


Memorandum Date: July 28, 2009
Order Date: August 19, 2009

TO: Board of County Commissioners
DEPARTMENT: Public Works, Land Management Division
PRESENTED BY: Mike Jackson, Lane County Surveyor 
AGENDA ITEM TITLE: IN THE MATTER OF SETTING A PUBLIC HEARING FOR THE NAMING OF SPINDRIFT WAY, A PRIVATE ROAD (17-12-25 & 36)

I. MOTION

To approve the Resolution and Order setting an Agenda date of October 21, 2009 at 1:30 P.M. to consider the naming of Spindrift Way, a private road (17-12-25 & 36).

II. AGENDA ITEM SUMMARY

The Board is being asked to approve the Resolution and Order to set a public hearing date of October 21, 2009 at 1:30 P.M. to consider the naming of Spindrift Way, a private road.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Lane County Surveyor's Office of the Department of Public Works has received an application from Betz/Evans and Associates and other residents owning property abutting this private road, to name the road Spindrift Way. As per Lane Manual 15.020 and 15.025, a public hearing is necessary since the signatures on the application represent more than 50%, but less than 100% of abutting properties. The naming request is being made to satisfy a Lane County Planning condition of tentative approval for a partition plat submitted by Betz/Evans and Associates (Planning Action number PA 06-5430, tax lots 17-12-36-402, 404) which states "Prior to submitting the final plat for review, the applicant is required to file all necessary applications to formally name the private road easement from the intersection with Rustic Lane to the southwest terminus near tax lot 404".

The private road to be named Spindrift Way was legally established by separate 40 feet wide easements recorded in the Lane County Office of Deeds and Records on April 11, 1991, Reel 1690R, Reception Number 9116520; on May 13, 1991, Reel 1695R, Reception Number 9122047; and on April 22, 2005, Reception Number 2005-028998.

The road is located in Sections 25 and 36, Township 17 South, Range 12 West of the Willamette Meridian, approximately 5 miles north of Florence, Oregon east of Highway 101 between Sutton Lake and Mercer Lake, beginning approximately 0.05 mile northwesterly from the junction of Black Bear Road with Rustic Lane, and extends approximately 1.02 miles southwesterly from its junction with Rustic Lane to its terminus in the vicinity of tax lots 404 and 1100 of Assessor's Map 17-12-36. The portion of road to be named Spindrift Way currently serves four addresses.

Notice of this proposed name, "Spindrift Way", was sent to Lane Council of Governments, U.S. Postal Service, "911" Communication Service Center and various county and other public agencies having an interest in road names, including Transportation Planning and Lane County Planning and Rural Addressing sections of the Lane County Department of Public Works, and to the adjoining and other area landowners. Julie Cowan, owner of tax lot 17-12-36-401 having an address of 88985 Rustic Lane, responded with an objection indicating she wants the name to remain Rustic Lane. The other agencies and landowners either had no objection or did not comment on the proposed name.

In accordance with Lane Manual 15.025, the Lane County Surveyor's Office is processing this naming process with a public hearing. Setting a date for the public hearing will allow time for public posting and notice, and will facilitate the timely processing of the naming. The attached Resolution and Order will set a public hearing to consider the merits of the naming.

B. Policy Issues

Lane Manual 15.015 states the Board of County Commissioners shall review and take appropriate action on a road naming or renaming when any private road or private road easement requires a name in order to promote the health, safety and welfare of the public. The naming of this road will satisfy one of Lane County Planning's conditions of tentative approval associated with the primary applicants' partition plat.

C. Board Goals

Part of Lane County's Strategic Plan is to contribute to the safety and well-being of the people within Lane County (Lane County Strategic Plan, Goals, P. 7). The naming of this road will be in conformity with this part of the Strategic Plan in that it will provide for distinct addresses that will facilitate delivery and emergency services along the portion to be named.

D. Financial and/or Resource Considerations

Estimated cost of processing this naming with a public hearing is \$2500. The application fee for road naming is currently \$100. There are no other apparent financial or resource considerations associated with this action.

IV. ANALYSIS

Chapter 15 of the Lane Manual provides a process for the naming and renaming of roads within the County. An application for naming or renaming of a road may be made by the property owner(s) or persons living along the road, by any public or semi-public agency whose function is affected by road names, or by the Board of Commissioners. Approving the road naming request would provide for distinct addresses that will assist the public, emergency vehicles, and other service carriers in locating the parcels affected by the naming. The naming of this road would satisfy one of Lane County Planning's conditions of tentative approval associated with the primary applicants' partition plat.

The proposed name meets all the naming criteria listed in Chapter 15 of the Lane Manual.

Appropriate Departments, Agencies, and area landowners have been notified, and the Board has the authority to set a hearing date to consider naming this private road Spindrift Way.

The applicants have submitted a valid application as set forth in Lane Manual 15.020(1), and meet the qualifying criteria in Lane Manual 15.020(2)(a).

V. ALTERNATIVES/OPTIONS

The Board of County Commissioners has the option to:

1. Set a Public Hearing date as proposed by staff to consider the naming of Spindrift Way, a private road.
2. Set any later Public Hearing date, as the Board may wish, to consider this road naming.
3. Refuse to set a date to initiate proceedings to consider this road naming.

VI. TIMING/IMPLEMENTATION

Timing is important in this matter, as the naming of this road will provide for establishment of distinct addresses for existing and recently established parcels, and will facilitate satisfaction of requirements for future parcel development regarding road naming and addressing.

VII. RECOMMENDATION

It is recommended that the Board support Option Number 1, setting a date for a public hearing.

Setting a public hearing date to consider the issues, taking testimony and possibly acting on the request for naming is the recommended course to take. The date proposed will allow appropriate time for the provision of public notice for the hearing.

VIII. FOLLOW-UP

If the Board of County Commissioners approves the Resolution and Order setting a date for a public hearing on the proposed naming of Spindrift Way, a private road, it is to be forwarded to the Lane County Clerk for filing, after which copies are to be forwarded to the County Surveyor who will provide public notice of the proposed action. If the Board wishes to postpone the matter or to terminate proceedings, an Order to Postpone or Terminate will be presented to the Board at a later regularly scheduled meeting.

IX. ATTACHMENTS

Resolution and Order w/attachments:
Attachment - Site Map

Contact Person: Mike Jackson x-4198

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY

STATE OF OREGON

IN THE MATTER OF SETTING A PUBLIC HEARING) RESOLUTION AND ORDER
FOR THE NAMING OF SPINDRIFT WAY, A PRIVATE)
ROAD (17-12-25 & 36))

THIS MATTER now coming before the Board of County Commissioners for Lane County, Oregon, and it appearing to the Board that a valid application has been received from Betz/Evans and Associates and other residents owning property abutting the private road proposed to be named Spindrifft Way; and

WHEREAS, in accordance with Lane Manual 15.020 and 15.025, a public hearing is necessary for processing this action since the signatures on the application represent more than 50%, but less than 100% of abutting properties; and

WHEREAS, the naming request is being made in order to satisfy a Lane County Planning condition of tentative approval for a partition plat submitted by Betz/Evans and Associates (Planning Action number PA 06-5430, tax lots 17-12-36-402, 404); and

WHEREAS, the private road to be named Spindrifft Way was legally established by separate 40 feet wide easements recorded in the Lane County Office of Deeds and Records on April 11, 1991, Reel 1690R, Reception Number 9116520; on May 13, 1991, Reel 1695R, Reception Number 9122047; and on April 22, 2005, Reception Number 2005-028998; and

WHEREAS, the subject road is located in Sections 25 and 36, Township 17 South, Range 12 West of the Willamette Meridian, approximately 5 miles north of Florence, Oregon east of Highway 101 between Sutton Lake and Mercer Lake, beginning approximately 0.05 mile northwesterly from the junction of Black Bear Road with Rustic Lane, and extends approximately 1.02 miles southwesterly from its junction with Rustic Lane to its terminus in the vicinity of tax lots 404 and 1100 of Assessor's Map 17-12-36; and

WHEREAS, the portion of road to be named Spindrifft Way currently serves four addresses; and

WHEREAS, authority was granted to Lane County by Lane Code Chapter 15 and the Lane County Home Rule Charter regarding procedures and requirements relating to the naming and renaming of roads in Lane County; and

WHEREAS, Lane County has jurisdiction for the naming of this private road, and has the authority to set proceedings to consider whether it is in the public interest to name the road; and

WHEREAS, Lane Council of Governments, U.S. Postal Service, "911" Communication Service Center and various county and other public agencies having an interest in road names, including Transportation Planning and Lane County Planning and Rural Addressing sections of the Lane County Department of Public Works, and the adjoining and other area landowners were notified by mail regarding the proposed road naming; and

WHEREAS, Julie Cowan, owner of tax lot 17-12-36-401 having an address of 88985 Rustic Lane, responded with an objection indicating she wants the name to remain Rustic Lane; and

WHEREAS, the other agencies and landowners either had no objection or did not comment on the proposed name; and

WHEREAS, the Lane County Surveyor's Office has determined certain conditions of Lane Manual 15.025 applicable to this application require conducting a public hearing to determine whether the road naming is in the public interest, and recommends a date be set for the public hearing; now therefore, it is hereby

RESOLVED, that in accordance with Lane Manual 15.005 through 15.035, proceedings be undertaken to name the private road, as described herein and shown on the site map attached hereto, Spindrift Way; and it is hereby

ORDERED, that October 21, 2009 be established for conducting a public hearing of the said proposed road naming, and that said hearing be held at 1:30 P.M. at the Lane County Courthouse, 125 East 8th Avenue, Eugene, Oregon 97401; and it is further

ORDERED, that notice of the public hearing be provided by service, posting, and publication in accordance with Lane Manual 15.025.

Inquiries regarding this naming may be directed to Mike Jackson, Lane County Surveyor, Public Service Building, 125 East 8th Avenue, Eugene, Oregon, 97401, telephone (541) 682-4195.

DATED this _____ day of _____, 2009.

Chair
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM

Date 8-6-09 lane county

OFFICE OF LEGAL COUNSEL

Attachment: Site Map

ATTACHMENT

Spindrifft Way - Naming

SECTIONS 25 & 36, TOWNSHIP 17 SOUTH,
RANGE 12 WEST, WILLAMETTE MERIDIAN
LANE COUNTY

NOT TO SCALE

