

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Adoption of a Resolution Annexing Land to the City of Eugene (Rush, Janice; A 15-1)

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Meeting Date: November 23, 2015  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 2C  
Staff Contact: Erik Berg-Johansen  
Contact Telephone Number: 541/682-5437

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#### **ISSUE STATEMENT**

This item is a request to annex approximately 0.22 acres (9,583 square feet) of vacant land located at 85 Irvington Drive, as well as a section of the Irvington Drive right-of-way. The property is located on the north side of Irvington Drive, just west of River Road. It is located within the Urban Growth Boundary (UGB), but is not currently surrounded by the city limits. To address the fact that the property is not adjacent to city limits, the applicant has proposed annexation of a portion of Irvington Drive that will “connect” the property to annexed lands. The City of Eugene Public Works Department is in agreement with this proposal to bring additional right-of-way into city limits. Annexation of this street segment will not create an island of unincorporated properties, and is therefore consistent with the City Council’s street annexation policy as established in Resolution 4903.

The property is zoned AG/UL (Agricultural with Urbanizable Lands Overlay). The Metro Plan designates the subject property for commercial use. The applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan, which also designates the property for commercial use. Plans for future development of the site are not included as part of this annexation application.

#### **BACKGROUND**

In December 2007, the City Council adopted Ordinance No. 20400 establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, or denying an application for annexation; or provide for the council to hold a public hearing before consideration of the annexation request.

Approval of annexation requests are based on the criteria at EC 9.7825 which require that (1) the land proposed to be annexed is within the city’s Urban Growth Boundary (UGB) and is contiguous to the city limits or separated from city limits only by a right-of-way or water body; (2) the proposed annexation is consistent with the applicable policies in the Metro Plan and in any applicable refinement plans and (3) the proposed annexation will result in a boundary in which the minimal level of key urban facilities and services can be provided in an orderly, efficient, and timely manner. Draft findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the draft

resolution (Attachment B).

Public notice for this annexation request was provided in accordance with Eugene Code requirements, and no written testimony has been received as of this date. Referral comments were provided by affected agencies including City of Eugene Public Works and the Eugene Water & Electric Board (EWEB). These referral comments confirm that the property can be provided with the minimum level of key urban services consistent with the approval criteria. Given the findings of compliance and lack of testimony received, a public hearing is not recommended in this instance.

Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10<sup>th</sup> Avenue.

### **RELATED CITY POLICIES**

The Metro Plan contains the policies that are related to this annexation request. The River Road - Santa Clara Urban Facilities Plan is the refinement plan applicable to the subject property. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

### **COUNCIL OPTIONS**

1. Adopt the draft resolution.
2. Adopt the draft resolution with specific modifications as determined by the City Council.
3. Deny the draft resolution.
4. Defer action until after the council holds a public hearing on the proposed annexation.

### **CITY MANAGER'S RECOMMENDATION**

The City Manager recommends that the City Council adopt the draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

### **SUGGESTED MOTION**

Move to adopt Resolution 5144, which approves the proposed annexation request consistent with the applicable approval criteria.

### **ATTACHMENTS**

- A. Vicinity Map
- B. Draft Annexation Resolution with Exhibits A through C
  - Exhibit A: Map of Annexation Request
  - Exhibit B: Legal Description
  - Exhibit C: Planning Director Findings and Recommendation
- C. Application Materials for Annexation Request
- D. City Council Resolution 4903

**FOR MORE INFORMATION**

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