

MEMORANDUM

TO: Mayor and City Council

FROM: Allison Crow, Assistant Planner

SUBJECT: FIRST VOTE ON AN ORDINANCE ANNEXING PARCEL 1 OF LAND PARTITION PLAT NO. 2019-P2897 (MAP/TL: 20-03-32-00-00504) INTO THE CITY OF COTTAGE GROVE (A 2-23)

DATE: September 20, 2023

Background

Double H Investment Group, LLC the owner of the unaddressed 5.06ac parcel located at Map / Tax Lot: 20-03-32-00-00504, within the Cottage Grove Urban Growth Boundary, has applied for an Expedited Annexation of the above referenced parcel. The purpose of this annexation is to further develop the property under City of Cottage Grove jurisdiction.

The map and legal description of the area being annexed are attached as Exhibit A and B respectively to the ordinance. The expedited process is being used pursuant to Section 18.04.050 of the Cottage Grove Municipal Code.

Notification. Public Notice was sent September 7, 2023 to property owners within 300 feet of the subject property, any affected special district and any local organization that requested notification of proposed annexation. They had fourteen (14) days to provide comments in writing or request a public hearing in writing. The deadline for receipt of requests was the end of the business day on Monday, September 25, 2023. At the time this memo was created no written comments or requests for Public Hearings have been received.

Criteria. Section 18.04.040 A-D provides that the decision to approve an annexation shall be based on the findings of fact with respect to each of the criteria and standards in this section which are also included as Section 4 of the Ordinance. They are:

- A. *The property is within the City's urban growth boundary.* The area to be annexed is located in the City's Urban Growth Boundary. This criterion is met as proposed.
- B. *The property is contiguous to current city limits.* The area to be annexed abuts City limits on the eastern boundary (Ibsen Ave) of the subject property. This criterion is met as proposed.
- C. *Unless the proposed annexation area is surrounded by the city, the majority of property owners and electors within the proposed annexation area have consented in writing to the annexation for a standard procedure with a public*

hearing; or all property owners and at least fifty percent of electors within the annexation area have consented in writing to the annexation for an expedited procedure without a public hearing as per ORS [222.125](#) or [222.170](#). The proposed annexation area is not surrounded by the City, however, the property owner of the subject parcel that has applied for annexation has consented in writing to the annexation for an expedited procedure without a public hearing as per ORS [222.125](#) or [222.170](#). This criterion is met.

D. Adequate services and infrastructure exist or can be provided at the proposed annexation site as per the applicable comprehensive plan designation. These services and infrastructure include: provision of water, sewage service, storm drainage, and streets. The subject property can be served by City water, sewer, and storm sewer, and is accessed via Ibsen Ave, which is categorized as a local road. Ibsen Ave is accessed by collectors W. Harrison Ave and Blue Sky Dr. This criterion is met.


The annexation is in compliance with Section 18.04.040 A-D.

Recommendation

That City Council hold the first vote on the attached Ordinance. The Ordinance was prepared and has been available for at least one week prior to this meeting. This Ordinance could be adopted at one meeting and staff is recommending approval.

Cost

None


Richard Meyers, City Manager


Allison Crow, Assistant Planner

ORDINANCE NO. ____

AN ORDINANCE ANNEXING
PARCEL 1 OF LAND PARTITION PLAT NO. 2019-P2897, MAP/TL: 20-03-32-00-00504
INTO THE CITY OF COTTAGE GROVE
A 2-23

WHEREAS, Double H Investment Group, LLC is the owner of the unaddressed 5.06 acre parcel located at Map / Tax Lot 20-03-32-00-00504; and

WHEREAS, the subject property is within the Cottage Grove Urban Growth Boundary and immediately adjacent to the City of Cottage Grove city limits; and

WHEREAS, Double H Investment Group, LLC has applied for annexation of this parcel (Map / Tax Lot 20-03-32-00-00504), into the City of Cottage Grove city limits, in order to develop the property under City of Cottage Grove jurisdiction; and

WHEREAS, the annexation is in compliance with the standards and criteria listed in Section 18.04.040 of the Cottage Grove Municipal Code.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to annex the unaddressed parcel located at Map / Tax Lot 20-03-32-00-00504, located in Cottage Grove, OR 97424 into the City of Cottage Grove which is shown on the map in Exhibit A and described in Exhibit B both which are attached to and forming part of this Ordinance.

Section 2. Owner Initiation. The property owner initiated the application to annex the unaddressed parcel (Map/TL: 20-03-32-00-00504) using the expedited procedure in Section 18.04.050 of the Cottage Grove Municipal Code.

Section 3. Expedited Procedure. This amendment is in compliance with Section 18.04.050 which provided written notification to the property owners in the annexation area, property owners within 300 feet, any special district, and any neighborhood groups of the proposed annexation. The notice was mailed on Thursday, September 7, 2023 and provided for a fourteen-day comment period for the submittal of written comments or written request for a public hearing. The comment period ended at 5:00pm on September 25, 2023, with no comments received.

Section 4. Criteria, Standards & Conditions. Section 18.04.040 A-D of the Cottage Grove Municipal Code provides that the decision to approve an annexation shall be based on the findings of fact with respect to each of the criteria and standards below:

- A. *The property is within the City's urban growth boundary.* The area to be annexed is located in the City's Urban Growth Boundary. This criterion is met as proposed.
- B. *The property is contiguous to current city limits.* The area to be annexed abuts City limits on the eastern boundary (Ibsen Ave) of the subject property. This criterion is met as proposed.

- C. *Unless the proposed annexation area is surrounded by the city, the majority of property owners and electors within the proposed annexation area have consented in writing to the annexation for a standard procedure with a public hearing; or all property owners and at least fifty percent of electors within the annexation area have consented in writing to the annexation for an expedited procedure without a public hearing as per ORS 222.125 or 222.170.* The proposed annexation area is not surrounded by the City, however, the property owner of the subject parcel that has applied for annexation has consented in writing to the annexation for an expedited procedure without a public hearing as per ORS [222.125](#) or [222.170](#). This criterion is met.
- D. *Adequate services and infrastructure exist or can be provided at the proposed annexation site as per the applicable comprehensive plan designation. These services and infrastructure include: provision of water, sewage service, storm drainage, and streets.* The subject property can be served by City water, sewer, and storm sewer, and is accessed via Ibsen Ave, which is categorized as a local road. Ibsen Ave is accessed by collectors W. Harrison Ave and Blue Sky Dr. This criterion is met.

Section 5. Annexation.

1. The territory shown on the map in Exhibit A and as described on Exhibit B, both attached hereto and incorporated herein by this reference, is hereby declared annexed to the City of Cottage Grove, without withdrawal from any special district.
2. This Ordinance shall take effect 30 days after final passage.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 25th
DAY OF SEPTEMBER, 2023.

Candace Solesbee, Mayor

Dated: _____

ATTEST:

Richard Meyers, City Manager

Dated: _____

CITY LIMITS

W HARRISON AVE.

IBSEN AVE.

BLUE SKY DR.

PARCEL 1; LPP
2019-P2897; LCDR

SWEET LANE

Lane County GIS

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.

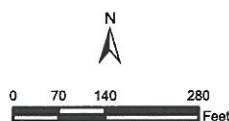


Exhibit A
File A 2-23
Map/TL: 20-03-32-00 504

Exhibit B

Legal Description for Annexation File A 2-23

Map No. & Tax Lot: 20-03-32-41-00900

A tract of land situated in the Northwest $\frac{1}{4}$ of Section 32, Township 20 South, Range 3 West of the Willamette Meridian in Lane County, Oregon.

Parcel 1, Land Partition Plan No. 2019-P2897, as recorded at Lane County Deeds and Records.