right-of-way or a stream lake or other body of water;
- B. The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plan or Plan Districts;
- C. The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services as defined in the Metro Plan can be provided in an orderly efficient and timely manner; and
- D. Where applicable fiscal impacts to the City have been mitigated through a signed Annexation Agreement or other mechanism approved by the City Council.

**Three (3)** copies of the previously required information.

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

## FORM 1

### PETITION/PETITION SIGNATURE SHEET Annexation by Individuals [SDC 5.7-125(2)(b)(i)/ORS 222.170(1)]

We, the following property owners of the following territory, consent to the annexation to the City of Springfield and concurrent annexation to Lane County Metropolitan Wastewater Service District and Willamalane Parks and Recreation District, as deemed necessary:

Signature	Date Signed m/d/y	Print Name	Residence Address <i>(street, city, zip code)</i>	Map and Tax Lot Number <i>(example: 17-04-03-00-00100)</i>	✓ Land Owner	Acres <i>(qty)</i>
1.						
2.						
3.						
4.						
5.						

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

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

**x** \_\_\_\_\_ *(signature of circulator)*

#### **CERTIFICATION OF OWNERSHIP**

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

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

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

## FORM 2

### OWNERSHIP WORKSHEET

(This form is **NOT** the petition)

(Please include the name and address of ALL owners regardless of whether they signed an annexation petition or not.)

#### OWNERS

Property Designation (Map/lot number)	Name of Owner	Acres	Assessed Value	Imp. Y / N	Signed Yes	Signed No
TOTALS:						

TOTAL NUMBER OF OWNERS IN THE PROPOSAL	
NUMBER OF OWNERS WHO SIGNED	
PERCENTAGE OF OWNERS WHO SIGNED	
TOTAL ACREAGE IN PROPOSAL	
ACREAGE SIGNED FOR	
PERCENTAGE OF ACREAGE SIGNED FOR	
TOTAL VALUE IN THE PROPOSAL	
VALUE CONSENTED FOR	
PERCENTAGE OF VALUE CONSENTED FOR	

**FORM 3**

**SUPPLEMENTAL INFORMATION FORM**

*(Complete **all** the following questions and provide all the requested information. Attach any responses that require additional space, restating the question or request for information on additional sheets.)*

Contact Person: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Supply the following information regarding the annexation area.**

- Estimated Population (**at present**): \_\_\_\_\_
- Number of Existing Residential Units: \_\_\_\_\_
- Other Uses: \_\_\_\_\_
- Land Area: \_\_\_\_\_ total acres
- Existing Plan Designation(s): \_\_\_\_\_
- Existing Zoning(s): \_\_\_\_\_
- Existing Land Use(s): \_\_\_\_\_
- Applicable Comprehensive Plan(s): \_\_\_\_\_
- Applicable Refinement Plan(s): \_\_\_\_\_
- Provide evidence that the annexation is consistent with the applicable comprehensive plan(s) and any associated refinement plans. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Are there development plans associated with this proposed annexation?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, describe.  
\_\_\_\_\_  
\_\_\_\_\_

- Is the proposed use or development allowed on the property under the current plan designation and zoning?

Yes \_\_\_\_\_ No \_\_\_\_\_

- Please describe where the proposed annexation is contiguous to the city limits (non-contiguous annexations cannot be approved under 5.7-140, Criteria).  
\_\_\_\_\_  
\_\_\_\_\_



**FORM 4**

**WAIVER OF ONE YEAR TIME LIMIT  
FOR ANNEXATION PURSUANT TO ORS 222.173**

This waiver of the time limit is for the following described property:

\_\_\_\_\_                      \_\_\_\_\_  
Map and Tax Lot Number      Street Address of Property (if address has been  
assigned)

**ONE WAIVER OF TIME LIMIT FOR EACH PARCEL, PLEASE**

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

\_\_\_\_\_  
Date

**Signatures of Legal Owners**

Please print or type name	Signature	Date Signed