

MEMORANDUM

TO: Mayor and City Council

FROM: Eric Mongan, City Planner

SUBJECT: FIRST VOTE ON AN ORDINANCE ANNEXING 151 SWEET LANE (MAP/TL: 20-03-32-41-00900) INTO THE CITY OF COTTAGE GROVE (A 2-21)

DATE: April 20, 2022

Background

Bob Dixon Investments LLC, Brad Taylor Home & Investments LLC, QBL LLC, and C&E Dixon LLC are the owners of 151 Sweet Lane located in the Southeast Quarter and Southwest Quarter of Section 32, Township 20 South, Range 3 West, of the Willamette Meridian, Lane County, Oregon, has applied for an expedited annexation procedure of 151 Sweet Lane, Cottage Grove, OR 97424 (Map/TL: 20-03-32-41-00900). The purpose of this annexation application 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 April 4, 2022 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 is the end of the business day on Wednesday, April 19, 2022. 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.
- B. *The property is contiguous to current city limits.* The area to be annexed abuts city limits on the northern (Cottage Grove High School Tax Lot: 601) and southern (Sweet Lane) boundaries of the subject property. This criterion is met.
- 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, all property owners, including owners via land sales contract and the original owners, and all of the electors have 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. The subject property is accessed via Sweet Lane a 55' wide right-of-way that is paved with two travel lanes and bike lanes. 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 recommends approval.

Cost

None


Richard Meyers, City Manager


Eric Mongan, City Planner

ORDINANCE NO. _____

AN ORDINANCE ANNEXING
151 SWEET LANE, MAP/TL: 20-03-32-41-00900 (A 1-22)
INTO THE CITY OF COTTAGE GROVE

WHEREAS, Bob Dixon Investments LLC, Brad Taylor Home & Investments LLC, QBL LLC, and C&E Dixon LLC in the Southeast Quarter and Southeast Quarter of Section 41, Township 20 South, Range 3 West, of the Willamette Meridian, Lane County, Oregon; 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, Bob Dixon Investments LLC, Brad Taylor Home & Investments LLC, QBL LLC, and C&E Dixon LLC has applied for annexation of 151 Sweet Lane, Cottage Grove, OR 97424, 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 151 Sweet Lane, Cottage Grove, OR 97424 (Map/TL: 20-03-32-41-00900) 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 151 Sweet Lane, Cottage Grove, OR 97424 (Map/TL: 20-03-32-41-00900) 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 Monday, April 4, 2022 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 April 19, 2022, 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.

B. *The property is contiguous to current city limits.* The area to be annexed is

contiguous to the current city limits where it abuts the Cottage Grove High School property to the north and along its frontage abutting Sweet Lane to the south. This criterion is met.

- 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, all property owners, including owners via land sales contract and the original owners, and all of the electors have 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.* Adequate services and infrastructure exist and can serve the subject property. All services and infrastructure are adequate for extension and future development of the annexed area. 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 APRIL, 2022.

Jeffrey D. Gowing, Mayor

Dated: _____

ATTEST:

Richard Meyers, City Manager

Dated: _____

EXHIBIT A

TL 900, SUBJECT TO
EXPEDITED
ANNEXATION
APPLICATION NO A 1-22



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 the provider is not responsible for any errors or omissions. Lane County cannot accept any responsibility for errors or omissions. The user should verify the accuracy of the information contained on this map with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri
Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA



A 1-22 - EXPEDITED ANNEXATION
151 SWEET LANE
MAP/TITLE: 20-03-32-41-00900

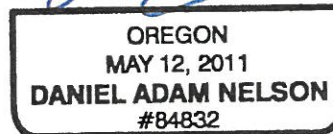
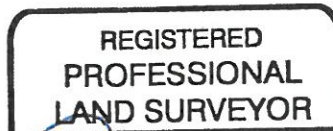
EXHIBIT B

LEGAL DESCRIPTION FOR ANNEXATION
Tax Map 20-03-32-41 Tax Lot 900

Situated in the Southeast $\frac{1}{4}$ of Section 32, Township 20 South, Range 3 West of the Willamette Meridian, in Cottage Grove, Lane County, Oregon, and described as follows:

Beginning at a point which is 156.77 feet North and 2330.38 feet East of the Southwest corner of the Henry Small Donation Land Claim #57; THENCE along the following four (4) courses:

1. East 301 feet;
2. South 144.77 feet;
3. West 301 feet;
4. North 144.77 feet, returning to the point of beginning.



EXPIRES: 12/31/2022