



COUNCIL RESOLUTION NO. 5116

A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (348 RIVER LOOP 1, AND IDENTIFIED AS ASSESSOR'S MAP 17-04-11-11, TAX LOT 8500).

PASSED: 7:0

REJECTED:

OPPOSED:

ABSENT: Evans

CONSIDERED: October 13, 2014



RESOLUTION NO. 5116

A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (348 RIVER LOOP 1, AND IDENTIFIED AS ASSESSOR'S MAP 17-04-11-11, TAX LOT 8500).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Land Whisperers LLC, on behalf of William D. Olson and Jana L. Olson, on July 9, 2014, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-11-11, Tax Lot 8500.

B. The territory proposed to be annexed is described in Exhibit A attached to this Resolution, and depicted on the map attached as Exhibit B to this Resolution.

C. The City's Planning Director has submitted a written recommendation that the application be approved based on the criteria of EC 9.7825. The Planning Director's Recommendation is attached as Exhibit C.

D. On September 9, 2014, a notice containing the street address and assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicants, owners and occupants of property within 500 feet of the subject property, and the Santa Clara Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on October 13, 2014.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Recommendation and Findings attached as Exhibit C, which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-11-11, Tax Lot 8500 as described in the attached Exhibit A and shown on the map attached as Exhibit B, is annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from AG/UL to AG pursuant to EC 9.7820(3) shall become effective in accordance with State law.

The foregoing Resolution adopted the 13th day of October, 2014.

Beth Louest

City Recorder

Exhibit A

Beginning at a point 322.52 feet South 00°30'00" East of a stone set for the beginning point of County Road No. 18, said stone being of record South 89°50'00" West 42.56 chains of a point 20.10 chains South of the Northeast corner of the L. Poindexter D.L.C. No. 52 in Township 17 South, Range 4 West of the Willamette Meridian; thence running South 89°50'00" East 245.00 feet; thence South 00°30'00" East 112.22 feet; thence South 89°45'00" West 245.00 feet; thence North 00°30'00" West 114.00 feet to the point of beginning, all in Lane County, Oregon.



Jonathan A. Oakes



Expires: DEC. 31, 2014

Olson, William and Jana (A 14-4)



-  Eugene City Limits
-  Annexation Area





**Planning Director's Recommendations and Findings:
Olson, William and Jana (A 14-4)**

Application Submitted: July 9, 2014	
Applicant: William and Jana Olson	
Map/Lot(s): 17-04-11-11: 8500	
Zoning: AG/UL Agricultural with Urbanizable Land Overlay	
Location: 348 River Loop 1	
Lead City Staff:	Becky Taylor, Associate Planner, (541) 682-5437

EVALUATION:

Based on the information provided by the applicant, the City has determined that this request complies with Eugene Code (EC) Section 9.7805 Annexation - Applicability. As such, it is subject to review and approval in accordance with the requirements, application criteria and procedures of EC 9.7800 through 9.7835. The applicable approval criteria are presented below in bold typeface with findings and conclusions following each.

EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is:	
<p>(a) Contiguous to the city limits; or</p> <p>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</p>	
Complies	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Findings: The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). Abutting lands to the north and east are in City limits.	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Findings: The proposed annexation area is within the UGB. Several policies from the <u>Metro Plan</u> generally support this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following:	
<p>C. Growth Management, Goals, Findings and Policies:</p> <p><i>Policy 8. Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that:</i></p> <p style="padding-left: 40px;"><i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></p> <p style="padding-left: 40px;"><i>b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the Metro Plan. (Page II-C-4)</i></p> <p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (Page II-C-4)</i></p> <p><i>Policy 16. Ultimately, land within the UGB shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for</i></p>	

		<p><i>annexation may vary, annexation should occur as land transitions from urbanizable to urban. (Page II-C-5)</i></p> <p>The <u>Metro Plan</u> designates the annexation area as appropriate for residential use. The <u>River Road/Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject properties and also designates the area for residential uses. The property is currently zoned AG/UL Agricultural with Urbanizable Land Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval. The applicant plans to file a zone change application to low-density residential following approval of the annexation.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a subarea; of the general “Residential Land Use Policies” at Section 2.2, none appear to be directly applicable to the subject request. The “Public Facilities and Services Element” policies of the <u>RR/SC UFP</u> are directed at local government; however, the premise of these policies (regarding the provision of urban services) is the assumption that the properties within the UGB will be annexed.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with <u>Metro Plan</u> growth management policies and can be served by the minimum level of key urban services. The annexation procedures beginning at EC 9.7800 are consistent with State law and therefore, as found throughout this report, the annexation is consistent with State law.</p>
<p>EC 9.7825(3) 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.</p>		
<p>Complies</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>		<p>Findings: The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services can be provided in an orderly, efficient, and timely manner as detailed below:</p> <p>Wastewater Public wastewater is provided by an existing 8-inch main located within River Loop 1, abutting the subject property to the west.</p> <p>Stormwater The roadside ditch along the west property boundary and River Loop 1 is intended for road runoff only. Additional stormwater runoff from future development of the property may require on-site detention and/or retention. Compliance with applicable stormwater development standards will be ensured during the development permit process.</p> <p>Streets The portion of River Loop 1 abutting the west boundary of the subject property is under Lane County’s jurisdiction. The need for any street improvements will be evaluated at the time of development.</p>

	<p>Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p>Water & Electric Eugene Water and Electric Board (EWEB) staff states no objection to serving the proposed annexation, provided future development of the subject property complies with applicable policies and procedures. There is an existing six-inch water main located within the abutting segment of River Loop 1.</p> <p>Public Safety Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection services and ambulance services are currently provided to the subject property by the City of Eugene. Emergency medical services are currently provided on a regional basis by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p> <p>Parks and Recreation A minimum level of park service can be provided to the proposal area by the city as prescribed in the <u>Metro Plan</u>. Terra Linda Park is located approximately 400 feet to the northeast.</p> <p>Planning and Development Services Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p> <p>Communications CenturyLink (formerly Qwest) and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p>Public Schools The subject property is within the Eugene 4J School district and is served by Awbrey Park Elementary School, Madison Middle School and North Eugene High School.</p>
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CONCLUSION:

Based on the above findings, the proposed annexation is found to be consistent with the applicable approval criteria. The Planning Director recommends that City Council approve this annexation proposal. The effective date is set in accordance with State law.