

ORDINANCE NO. 2054

AN ORDINANCE UPDATING AND ADOPTING THE CENTRAL POINT COMPREHENSIVE
PLAN URBANIZATION ELEMENT (2019-2039)

Recitals:

- A. The City of Central Point (City) is authorized under Oregon Revised Statute (ORS) Chapter 197 to prepare, adopt and revise comprehensive plans and implementing ordinances consistent with the Statewide Land Use Planning Goals.
- B. The City has coordinated its planning efforts with the State in accordance with ORS 197.040(2)(e) and OAR 660-030-0060 to assure compliance with goals and compatibility with City and County Comprehensive Plans.
- C. ORS 197.296-298 directs jurisdictions to prioritize land to be included in the Urban Growth Boundary (UGB). Additionally, the locational factors in the Urbanization Element of the Comprehensive Plan are updated to reflect the City's preferred future.
- D. Pursuant to authority granted by the City Charter and the ORS, the City has determined to update its Urbanization Element which was originally adopted and acknowledged in 1983.
- E. Pursuant to the requirements set forth in CPMC Chapter 17.10.100 Amendments – Purpose and Chapter 17.96.010, Procedure, the City has initiated the amendments and conducted the following duly advertised public hearings to consider the proposed amendments:
 - a) Planning Commission hearing on February 5, 2019
 - b) City Council hearing on February 28, 2019.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

Section 1. Based upon all the information received, the City Council adopts the Staff Reports and evidence which are incorporated herein by reference; determines that changing community conditions, needs and desires justify the amendments and hereby adopts the changes entirely.

Section 2. The City Comprehensive Plan Urbanization Element is hereby updated and adopted as set forth in Exhibit A –Comprehensive Plan Urbanization Element, 2019-2039 which is attached hereto and by this reference incorporated herein.

Section 3. The City Manager is directed to conduct post acknowledgement procedures defined in ORS 197.610 et seq. upon adoption of the Urbanization Element.

Passed by the Council and signed by me in authentication of its passage this 14th day of March, 2019.


Mayor Hank Williams

ATTEST:


City Recorder

development and the creation of Urban Reserve Areas (URAs). Regional Plan requirements are emphasized in the Urbanization Element and the URAs are targeted when considering the locational criteria.

The Urbanization Element's primary responsibility is to establish criteria (goals and policies) that manage the physical direction of the City's planned growth. Therefore it must rely on other Comprehensive Plan Elements. These elements include the Population Element, the Housing Element, the Economic Element, the Parks and Recreation Element, the Land Use Element, the Transportation Element and the Public Facilities Element. A brief explanation of the content and resources each of these elements provide are discussed in the Urbanization Element.

Aside from a demonstration that there is a need to accommodate the City's long-range population growth and related land needs there is a requirement that the boundaries within which the City's urban lands are located be given some forethought. The location of the City's urban growth boundary (UGB) and changes to the UGB are determined by evaluating alternative boundary locations consistent with ORS 197.020, and with consideration of the following locational criteria:

1. Properties that abut either the City Limits, or the current UGB.
2. Properties that are in excess of 10 acres.
3. Properties that abut or are within 500 ft. of basic urban services; i.e. water, sewer, storm water, transportation.
4. Properties that are proximate to, or include, mixed use/pedestrian friendly areas.
5. Compatibility with nearby agricultural uses outside the proposed UGB.
6. Proximity to transportation infrastructure.
7. Lands that have been master planned.
8. Readiness for development
9. Proximity to the City Center, using a Central Growth Pattern

Attached is the final draft of the Urbanization Element (Attachment A) for the City Council's consideration, input and ultimate approval. The document and locational criteria were discussed with both the CAC and the Planning Commission who both endorsed the Element. The last three locational criteria have been introduced to the Urbanization Element with the intent of minimizing land speculation that often occurs during UGB Amendments.

ISSUES:

The primary issues in considering the Urbanization Element are ensuring there is agreement between state and local purposes and that the City's choice of locational criteria is reasonable and justifiable.

FISCAL ANALYSIS

The Urbanization Element update does not generate additional cost to the City beyond the in-kind staff expenses, postage and legal notification costs included in the budget for Community Development. The fiscal impact of extending public infrastructure and services will be evaluated at such time the City proposes amendments to its UGB.

LEGAL ANALYSIS

The Urbanization Element Comprehensive Plan text amendments are considered "Major Amendments" per CPMC 17.96.300 and are subject to Type IV Legislative application procedures per CPMC 17.05.500. Conducting a second public hearing by the City Council is necessary and consistent with the requisite procedures to adopt changes to the element. Aside from procedural compliance, the primary changes to be discussed include those identified by ORS 197.020 evaluating alternative boundary locations for UGB Amendment.

COUNCIL GOALS/STRATEGIC PLAN ANALYSIS

The City Council goal to provide managed growth and infrastructure is predicated on the ability of the City to forecast growth and the corresponding land and service needs over the long term. The 2019-2039 Urbanization Element aligns with Council's goal by, "Continually ensuring that planning and zoning review and regulations are consistent with comprehensive plans and vision."

ACTION

Consider the second reading of the proposed amendment to the Comprehensive Plan, Urbanization Element (2019-2039), and 1) approve the ordinance; 2) approve the ordinance with revisions; 3) deny the ordinance.

RECOMMENDATION

Approve Ordinance No. ____ An Ordinance Updating and Adopting the Central Point Comprehensive Plan Urbanization Element (2019-2039)

ATTACHMENTS:

1. Approval Resolution 02-05-19
2. ORDINANCE (Urbanization)
3. Urbanization Element 2019

City of Central Point

URBANIZATION ELEMENT 2019-2039

Draft

3/4/2019

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INTRODUCTION

Urbanization is defined as the movement of people from rural to urban environments, and from urban environments to other urban environments. This movement can be motivated by any number of reasons; such as jobs, housing, health care, retirement, and education. The product of urbanization is realized in the incremental increase in the demand for urban services such as housing, and supporting physical and social infrastructure, and the land necessary to support the urbanization process. Urbanization has its most negative impact when the demand for support infrastructure exceeds supply, resulting in a reduction in livability as evidenced by overcrowded schools, poor health care, traffic congestion, urban blight, inadequate utility services, environmental pollution, housing affordability, etc. Urbanization is not responsible for the building of functional, or dysfunctional cities, beautiful, or blighted cities, it is merely the process that fuels the building of cities. The quality of the built city is a function of a community's ability to define and diligently pursue a preferred future.

Over the course of the next twenty years Central Point's population will continue to increase, fueling the urbanization process and resulting in millions of dollars in public and private investment for housing, businesses, and infrastructure. The outcome of that investment will be defined by the City's preferred future, and the urbanization strategies, policies and implementing ordinances adopted to attain that preferred future.

PURPOSE OF THE URBANIZATION ELEMENT

The significance of urbanization on the economic, environmental, and general welfare of communities throughout the state is acknowledged in Statewide Planning Goal 14, Urbanization; which establishes as a statewide goal the need for all communities to:

“Provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

The purpose of the City's Urbanization Element is modeled after the Statewide Planning Goal 14 purpose, but with an emphasis on attaining the City's preferred future as described in the Comprehensive Plan. The purpose of the City's Urbanization Element is to:

“Provide for the orderly and efficient transition from rural to urban land use in accordance with the goals and policies of the City of Central Point Comprehensive Plan as necessary to accommodate projected urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, as necessary to provide for the City's preferred future.”

A Preferred Future

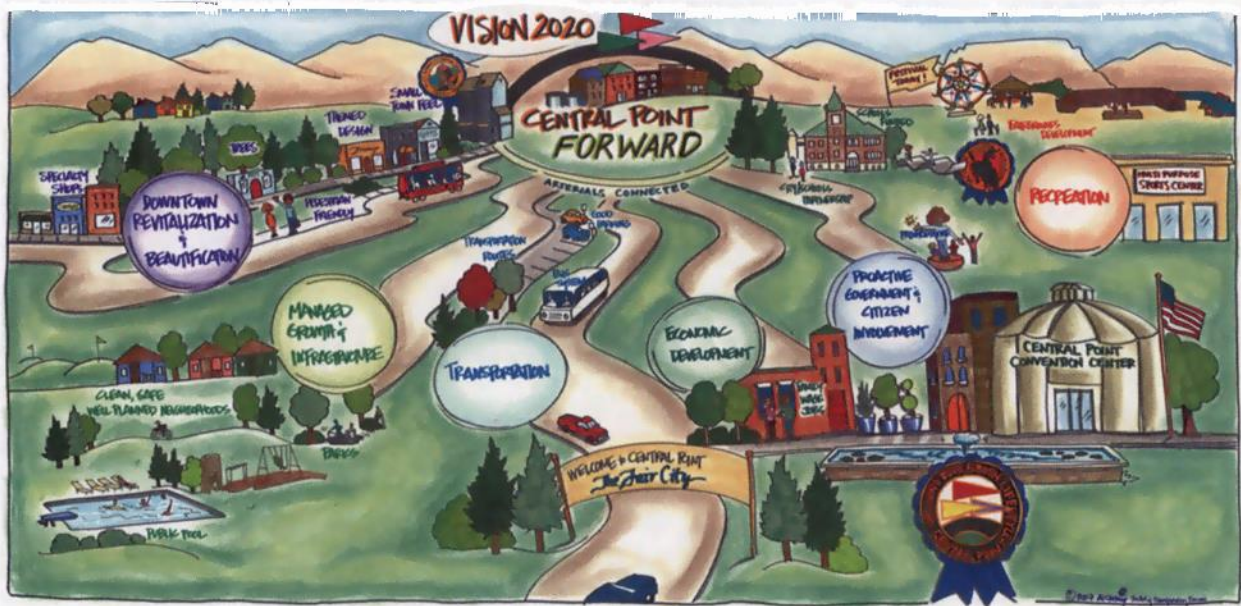
There are two documents; the *Fair City Vision 2020* and *The Greater Bear Creek Valley Regional Plan* that together define the City's preferred future, and as such serve as the cornerstone of the Urbanization Element. Because of the significance of their role in defining the City's urbanization these two documents are briefly discussed in the Urbanization Element.

Central Point Forward, Fair City Vision 2020 (Vision 2020) – Vision 2020 addresses the City's unique identity and livability objectives, and the mission, vision, and values

on which the City's urbanization program is based. By keeping the focus on livability, the City will not only be able to maintain its policy focus but also be able to attract the type of innovative, responsible and community-minded residents and businesses that will contribute to the pursuit of a successful future for the City of Central Point.

Maintaining an acceptable level of livability consistently rises to the top as one of the primary challenges confronting all communities as they grow. For Central Point livability is a point of pride and the primary reason people are attracted to the City as a place to live, work, and play. In 1998 the City adopted its first strategic plan to guide its general growth and decision making process. This plan served the community well and was updated in 2007 as *Central Point Forward, Fair City Vision 2020 (Vision Plan)*. The significance of the *Vision Plan* is that it defines basic livability objectives to be applied by elected officials in their deliberation on issues related to the City's urbanization.

Participants in the *Vision Plan* attribute Central Point's livability to a matrix of factors. The citizens of Central Point realize that their preferred level of livability does not come about by chance, but rather is intentionally created through collaborative community efforts, innovative planning, public policy, and effective and efficient implementation strategies.



The *Vision Plan's* livability objectives are presented in three core elements; Mission, Vision, and Values. These core elements are carried forward and incorporated in the Urbanization Element's goals and policies.

Our Mission. *“It is the mission of the City of Central Point to build and maintain a highly livable community by working in harmony and being a catalyst for partnership with all members of the community, public and private.”*

Our Vision. *To create a community:*

- *With a “small town” commitment and feel that promotes community pride, safety, and friendliness.*

- *That provides consistent quality in guiding growth, beautifying and strengthening the downtown area, and providing adequately for City services, while being flexible and updating citizens.*
- *Where we work jointly with our community schools, libraries, and public/private institutions to increase opportunities for the development of our youth and our citizens.*
- *Where city, county, state, and federal agencies work together as partners with a “can do” attitude.*
- *That protects our unique identity – People know when they are in the “Heart of the Rogue Valley” – Central Point.*

Our Values. *In achieving the City’s mission and vision it is important to set forth a system of values on which to base our behavior in addressing the urbanization challenges. These values are:*

Growth: *We value planned growth that will retain our small town atmosphere*

Public Safety: *We value a professional service oriented public safety policy that promotes a sense of safety and security in our city.*

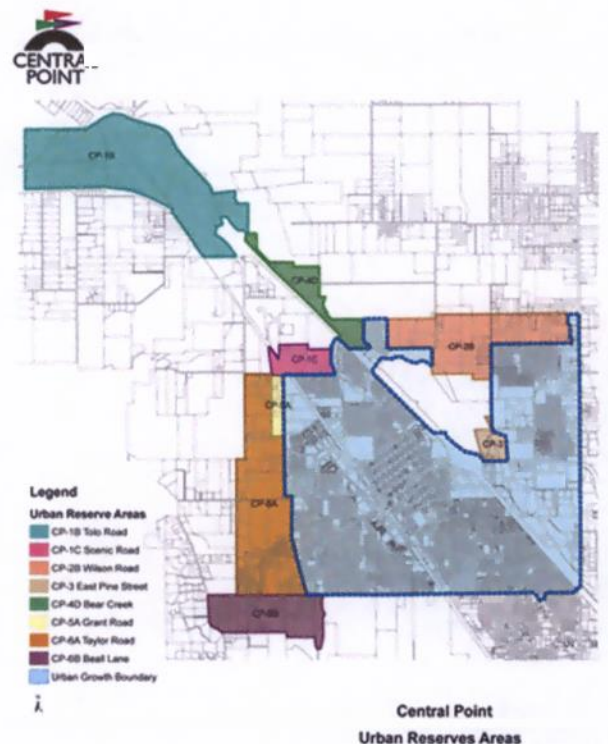
Transportation: *We value a system of transportation and infrastructure that is modern, efficient, and sensitive to the environment.*

Community: *We value a clean and attractive city with parks, open space and recreational opportunities.*

Service: *We provide the highest level of service possible in the most efficient and responsible manner.*

The Greater Bear Creek Valley Regional Plan (*Regional Plan*) –

establishes the basic planning timeframe and urbanization needs, goals, and policies for the region and its participating cities, including the City of Central Point. The *Regional Plan* is the product of a regional land-use planning project involving Ashland, Central Point, Eagle Point, Medford, Phoenix, Talent, and Jackson County (Participants). The purpose of the *Regional Plan* was to define a preferred future of the Participants to accommodate projected population and job growth to the year 2060, an approximate 50 year planning period. The most significant products of the *Regional Plan* are the establishment of minimum residential density requirements and, through the establishment of urban reserve areas (URAs), the efficient use of land by each of the Participants. The purpose of the



URA is to reserve land for future urban-level development. The method of establishing an urban reserve is defined in state law (see ORS 195.137–145).

The State legislature’s findings in the bill creating the urban reserve statute are succinct in stating their value:

“The Legislative Assembly finds that...long-range planning for population and employment growth by local governments can offer greater certainty for...commerce, other industries, other private landowners and providers of public services, by determining the more [likely] and less likely locations of future expansion of urban growth boundaries and urban development.”¹

The Regional Plan provides Central Point with an additional 1,720 gross acres in the 8 urban reserve areas. The goal of the plan is to protect the valley’s farmland while allowing urbanization to progress in areas planned to accommodate growth. This plan also provides participants with a roadmap for the future to ensure that as urbanization occurs, the necessary infrastructure is able to be put in place to support projected growth.

LIVABILITY PRINCIPLES

Although the primary objective of the state’s Urbanization Goal is the efficient use of land, it is important that we do not lose sight of maintaining a livable community. The ultimate goal of the Comprehensive Plan is to provide a roadmap for the City of Central Point to maintain and enhance the livability of the City as it continues to grow. The SPOT chart (below) identifies the Strengths, Problems, Opportunities and Threats facing Central Point as it moves forward. The livability principles identified in this section can be incorporated into each comprehensive plan element to encourage the development of a livable community. A description of each element and how they relate to the Urbanization Element and livability is described below.



The six livability principles and the City’s aligned Vision are:

¹ ORS 197.139

1. Promote transportation choices
Continue to support the development of safe, reliable and economical transportation choices that improve the City's multi-modal transportation mix to decrease household transportation costs, improve air quality, reduce greenhouse gas emissions, and promote public health.
2. Promote equitable, affordable housing
Expand housing choices for people of all ages, incomes, races and ethnicities to increase housing mobility and lower the cost of housing and transportation.
3. Enhance economic competitiveness
Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services, and other basic needs by workers, as well as expanded business access to markets.
4. Support existing neighborhoods
Continue targeting funds toward existing neighborhoods – through strategies like transit-oriented, mixed-use development, and redevelopment, to increase community revitalization and the efficiency of public works investments.
5. Coordinate and leverage investment policies
Align the City's capital improvement programs to collaborate, leverage funding, and increase the accountability and effectiveness of all levels of government to plan for the City's future growth.
6. Value our neighborhoods
Enhance the unique "small town" characteristics of the City by investing in healthy, safe, and walkable neighborhoods.

PLANNING TIME FRAME, 2019 – 2039

The urbanization needs of the City are based on two timeframes; a twenty (20) year time frame addressing the City's urban land needs, and an extended timeframe (an additional 30 years) addressing the planning period identified in the *Greater Bear Creek Valley Regional Plan*, which is based on a doubling of the region's population by approximately 2060. For purposes of this Urbanization Element the planning period 2019 to 2039 will be used, with the *Regional Plan's* timeframe serving as a longer term review.

URBANIZATION FACTORS

The Urbanization Element's primary responsibility is to establish criteria (goals and policies) that manage the physical direction of the City's planned growth. To do this it must rely on the other elements of the Comprehensive Plan. The following is a brief description of other elements of the Comprehensive Plan and their key contributions to the Urbanization Element.

Population Element

The basic input to the urbanization process is population growth. In accordance with ORS 195.033 Portland State University's Population Research Center (PRC) is responsible for preparing population projections for all counties and cities in the state, and updating their projections on a four year cycle.

The Population Element maintains the City's population and demographic forecasts, and is the resource document for the Urbanization Element in all references to the City's population and demographic characteristics.

Key Contribution: Population forecasts.

Housing Element

Housing is a key component of any city's urbanization and is directly related to Livability Principle No. 2 above. The Housing Element supports the Urbanization Element by analyzing trends that affect the City's housing needs during the planning period. The City's Housing Element provides an assessment of current and future housing needs to ensure that there are a variety of housing options for Central Point including varying densities and affordability. The Housing Element aims to ensure that future, residential design standards, infrastructure and development help to preserve the small town feel of Central Point, protect agricultural land and provide housing to all citizens at all income levels.

The Housing Element maintains the City's housing goals and policies, and is the resource document for the Urbanization Element in all references to the City's housing needs.

Key Contribution: Residential acreage needs.

Economic Element

The City's livability is dependent on a dynamic, diversified, and growing economic base that complements and reinforces the small town character goal (Livability Principle No. 3). Central Point will be regionally competitive with policies that attract and retain businesses and employment for its citizens, provide essential services and maintain a strong tax base. Economic competitiveness and prosperity will be the means of supporting a quality of life that is distinctive among Valley communities. The economic element will support and facilitate the City's Urbanization Element through the development and implementation of policies and implementation measures that promote opportunities for a variety of economic activities within the City's urban area, improving the health, welfare, and prosperity of its citizens. The Economic Element provides a written framework for meeting the City's economic goal to diversify its economic base.

The Economic Element maintains the City's goals and policies related to the City's economic growth. It is also the resource document for the Urbanization Element in all references to the City's economy.

Key Contribution: Employment acreage needs.

Parks and Recreation Element

The long-term parks and recreation needs of the City are described in the Parks and Recreation Element. The Parks and Recreation Element not only determines the acreage needs of the City, but also identifies the general location of the City's future community and neighborhood parks.

Key Contribution: Parks and recreation acreage need and general location.

Land Use Element

The use of land and its percentage distribution are common indicators of how a community grows and responsibly expands its infrastructure. The Land Use Element addresses the City's past, present and future use of land and also introduces the concept of 'Activity Centers'.

The Land Use Element maintains the City's land use goals and policies, and is the resource document for the Urbanization Element in all references to the City's land use.

Key Contribution: Geographic distribution of urban land.

Public Facilities Element

The Public Facilities Element of the Comprehensive Plan is directly related to Livability Principle No. 5 and will address and assure the provision of city services. These services include sewer, storm drainage, and water. As the city grows, these services will have to be able to meet the needs of citizens in newly developed areas as well as continue to provide for current residents. This element provides an assessment of the current public facilities to meet citizens' needs. Also, any future extension of services will be guided by this element to ensure that future growth is supported by an adequate and efficient network of public facilities in order to meet the needs of all its citizens.

Key Contribution: Existing and planned availability of public facilities.

Transportation Element (Transportation System Plan)

The Transportation Element of the Comprehensive Plan is directly related to Livability Principle No. 1 and No. 5 by providing quality roads and other modal options to city residents and businesses. As growth occurs, the City will have to ensure that all residents have access to transportation and that the roads and other modes of transportation are able to accommodate the community's needs. Future improvements to the transportation system will be guided by this element to ensure that future growth is supported by an adequate and efficient network of roads in order to meet the needs of all its residents.

Key Contribution: Existing and planned availability of the City's transportation system.

Environmental Element

The purpose of the Environmental Element is to identify the goals and policies addressing both the City's environmental assets and potential disasters, and to integrate those policies with the Urbanization and Land Use Elements. There is no one specific livability goal for environmental protection; instead, environmental protection is woven throughout all of the livability goals. This element will support the Urbanization element by providing goals and policies that encourage sustainability and protection of natural resources that occurs simultaneously with growth in Central Point.

URBAN GROWTH BOUNDARY LOCATION CRITERIA

Aside from a demonstration that there is a need to accommodate the City's long-range population growth and related land needs there is a requirement that the boundaries within which the City's urban lands are located be placed with forethought. The location of the City's urban growth boundary (UGB) and changes to the UGB shall be determined by evaluating alternative boundary locations consistent with ORS 197.020, and with consideration of the following locational criteria:

1. Properties that abut either the City Limits, or the current UGB.
2. Properties that are in excess of 10 acres.
3. Properties that abut or are within 500 ft. of basic urban services; i.e. water, sewer, stormwater, transportation.
4. Properties that are proximate to, or include, mixed use/pedestrian friendly areas.
5. Compatibility with nearby agricultural uses outside the proposed UGB.
6. Proximity to transportation infrastructure.
7. Lands that have been master planned.
8. Readiness for development.
9. Proximity to City Center, using a 'concentric growth pattern'

URBAN GROWTH BOUNDARY AMENDMENT PROCEDURES

Periodically it will be necessary to amend the City's urban growth boundary due to changes in circumstances. The procedures for the review and amendment of the Urban Growth Boundary are as follows:

Major Amendment

Major revisions to the Urban Growth Boundary or Urban Growth Boundary Management Agreement will be considered amendments to both the city and county comprehensive plan, and as such are subject to a legislative review process. A major revision shall include any UGB amendment that would necessitate revisions to the intent of the city or County comprehensive plan goals, policies, or text, that has widespread and significant impact on the immediate area, such as quantitative changes for substantial changes in population, or significant increases in resource impacts, qualitative changes in land use itself, such as conversion of residential and industrial use, or spatial changes that affect large areas, or many different ownerships. Any change in the policies of the Urbanization Element is considered a major revision.

Major revisions will be considered by the city and county at five-year intervals the date of adoption of the UGB and urbanization policies. If the city and County governing bodies find that prevailing circumstances have a significant effect on the public health, safety, or general welfare of the community, a major revision can be considered in less than five years. A request for a major revision can be initiated by an individual or group, citizen's advisory committee, affected agencies, and governing bodies. Parties should file adequate written documentation with the city and County governing bodies. Final legislative acts on major revisions requests shall be based on the following factors:

- a. Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities;
- b. The orderly and economic provision of key urban public facilities and services;

- c. The maximum efficiency of land uses within the current urbanizable area;
- d. Environmental, energy, economic, and social consequences;
- e. The compatibility of the proposed change with other elements of the city and County comprehensive plans; and
- f. The state-wide planning goals.

Major revision proposals shall be subject to a mutual city and County review and agreement process involving affected agencies, citizen advisory committee, and the general public. If the city and county cannot agree on a major revision, or until an acceptable revision is mutually agreed upon and adopted, both jurisdictions will continue to use existing UGB, areas of regional planning concern boundaries, and urbanization policies.

Minor Urban Growth Boundary Adjustments

Minor adjustments to the UGB may be considered subject to similar procedures used by the city and county in hearing zoning requests. A minor revision is defined as one focusing on specific individual properties, and not having significant impact beyond the immediate area of the change. An application for a minor UGB amendment can be made only by property owners, their authorized agents, or by a city or County governing body. Written application for a minor adjustment may be filed with the Jackson County Department of Development Services on forms prescribed by the County. The standards for processing an application are as follows:

- a. Final action on the minor use of UGB adjustment shall be based in the same six factors required for major revision requests as listed in the preceding section, major revisions.
- b. Application shall be reviewed by the affected city and County citizens planning advisory committees annually.
- c. Strategic, location of roads, golf courses, or other visible public or semi-public open spaces;
- d. Compliance with the City’s Agricultural Mitigation standards;
- e. All UGB amendments shall include adjacent streets and other transportation rights-of-way;

URBAN GROWTH BOUNDARY MANAGEMENT AGREEMENT

Development within the UGB, but outside the City Limits shall be subject to the policies of the most recent Urban Growth Boundary Management Agreement (UGBMA), jointly adopted by both the City and the County.

URBANIZATION GOALS & POLICIES

Goal

“Provide for the orderly and efficient transition from rural to urban land use in accordance with the goals and policies of the City of Central Point Comprehensive Plan as necessary to accommodate projected urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, as necessary to provide for the City’s preferred future.

Policies

1. All urban level development shall conform to city standards, shall be consistent with the City’s comprehensive plan, and shall meet all requirements of the City Zoning Ordinance and Map.
2. Urban facilities and services must be adequate in condition and capacity to accommodate the additional level of growth, as allowed by the comprehensive plan, prior to and or concurrent with land-use changes.
3. To maintain an inventory of buildable lands within the UGB in all land use classifications sufficient to accommodate the City’s most recent 20-year population projection².
 - a. Vacant lands within the UGB that have farm or open space tax benefits are not classified as vacant until such time as the farm or open space tax benefits are removed³.
 - b. At the time of the population projection updates the City shall evaluate the need to expand the UGB.
 - c. The calculation for In-Fill lands available for development shall be discounted based on their likelihood of developing during the planning period. A determination of the in-fill acreage likely to develop shall be maintained in the Buildable Lands Inventory, including the methodology of determining the term “likely”.
4. Promote compact, orderly and efficient urban development by guiding future growth to vacant sites and redevelopment areas within the established areas of the city, and to urbanizable lands where future annexation and development may occur.
5. Promote efficient and economical patterns of mixed land uses and development densities that locate a variety of different life activities ,such as employment, housing, shopping and recreation in convenient proximity; and that are, or can be made, accessible by multiple modes of transportation —including walking, bicycling, and transit in addition to motor vehicles —within and between neighborhoods and districts.

² ORS 197 requires that Portland State University, Population Research Center provide updated population projections on a 4-year cycle.

³ ORS 197.756

6. Provide an adequate level of urban services, including but not limited to public water, wastewater, storm water management systems, environmental services and an urban multi-modal transportation system as urban development occurs within the City's UGB.
7. Maintain and reinforce the City's small town image by emphasizing and strengthening the physical connections between people and nature in the City's land development patterns and infrastructure design.
8. Create opportunities for innovative urban development and economic diversification. Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.
9. The City of Central Point General Land Use Plan (GLUP) Map and zoning designations for unincorporated urbanizable land, and all other city development and building safety standards, shall apply only after annexation to the city; or through a contract of annexation between the city, Jackson County, and other involved parties; or after proclamation of an annexation having a delayed effective date pursuant to ORS 222.180(2).