



**Eugene City Council**

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# AMENDED EUGENE CITY COUNCIL AGENDA

May 22, 2017

**5:30 p.m. CITY COUNCIL WORK SESSION**  
**Harris Hall**  
**125 East 8<sup>th</sup> Avenue**  
**Eugene, Oregon 97401**

**7:30 p.m. CITY COUNCIL MEETING**  
**Harris Hall**  
**125 East 8<sup>th</sup> Avenue**  
**Eugene, Oregon 97401**

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**Meeting of May 22, 2017;**  
**Her Honor Mayor Lucy Vinis Presiding**

**Councilors**

Alan Zelenka, President  
Emily Semple  
Claire Syrett

Mike Clark, Vice President  
Greg Evans  
Chris Pryor  
Betty Taylor

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*Please note this agenda has been amended to reflect a change in the 5:30 pm Work Session topic.*

**5:30 p.m. CITY COUNCIL WORK SESSION**  
**Harris Hall, 125 East 8<sup>th</sup> Avenue**

*Mayor: I call the May 22, 2017, City Council work session to order.*

**A. Executive Session Pursuant to ORS 192.660 (2)(e)**

*Mayor: The Eugene City Council will now meet in Executive Session held pursuant to ORS 192.660(2)(e) to discuss the negotiation of real property transactions.*

*Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.*

**B. WORK SESSION:  
City Council Process Session**

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**7:30 p.m. CITY COUNCIL MEETING  
Harris Hall, 125 East 8<sup>th</sup> Avenue**

**Mayor:** *I call the May 22, 2017, City Council meeting to order.*

**1. PLEDGE OF ALLEGIANCE TO THE FLAG**

**Mayor:** *We recite the Pledge of Allegiance to the Flag this evening in honor of Memorial Day on May 29.*

*I invite you all to stand and join us:*

*I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*

**2. PUBLIC FORUM**

**Mayor:** *The Public Forum is an opportunity for individuals to speak to the City Council on any city-related issues except for those items which have already been heard by a Hearings Official or are on tonight's agenda as a public hearing.*

*Each person will have three minutes to speak. When you come to the podium, please give your name, city of residence, and, for Eugene residents, your ward if known. The timer and lights indicate the time you have to speak. The red light indicates the end of three minutes.*

**Mayor closes Public Forum and asks for comments from the City Council.**

**3. CONSENT CALENDAR**

*(Note: Time permitting, action on the Consent Calendar may be taken at the 5:30 p.m. work session.)*

- A. Approval of Tentative Working Agenda**
- B. Approval of a Resolution Annexing Land to the City of Eugene (Property Identified as Assessor's Map 17-04-11-42, Tax Lot 400) (Kreindel, Joel; A 17-2)**
- C. Approval of a Resolution Annexing Land to the City of Eugene (Property Identified as Assessor's Map 17-04-14-23, Tax Lot 3900) (Lohman, Scott; A 17-4)**
- D. Approval of a Resolution Annexing Right-of-Way to the City of Eugene Identified as River Road between Merry Lane/Arbor Drive and between Maynard Avenue/Rosewood Avenue (River Road Annexation; A 17-6)**
- E. Approval of a Resolution Annexing Land to the City of Eugene Identified as Assessor's Map 17-04-25-13, Tax Lots 2200 and 2300 (Downtown Mini Storage Partnership; A 17-5)**

*City Council President: I move to approve the items on the Consent Calendar.*

*Call for vote.*

**4. ACTION:**

**An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Policy H.2 to Clarify Eugene May Adopt Aspirational Park Plans**

*City Council President: I move to adopt Council Bill 5175, an ordinance to amend Metro Plan Policy H-2, as written in Attachment A.*

*Call for vote.*

**5. ACTION:**

**An Ordinance Concerning Utility Service to Support Economic Development in the Industrial Corridor Community Organization and Amending Section 9.8117 of the Eugene Code, 1971**

*City Council President: I move to adopt Council Bill 5174, an ordinance concerning utility service to support economic development in the industrial corridor.*

*Call for vote.*

**6. ACTION:**

**A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located at 1777 E. 30th Avenue, Eugene, Oregon (Assessor's Map 18-03-08-11, Tax Lot 602)**

*City Council President: I move to close the record for the Wilson Measure 49 claim at 5:00 p.m. on June 5, 2017. I further move to close the claimants' rebuttal period at 5:00 p.m. on June 12, 2017.*

*Call for vote.*

**7. Committee Reports and Items of Interest from Mayor, City Council, and City Manager**

*Adjourn.*

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The Eugene City Council welcomes your interest in these agenda items. This meeting location is wheelchair-accessible. For the hearing impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. Spanish-language interpretation will also be provided with 48 hours' notice. To arrange for these services, contact the receptionist at 541-682-5010. City Council meetings are telecast live on Metro Television, Comcast channel 21, and rebroadcast later in the week.

El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,  
or visit us online at [www.eugene-or.gov](http://www.eugene-or.gov).

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Work Session: City Council Process Session

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Meeting Date: May 22, 2017  
Department: Central Services  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: B  
Staff Contact: Mia Cariaga  
Contact Telephone Number: 541-682-5010

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### **AGENDA ITEM SUMMARY**

This work session is part of an ongoing opportunity for the City Council to discuss how it conducts its business. The Council meets periodically to talk about its processes and operating agreements. This discussion will be on the topic of motions.

### **BACKGROUND**

The Municipal Charter of the City of Eugene, Eugene City Code and Oregon Revised Statutes govern many meeting requirements and actions of the Mayor and City Council. The Eugene Charter, Chapter 2 of the Eugene City Code, and various sections of ORS 192 and 244 are primary sources of these meeting and other operating requirements.

In addition, the Council has adopted Operating Agreements as outlined in Attachment A. They were last updated by Council in October 2011. This work session is an opportunity for Council to review the process associated with motions as outlined in the agreements on page 7.

### **RELATED CITY POLICIES**

No related City policies are relevant to this discussion.

### **COUNCIL OPTIONS**

The council may provide input and direction for staff follow up on the issues discussed. No formal action is anticipated.

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

No recommendations are offered by the City Manager.

### **SUGGESTED MOTION**

No motions are offered by the City Manager.

## **ATTACHMENTS**

A. Council Operating Agreements

## **FOR MORE INFORMATION**

Staff Contact: Mia Cariaga

Telephone: 541-682-5010

Staff E-Mail: [mia.cariaga@ci.eugene.or.us](mailto:mia.cariaga@ci.eugene.or.us)

**EUGENE CITY COUNCIL OPERATING AGREEMENTS**  
**RESOLUTION NUMBER 5043**  
**ADOPTED OCTOBER 10, 2011**

## **INTRODUCTION**

The Municipal Charter of the City of Eugene (Charter) and Eugene City Code, 1971 (E.C.), as well as the Oregon Revised Statutes (ORS) law govern many meeting requirements and actions of the Council. The Eugene Charter, Chapter 2 of the Eugene City Code, and various sections of ORS 192 and 244 are primary sources of these meeting and other operating requirements.

## **1. MEETING REQUIREMENTS**

### **1.01 Time of Meetings**

Regular meetings of the Eugene City Council (the Council) shall be on the second and fourth Mondays of each month. These meetings shall begin at 7:30 p.m. and shall end at 10 p.m., or when the agenda item considered by the Council at 10 p.m. is concluded. If those days are on a legal or religious holiday, the Council may schedule the meeting for the day immediately following.

### **1.02 Work Sessions**

The Council may meet in work sessions beginning at 5:30 p.m. prior to its regular Monday meetings as needed. Other work sessions may be held on the second, third, fourth, and fifth Wednesdays of the month. These work sessions shall start at noon and last for a maximum of 90 minutes. Except for extraordinary circumstances, the total time for presentations by staff and/or others on a single agenda item shall be no more than 15 minutes.

### **1.03 Location of Meetings**

Eugene City Council meetings shall be held within the jurisdictional boundaries of the City. Training sessions may be held outside the City limits, if no deliberations toward a decision are made. Inter-jurisdictional meetings may be held outside City limits, but should be as close to Eugene as practical. No City Council meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced. For this purpose, meetings do not include visitations or attendance at any national, regional, or state association to which the councilor belongs.

### **1.04 Notice of Meetings, Special Meetings, Emergency Meetings**

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media which requested notice. In the case of emergency or when a state of emergency has been declared, notice appropriate to the circumstances shall be provided and reasons justifying the lack of 24-hour notice shall be included in the minutes of such meeting. As per both the Eugene Charter, Section 9, and Eugene Code, Section 2.007 (2), the Mayor or three of the members of the Council, may call a special meeting of the Council in manner provided in E.C. 2.007 (3).

### **1.05 Public Forum**

A public comment period generally shall be the first item of every regular meeting of the Eugene City Council. By council majority vote, time-sensitive issues may be moved up in the agenda order.

Persons wishing to speak at the Public Forum must sign up to do so not later than five minutes after the Public Forum has been opened by the Mayor or presiding officer. The Mayor or presiding officer shall inform the audience of the requirement to sign up to speak not later than five minutes after the meeting has been called to order or prior to the conclusion of the Public Forum.

Members of the public may speak about any topic during the Public Forum, except as provided below. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. The Public Forum cannot be used to testify about an item that is not a public matter or which has already been heard by a Hearings Official, or to provide or gather additional testimony or information on a quasi-judicial matter after the official record has been closed.

Speakers at the Public Forum will be limited to three minutes. Generally, the speakers will be called upon in the order in which the “request to speak” forms are received by the staff at the meeting. No persons will be allowed to complete a “request to speak” form more than 30 minutes prior to the start of the meeting.

At the end of the Public Forum each member of the Council has the opportunity to respond to comments made during the Public Forum. The time allocated to each member of the Council for such responses shall be up to three minutes.

### **1.06 Public Hearings**

Public hearings shall generally be held on the third Monday of the month, except for those months during which a Council break occurs, and shall be held for all ordinances except under the terms delineated in E.C. 2.007 (4). Hearings may be scheduled on other items at the discretion of the Mayor and the City Manager. Persons wishing to speak shall submit a “request to speak” form prior to the commencement of the public hearing at which the person wishes to speak. The Mayor or presiding officer shall inform the audience of this requirement to sign up prior to the commencement of a public hearing. Speakers will be limited to three minutes. Eugene Code 2.015(7) notwithstanding, councilors may ask clarifying or follow-up questions of individuals providing testimony after that individual has completed his/her testimony. Questions posed by City Councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The Mayor or presiding officer may intervene if a councilor is violating the spirit of this guideline. At the end of the Public Hearing, each member of the Council has the opportunity to comment on or discuss testimony given during the Public Hearing.



The Mayor and Council will be limited to commenting only on the main motion prior to discussing any proposed amendments. If an amendment to the motion is made during the initial round on the main motion, subsequent remarks on the amendments will be postponed until all wishing to speak on the main motion have done so.

### **1.07 Executive Session**

All meetings of the Council shall be held in open session, except those meetings that may be closed for purposes specified in the Oregon Attorney General's Public Records and Meetings Manual (ORS 192.610 to 192.690). These include the employment or dismissal of public employees, performance evaluation of the council's employees, labor negotiations, real property transactions negotiations, and consulting with legal counsel on pending or threatened litigation.

Notice of executive sessions shall be given as required by state law and that notice must state the specific provisions of law authorizing the session.

The Mayor and City Councilors are expected to maintain the confidentiality of the information discussed in legally noticed and conducted executive sessions as defined in Chapter 192 of the Oregon Revised Statutes.

### **1.08 Minutes**

Written minutes shall be taken for all City Council meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording. As a matter of courtesy and efficiency, a councilor should notify the Mayor and other councilors that he/she intends to propose an amendment to the minutes and should propose replacement text in advance of the meeting at which those minutes are scheduled to be approved. If the proposed amendment is a simple factual, grammatical, or spelling correction, the amendment may be proposed without consulting the minutes recorder. If, however, the proposed amendment is substantive in nature or seeks to clarify the speaker's intent, or to expand his/her remarks for the record, the councilor should notify the minutes recorder and request verification of the proposed amendment.

### **1.09 Voting**

Section 12 of the Eugene Municipal Charter states that the Mayor only votes on matters before the Council in the case of a tie. Council members may not abstain from voting unless a conflict of interest has been declared.

### **1.10 Presiding Officer**

The Mayor shall preside over City Council meetings when present. The president of the Council shall preside if the Mayor is absent or unable to preside. The Council vice president shall have the powers of the Council president when the Council president is performing the duties of the Mayor. If the Mayor, Council president, and vice president are unavailable, the Council members present shall elect a temporary presiding officer.

### **1.11 Council Officers**

Council officers shall be elected for one-year terms in the manner prescribed in the E.C. 2.009, at the first regular meeting in each calendar year.

## **2. PLACING ITEMS ON COUNCIL AGENDA**

### **2.01 Contact the City Manager**

Contact the City Manager and explain the nature, scope and desired outcome of the item for the agenda, or make the request during “Items from Mayor and City Council” at a City Council work session. The City Manager and Mayor may then decide to place the item on a future agenda.

### **2.02 Council Poll**

Alternatively, an item may be placed on the Council agenda by councilor request. A councilor may ask Council support staff for a work session, and staff shall then poll all councilors, in writing, to ask if the item should be placed on the Council agenda. If, within five working days of distribution of the poll, a majority of the Council responds in the affirmative, the item shall be placed on the Council agenda within one week. A majority of the Council in this instance is four councilors.

### **2.03 Tentative Agenda on the Consent Calendar**

At each regular meeting of the Council, the City Manager shall present the Tentative Agenda. This shall be placed on the Consent Calendar. If there are concerns about items on the Tentative Agenda, it may be removed at the request of any councilors from the Consent Calendar and discussed separately.

### **2.04 Tentative Agenda Provided Each Week**

The Tentative Agenda shall be included in the weekly information packet provided to the Council.

### **2.05 Scheduling of Items on the Agenda**

The City Manager and Mayor shall decide the date that items come before Council for work sessions and for regular meetings.

### **2.06 Routine Business Items on the City Council Agenda**

The City Manager shall continue to place routine and standard items of Council business on the City Council agenda.

## **3. ORDER OF ITEMS ON A SPECIFIC DATE MEETING AGENDA**

### **3.01 Pledge of Allegiance to the Flag**

The Eugene City Council shall begin its formal council meetings with a voluntary recitation of the Pledge of Allegiance at those council meetings closest to the following holidays: Memorial Day, Veterans Day, Flag Day, and the Fourth of July.

At the council meeting closest to the Fourth of July, the ceremony will also include readings from the Declaration of Independence and/or United States Constitution.

### **3.02 Ceremonial Matters**

At the first regular meeting of each month, the first agenda item shall be used to acknowledge special recognition or awards given to the City of Eugene or for the Mayor to read proclamations which serve to encourage and educate the community. Proclamations shall be made and placed on the agenda at the discretion of the Mayor. This item shall be called “Ceremonial Matters.” Requests for recognition under Ceremonial Matters should be submitted in writing to the Mayor.

### **3.03 Consent Calendar**

At regular *City* Council meetings, in order to expedite the Council’s business, routine and standard items shall be placed on the Consent Calendar. Any item on the Consent Calendar may be removed for separate consideration by any member of the Council. Revisions or corrections to meetings minutes shall be considered first, prior to other items removed from the Consent Calendar. The remaining items on the Consent Calendar may then be considered for action by a single vote. The items pulled from the Consent Calendar shall be considered after the approval of the remainder of the Consent Calendar and before the next scheduled item on the agenda. Ordinances, because of charter requirements, are not to be placed on the Consent Calendar.

### **3.04 Public Hearings Given Priority**

As a guideline, public hearings shall be placed on the specific meeting agenda before items only requiring action. Further, public hearings expected to draw a small number of speakers shall be placed before public hearings for which a larger number of speakers is expected.

### **3.05 Committee Reports and Items from Mayor, City Council and City Manager**

At work sessions held on the second and fourth Mondays of each month, the first item on the agenda shall be “Committee Reports and Items of Interest from Mayor, City Council and City Manager.” Detailed reports on committee assignments will be given quarterly, with these reports rotating according to a pre-determined schedule and occurring at the first Monday work session of each month; the time set for this item will be 60 minutes. General reports will be given during the second Monday work session; the time set for this item will be 30 minutes. The time allotted for “Items” is subject to change to accommodate emerging issues.

## **4. COUNCIL ACTION ON AGENDA ITEMS**

As a guideline, action on issues for which a public hearing has occurred shall not be taken at the same meeting at which the public hearing is held. In the case of an ordinance, the charter requires that an ordinance shall not be adopted by the Council unless it has been considered by the Council during at least two meetings. With the unanimous consent of the Council, the Council may consider and enact an ordinance at a single meeting if the Council does not amend the ordinance in a manner that modifies its substantive effect (Charter, Section 28 (3)).

## **5. POSTPONING AGENDA ITEMS**

Any councilor may request that an item be postponed to another meeting if he/she is unable to attend the meeting at which the item has been scheduled. As a courtesy, councilors should submit in writing a request to postpone to the Mayor as early as possible. If the Mayor is unavailable the request should be made to the City Manager or the Manager’s designated staff member. A request to postpone may be requested for either a work session item or a vote on an

agenda item. The request to postpone shall be honored unless a majority of councilors present determines that the matter needs to be acted upon at that meeting.

## **6. COMMITTEES OF THE COUNCIL**

### **6.01 Creation of Committees**

While the City Code governs appointments to certain committees, the code grants broad general powers to the Mayor and City Council to create subcommittees or special ad hoc committees of the Council. The Mayor shall nominate and the Council shall appoint the members of any committee established by the Council unless a different procedure is specified at the time the committee is established. The charge to the committee shall be clearly stated at the time the committee is established, and the committee shall disband when its work is complete. Committees may be composed of councilors, interested citizens or both.

### **6.02 Standing Committees of the Council**

There is one standing committee of the Council, the Intergovernmental Relations Committee.

### **6.03 Standing Advisory Bodies to the Council**

There are seven standing advisory bodies to the City Council. These are created in the Eugene Code and exist to provide advice on policy matters. They are: 1) Budget Committee; 2) Planning Commission; 3) Police Commission; 4) Human Rights Commission; 5) Sustainability Commission; 6) Civilian Review Board; and 7) Toxics Board.

## **7. CONDUCT AT MEETINGS**

### **7.01 Roberts Rules of Order**

Conduct at City Council meetings and committee meetings is governed by Robert's Rules of Order, Revised. The Council has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it. Council members shall avoid invoking the finer points of parliamentary rules which may serve only to obscure the issues.

### **7.02 Other Meeting Guidelines**

The presiding officer shall be responsible for ensuring order and decorum are maintained. Behavior or actions that are unreasonably loud or disruptive shall be cause for removal from Council meetings. This includes engaging in violent or distracting action, making loud or disruptive noise or using similar language, and refusing to obey an order of the presiding officer.

Council members speak only for themselves and shall be open, direct and candid. They work to keep discussion moving, and call for a "process check" if the discussion becomes bogged down. Time limits may be set on topics. When councilors speak to each other during public meetings, last names shall be used during regular meetings but first names may be used during work sessions. The Mayor is, however, always referred to as "Mayor."

During public meetings, councilors generally should not attempt to edit or rewrite prepared ordinances. Amendments to an ordinance may, however, be appropriate. Generally, councilors should give direction to staff to bring back amended ordinances for Council consideration.

If a member of the Council intends to make a motion at a meeting which is not reflected in the agenda item summary, every effort should be made to contact other members of the Council to inform them of the intent and the text of the motion. City Council support staff should be provided with the same information and may be asked to assist in the notification process.

Comment times for the Mayor and councilors at City Council meetings or work sessions shall be generally limited to no more than three minutes. At the discretion of the Mayor or presiding officer, second and subsequent rounds may be limited further to ensure that everyone has an opportunity to be heard in the time allotted for the item.

### **7.03 Public Conduct**

The rules of conduct for members of the public shall generally be the same as for the Council. The Code prohibits any person from bringing flags, signs, posters, and placards to a City Council meeting unless authorized by the presiding officer. The Eugene Code specifically permits arm bands, emblems, badges, and other articles worn on personal clothing, so long as such items do not extend from the body in such a way as to cause injury to another.

## **8. COUNCILOR REQUEST FOR STAFF ASSISTANCE**

### **8.01 Two-Hour Rule**

Initiatives requiring more than two hours of staff time must be approved by the Council. Requests that involve less than two hours staff time or resources should be directed to the City Manager.

### **8.02 Major Request**

A Councilor who desires major policy, ordinance research, or other staff assistance should first raise the issue at a *City* Council work session. The Council should decide whether to proceed with the issue or ordinance before staff time is spent.

### **8.03 Tracking Council Requests**

Except for routine inquiries, the City Manager shall respond to councilors' requests for information or assistance. The Manager shall assign these requests to appropriate City staff and track progress on the assignments. This process eliminates the possibilities of staff members duplicating each other's efforts or a request being overlooked.

## **9. REPRESENTING CITY POSITIONS AND PERSONAL POSITIONS**

### **9.01 Written Communications from City Councilors and Mayor**

In written communication with other officials or groups and in letters for publication, such as "to the editor," the Mayor and councilors should be careful to decide whether to speak only for themselves or for the Council. In speaking for the Council, when there is a position which the writer wishes to reinforce or explain, it is useful to circulate a copy to the Council for comment before the letter is mailed. Letters to other elected officials or agencies on City issues shall be discussed with the appropriate staff so that the City lobby effort can be coordinated.

When writing as an individual, a councilor or the Mayor is free to take any position which he or she feels is appropriate. When it is a point of view different from a Council position, this fact

should be included in the letter. Use of City stationery and choice of pronouns shall be left to the discretion of the councilor or the Mayor.

The governing principle is to advise the Council or staff when expressing a City position, and to make differences clear when speaking as an individual.

### **9.02 State/Federal Lobbying**

The effectiveness of City lobbying in Salem or in Washington, D.C. depends on the clarity of the City's voice. When councilors or the Mayor represent the City in a lobbying situation, it is appropriate that the councilors or the Mayor avoid expressions of personal dissent from an adopted Council policy. This policy is stated in Resolution No. 4139, Council Policy on Testimony and Funding Applications.

A councilor or the Mayor in disagreement with an adopted policy should not be deprived of the right to express such views to the appropriate officials at another time and another place. However, the councilor or the Mayor should feel bound to advise those to whom such disagreement is expressed that it is an individual view and that the Council has taken a different position.

### **9.03 Attending Conferences, Other Meetings**

Councilors and the Mayor are encouraged to attend conferences and training sessions which would enhance their skills and knowledge. Any councilor or the Mayor may attend any meeting at which the Council is represented, but only the formally appointed official City Council representative or designated alternate, has the right to vote on matters being considered by the organization or group holding the meeting or conference. Individual councilors or the Mayor may state he or she is representing the City Council if he or she has been formally directed by the City Council to do so.

For local intergovernmental bodies or advisory groups to which an official Eugene City Council representative has been appointed, the representative is to serve as an "instructed delegate;" that is, to represent pertinent adopted city and City Council policy. If possible, the Mayor or councilors should inform the other members of the City Council of the matters being considered by intergovernmental bodies, and to the greatest extent possible, seek direction from the City Council on issues directly pertaining to the City of Eugene and adopted city policy. The representative may express his or her own opinion, provided it is identified as such, but when voting or considering matters with policy implications or budgetary considerations, the representative must follow adopted City or City Council policy and direction.

Participating in state and national groups such as the League of Oregon Cities and the National League of Cities presents the opportunity to enhance skills and knowledge, and is an important avenue for the Mayor and councilors to advocate for the members of the community and the city itself. If the Mayor or councilors attend meetings of these organizations, an official voting delegate should be selected by the City Council. This voting delegate, to the greatest extent possible, informs the Mayor and City Council of issues or matters on which the voting delegate may be asked to vote. If there is existing City or Council policy, the voting delegate will vote in accordance with that policy. When providing a report to the council (see Section 10.06), votes of the delegate should be included in that report.

If the Mayor or individual councilor serves on a committee of a state or national advisory committee and has been selected in an “at large” role, that is, not a specific seat or position for a City of Eugene elected official, that person should state the adopted City or Council policies. However, that person is not bound by the adopted policy and can represent his or her own position, provided that the person makes such a disclaimer.

## **10. COUNCILOR EXPENSES**

### **10.01 General Guidelines for Reimbursed Expenses**

Under the provisions of the City Charter, the City may pay a councilor or the Mayor expenses that are directly related to City business. It is each councilor’s and the Mayor’s responsibility to determine if expenses are actually City related. If there are questions about the propriety of such expenditures, the Manager shall first review the issue with the councilor. If the City Manager and the councilor cannot resolve the issue, the Manager shall discuss the matter with the Mayor. Receipts should be secured for any expenses and should accompany City Council expense report forms to record mileage and other expenses. The forms shall be available from the City Manager's Office.

Activities that support or oppose a political campaign shall not be reimbursable.

### **10.02 Out-of-Town Expenses**

Out-of-town expenses include those incurred while attending City-related conventions, conferences, training seminars, or meetings. Expenses that are paid by the City include fees for seminars or conferences; transportation to, from, and at the destination; and lodging, meals, and incidental expenses that are necessary to conduct City business.

### **10.03 Local Expenses**

Local expenses include those incurred while representing the Council on a committee, attending meetings, attending local seminars or conferences, attending local special events, or meeting with groups or individuals to discuss City matters. Expenses that are paid by the City are detailed in Resolution No. 4375 and include meals, conference registration, transportation and necessary incidental expenses, and up to two community group memberships, not to exceed \$100 total. The reimbursement for bicycle mileage, as permitted in Resolution No. 4375, shall be \$.15.1 per mile as of September 1, 2002, and shall be adjusted each year at the same rate of increase as that of automobile reimbursement. Special materials such as books or directories may also be eligible for reimbursement.

If receipts are not available, a written description of expenses signed by the Councilor must be submitted along with the Council Expense Report Form. Forms shall be available from the City Manager’s Office.

### **10.04 Spouse/Guest Expenses**

The City shall reimburse councilors or the Mayor for spouse expenses at local events when the councilors or the Mayor and spouse are jointly invited and the councilors are serving in their official capacity, such as a recognition dinner. The City does not otherwise reimburse councilors or the Mayor for expenses incurred by their spouses. If councilors or the Mayor wish to have

spouses accompany them while attending out-of-town events, the City may make reservations and have travel and lodging expenses billed directly to the City. Councilors or the Mayor must then reimburse the City for their spouse's travel and lodging expenses. Reimbursement should be made as soon as possible so that the trip reconciliation process can be completed. When a guest is invited in place of a spouse, this reimbursement policy shall also apply.

#### **10.05 Petty Cash**

Expenses under \$50 can usually be reimbursed out of the petty cash fund in the City Manager's Office.

#### **10.06 Travel Guidelines**

Prior notification of out-of-town travel shall be given to staff responsible for travel arrangements in the City Manager's Office whenever possible. Registration and travel arrangements should be made well in advance so that the City can take advantage of reduced fares and early registration fees. Staff shall assist councilors in making transportation and lodging arrangements and arrange to have expenses billed directly to the City; contractors shall be chosen by staff, and not by councilors.

While at a conference, councilors or the Mayor shall be expected to attend conference sessions and, within 30 days, issue a written report to share the information and perspectives with the entire *City* Council. If more than one councilor attends, a consolidated report may be written.

As a general guideline, each councilor is allowed two out-of-state conference trips per fiscal year. If a councilor wishes to make additional trips, the request should be brought to attention of the full Council and should be endorsed by a majority of the Council. This guideline is intended to cover trips made at the discretion of the individual councilor; it is not intended to be applied to trips related to service on national or regional committee, such as a committee of the National League of Cities.

#### **10.07 Overseas Travel**

If the Mayor or members of the Council wish to attend a conference or make a Council business-related trip to a destination overseas, this request shall be made in writing well in advance and shall be placed on the Consent Calendar for approval by the Council.

### **11. ETHICS**

#### **11.01 Reporting Requirements in ORS**

In accordance with ORS 244.050, the Mayor and all councilors holding office on April 15 shall be required to file an Annual Verified Statement of Economic Interest with the Oregon Government Standards and Practices Commission on or before that date. The report must be filed on the form prescribed by ORS 244.060. Each year the form shall be mailed directly to the elected official by the Commission and should be returned directly to the Commission in Salem. Failure to submit the form by the April 15 deadline may result in the imposition of a civil penalty and/or removal from office.



### **11.02 Local Code of Ethics**

The Charter requires that a code of ethics be enacted. This local code, found in the Eugene Code, places additional conflicts of interest requirements upon elected officials and creates a local process for filing complaints.

### **12. COUNCIL CHAMBER AND MCNUTT ROOM SEATING ASSIGNMENTS**

The Council shall be assigned seats in January, following the election of the Council president and vice president. The Mayor is always seated at the center position with the 5043 Council president seated at the Mayor's right and the Council vice president seated at the Mayor's left.

The remaining councilors shall be assigned seats in alphabetical order by last name. When the Council returns after each Council break, each person moves one seat toward the outside and to the opposite side of the table or dais; those in the outermost seats move to the innermost seats on the opposite side. This system allows councilors the opportunity to regularly change seats throughout a four-year term. Below is a detailed listing of the seating sequence.

#### JANUARY

	Mayor	
President		Vice President
Councilor A1		Councilor B2
Councilor C3		Councilor D4
Councilor E5		Councilor F6

#### APRIL

	Mayor	
President		Vice President
Councilor F6		Councilor E5
Councilor B2		Councilor A1
Councilor D4		Councilor C3

#### SEPTEMBER

	Mayor	
President		Vice President
Councilor C3		Councilor D4
Councilor E5		Councilor F6
Councilor A1		Councilor B2

**CITY COUNCIL COMMITTEE ON INTERGOVERNMENTAL RELATIONS  
OPERATING AGREEMENTS  
ADOPTED BY THE CITY COUNCIL ON JANUARY 28, 2008**

1. Purpose of Council Committee on Intergovernmental Relations

The Council Committee on Intergovernmental Relations (IGR Committee) exists to make recommendations to the City Council on State and Federal legislative issues and on City applications for funding from outside agencies. At this time it is the only standing committee of the City Council.

2. Membership

The IGR Committee consists of three City Council members.

The three IGR Committee Council members are appointed annually by the Mayor in the normal course of appointments to various boards and commissions on which City of Eugene elected officials serve. The Mayor will appoint members that represent the City Council's political and ideological diversity.

The Mayor serves as an ex-officio member of the IGR committee.

3. Committee Chair

The IGR Committee shall elect a chair of the committee at the first regularly scheduled meeting after the Mayor has appointed the members to the IGR Committee.

4. Conducting the Business of Meeting

IGR Committee meetings are governed by Roberts Rules of Order, Revised. Like the City Council, the IGR Committee has the obligation to be clear and simple in its procedures and in its consideration of the questions coming before it.

5. Meetings

The IGR Committee meets as needed and generally meets more frequently when the Oregon Legislature is in session. Meetings of the IGR Committee are subject to the requirements of Oregon Public Meetings Law, ORS 192.620. The meetings shall be held within the jurisdictional boundaries of the City.

No IGR Committee meeting shall be held at any place where discrimination on the basis of an individual's race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability, is practiced.

Advance notice of at least 24 hours shall be provided for all meetings. Notice shall include written notice to all news media that requested notice.

6. Quorum

Two members of the IGR Committee constitute a quorum for the transaction of Committee business. Other members of the City Council may attend meetings of the IGR Committee, but shall have no authority or status to vote on matters considered by the IGR Committee during that meeting.

Unanimous votes of the IGR Committee require 3 votes, not 2 votes, should an IGR Committee member be absent.

An IGR Committee member may designate the Mayor to serve as an alternate in the member's absence.

#### 7. Minutes

Written minutes shall be taken for all IGR Committee meetings in accordance with the Oregon Attorney General's Public Records and Meetings Manual. The minutes must give a true reflection of the matters discussed but need not be a full transcript, verbatim or recording.

#### 8. Process for Sessions of the Oregon Legislature

The Regular Session of the Oregon State Legislature convenes in January of odd numbered years, with a Special Session convening in January of even numbered years. The Regular Session generally lasts for six months with the Special Session lasting for two months. In February 2008, the Oregon legislature convened a Supplemental Session in lieu of the Special Session, lasting for only one month. Supplemental Sessions may be held in subsequent even numbered years.

Preparation for the Regular Session is begun by IGR staff who meet with the members of the IGR Committee and other City departmental staff to outline legislative policies and concepts for the upcoming session based upon City Council goals, priorities, community needs and organizational issues. These concepts, after being vetted by staff and the IGR Committee, are then submitted to the full City Council for review and approval. Once the concepts are approved, they become the basis for the Legislative Policies document that serves as the cornerstone for position and lobbying efforts on particular pieces of legislation during the session.

The Legislative Policies document includes principles and precepts that will help determine the city position on bills. The City of Eugene first adopted a formal set of legislative policies prior to the 1985 session recognizing from past sessions that many staff recommendations were repeated from session to session and that a great percentage of a session's legislative proposals could be anticipated.

#### 9. Process for Introducing Legislation

The City may wish to introduce legislative concepts on its behalf to the legislature. The IGR Committee meets and reviews all proposals for legislation prior to submittal to the Legislature.

- Any City staff or elected official interested in introducing legislation prepares a written overview of the purpose of the legislative concept and draft language for review by the IGR Committee. Once the IGR Committee has voted on proposed legislative concepts, the action of the IGR approval.

After the proposed legislative concepts have been reviewed and approved by the full City Council, legislative concepts that have been approved are presented to the Legislature for drafting. The bill, as introduced, is then presented to the IGR Committee under the regular bill review process.

#### 10. Process for Review and Prioritization of Legislation

The Legislative session is relatively short and as a result, bills can move quickly through the legislative process. Regardless, the City will maintain a neutral position on any bills not yet reviewed by City staff and acted upon by the IGR Committee.

Review by City staff:

- Once the bills are introduced, they are assigned by an IGR staff person to the appropriate LC for review.
- Legislative Coordinators (LCs) in the appropriate City department analyze all introduced bills that are of interest to or may affect the City. LC staff is determined by each Department.
- LC staff turnaround for review and analysis of a bill is expected to be within 10 working days of the assignment of a bill unless the movement of a bill warrants a faster turnaround. In those cases, IGR staff will contact the LC and arrange for a faster review.
- If a bill addresses one or more of the policies presented in the Legislative Policies for that session, the particular policy is noted in the LC staff's analysis of the bill.
- LC staff will relay both the pros and cons of a bill in their comments as well as any amendments that would make the bill more favorable.
- LC will assign each bill a priority and a recommendation.

Legislative advocacy is done on the basis of a priority and recommendation system. LC staff recommends a "support," "oppose," "neutral," "monitor," or "drop" recommendation for all reviewed bills. LC staff also recommends a priority of 1, 2, or 3 on all reviewed bills.

The three priority assignments for legislative bills are as follows:

**PRIORITY ONE BILLS** – The issues addressed by the bill are identified in the City's Legislative Policies document. The bill would have a significant impact on City operations, services, or finances in such ways as to fundamentally impact department administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of significant interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: Both IGR staff in Salem work on the bill, with a high support level from the legislative coordinator(s) assigned to the bill. The Mayor and/or Council members may testify before committees, possibly with both IGR staff and/or a legislative coordinator. IGR staff contacts all or close to all members of all committees the bill is assigned to. Depending on topic and recommendation, IGR staff will also contact as many legislators as possible prior to public hearings or work sessions. In the event of a floor vote, IGR staff contacts as many legislators as is possible in the 2-5 day period between committee passage and the floor vote. Handouts would be placed in the Capitol mailboxes of all legislators prior to a floor vote.

**PRIORITY TWO BILLS** – The issues addressed by the bill are identified in the City’s Legislative Policies document. The bill would have some impact, although manageable, on City operations, services, or finances and would impact administration, organization, personnel, allocation of City resources, or local decision-making, either negatively or positively. The issues addressed by the bill are of high interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: IGR Staff in Salem work closely with legislative coordinators. If the bill is a City specific issue, IGR will testify, with a legislative coordinator if necessary. This, may necessitate the involvement of an executive or expert department staff or the Mayor and/or Council members. If it is an issue less specific to the City, written testimony will be offered. IGR staff will contact members of the bill’s committee prior to a bill being passed out of committee. In the event of a floor vote, IGR staff will submit letters to all legislators and try to contact as many of them as possible, starting with our delegation first, and then to legislators we suspect might be “swing votes.”

**PRIORITY THREE BILLS** - The issues addressed by the bill are alluded to in the City’s Legislative Policies document or included in other policy document or direction. The bill would have a slight impact on City administration, operations, or services, with potential implications for City finances, either negatively or positively. The bill requires tracking because amendments could elevate bill to Priority One or Priority Two. The issues addressed by the bill are of slight interest to the City even if they do not directly impact the operations, services, or finances of the City.

Lobby Resource Allocation: Depending on recommendation, IGR staff contacts committee members from local delegation, as well as the committee chair or submits written testimony or letter to proper committee, with no further involvement. In the event of a floor vote, IGR staff will submit letters to all legislators.

Review by the IGR Committee:

- The bill is placed on the IGR Committee agenda for review as soon as possible after all applicable staff has commented on the bill.
- The IGR Committee meets and reviews all bills on the IGR Committee agenda and may pull any or all bills off the agenda for discussion.
- Any LC staff that has reviewed and commented on a bill that is pulled for discussion will be prepared to discuss the bill at the IGR Committee meeting.
- If a bill is not pulled for discussion, the staff recommendation stands. If a bill is pulled for discussion, the IGR Committee may keep or change the staff recommendation. The IGR may also direct that IGR staff work to amend a bill.
- The IGR Committee votes on all bill priorities and recommendations; the votes need not be unanimous – with unanimous being 3 votes.

The actions of the IGR Committee are presented on the full City Council’s agenda for review and approval. The minutes of the IGR Committee are ratified by the City Council. Any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any councilor or by the Mayor.

#### 11. Status of Positions on Bills until Final Ratification by the City Council

Time demands in the Legislature may not allow for each bill on which the IGR Committee takes a position to be fully vetted by the full City Council before some type of action on the bill needs to occur.

If a position the IGR Committee has taken on a bill is not unanimous, **the position on that bill will be neutral until the full City Council weighs in and directs a position.** The bill will then be placed on the next available City Council agenda.

Although any bill that has been reviewed by the IGR Committee may be pulled for discussion at the request of any councilor or the Mayor at the City Council meeting, as a matter of practice and courtesy to the members of the Council who do not sit on the IGR Committee, any bill on which the IGR Committee is not in unanimous agreement will be specifically noted.

The City Council can modify the position taken by the IGR Committee on a bill; the final direction to staff on any bill comes from the City Council.

#### 12. Process for Federal Lobbying Efforts

The IGR Committee and IGR staff address Federal lobbying priorities in concert with a number of the City's local governmental partners.

The Federal priorities begin with a review of opportunities for funding in the next Federal budget and goals that are specific to Eugene or the area. The IGR Committee meets and reviews the list of potential priority projects. Potential projects should be those projects which have already gone through the proper authorization channels and are "shovel ready" projects. Once the IGR Committee reviews the list of potential projects, the Committee develops a list of project goals that are considered to be achievable.

After the proposed goals have been vetted by staff, United Front partners, and other community partners, and the IGR Committee, the priorities list is then presented to the full City Council for review and approval.

The final list becomes part of the "United Front" agenda which is presented to the area's congressional representatives, executive department staff, and other potential funding sources in Washington, D.C. The attendees on the lobbying trips typically include the Mayor, chair of the IGR Committee, and appropriate City staff.

#### 13. Grants and Funding Applications

The IGR Committee acts on staff recommendations for grant and other funding applications from outside agencies such as governmental or private entities. This process is intended to help avoid situations in which City departments may inadvertently be competing with each other for funding, and to allow the IGR Committee and City Council to review staff plans for expenditures of grant funds.

City staff interested in seeking funding prepares a written overview of the funding application for review by the IGR Committee at its next regularly scheduled meeting.

If timing is critical and there is no IGR Committee meeting scheduled, the Committee may give its approval via e-mail. IGR staff will keep full and complete records of the documents related to the request for funding, the electronic notification of the request to review and the disposition of the request.

In all cases the IGR Committee and City Council have authority to direct that an application not go forward or if it has already been submitted, that it be withdrawn.

14. Resolution 4908

On April 18, 2007, the City Council adopted Resolution No. 4908, “A Resolution Establishing Policy Governing City Testimony and Funding Requests, and Repealing Resolution No. 4139”. This speaks to the issue of testimony before legislative bodies, funding requests and the role of the Council in setting legislative policy. This Resolution is incorporated into this document as Attachment A.

15. City Council Operating Agreements

The operating agreements of the IGR Committee are to be incorporated into the Operating Agreements of the Eugene City Council. As the IGR Committee is a subset of the City Council, any and all process and operating agreements supersede this document. All process and operating agreements of the City Council, by extension and when relevant apply to the IGR Committee.

Attachment A: City of Eugene Resolution 4908.

**RESOLUTION NO. 4908**

**A RESOLUTION ESTABLISHING POLICY GOVERNING  
CITY TESTIMONY AND FUNDING REQUESTS, AND  
REPEALING RESOLUTION NO. 4139.**

**The City Council of the City of Eugene finds that:**

- A.** Under the Eugene Charter, it is the exclusive role of the City Council to set legislative policy for the City.
- B.** On September 13, 1989 the City Council adopted Resolution No. 4139 establishing policy governing testimony and funding requests by City representatives.
- C.** The City Council has determined that Section 7 of Resolution No. 4139 should be repealed.
- D.** The Council finds that Resolution No. 4139 should be repealed in its entirety, and its provisions, other than Section 7, be readopted as hereinafter set forth as City policy governing testimony before the Federal government, the Legislative Assembly of the State of Oregon or its committees, State agencies, or municipal corporations, and submission of funding requests to such entities. As used herein, in addition to the Congress of the United States, references to "Federal government" includes all committees, commissions, departments, agencies, bureaus, and governmental divisions or instrumentalities of the United States.

**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 upon the above findings, which are adopted herein, Resolution No. 4139, adopted by the Council on September 13, 1989, and any other Resolution in conflict herewith is hereby repealed as of the effective date of this Resolution, and City policy governing testimony and funding requests is established as hereinafter set forth.

**Section 2.** Any employee or agent of the City, the Mayor or any member of the City Council or any City board or commission desiring to testify in his or her official capacity on legislative or regulatory matters before the State Legislative Assembly, State agencies, municipal corporations, or the Federal government, or desiring to submit funding requests for municipal activities thereto or to any private foundation, shall present the essence of the testimony or funding request to the Council for prior approval, modification, or disapproval.

**Section 3.** No employee, agent or officer of the City shall testify on legislative or regulatory matters before a governmental entity or request funding from a public or private source in his or her official capacity contrary to the adopted policies of the Council. The Mayor, members of the City Council, and members of City boards or commissions shall not make a

Resolution - I



funding request contrary to the adopted policies of the Council. No such person shall testify contrary to adopted policies of the Council unless prior to the presentation the speaker submits to the governmental entity a written statement of the City's position and orally acknowledges before speaking that the testimony will be contrary to the City's position. Summaries of all testimony delivered under this section shall be provided to the Council. Each summary shall include a description of the time, place and group before which the statement was made.

**Section 4.** In the event time pressures do not permit the Council to consider the testimony before the intended time of presentation by a representative of a City board or commission, the person may speak for the board or commission, but must explain that the Council has not considered the issue. Summaries of all testimony under this section shall be provided to the Council.

**Section 5.** Any officer, employee or agent of the City, the Mayor, or a member of the Council or a City board or commission may take a position before or request funding from administrative staff of State agencies, municipal corporations, the Federal government, or private foundations without prior approval of the Council, but must declare that consideration and approval of the Council has not been obtained if that is the case. This declaration need not be given if the position or funding request presented represents application of previously adopted Council policies with respect to the issue being considered.

**Section 6.** If the City Manager, or his or her designee determines it is important that the City of Eugene speak on a legislative issue or apply for available funds and the hearing schedule or funding application deadline does not permit prior Council approval, the City Manager or his or her designee is authorized to speak on behalf of the City of Eugene after consultation with the Council Legislative Committee Chair. Summaries of all testimony delivered or funding applications submitted under this section shall be provided to the Council.

**Section 7.** This Resolution is not to be construed to abridge the rights of individuals to testify in their own names.

**Section 8.** The provisions of this Resolution do not apply to testimony before an agency or court in a quasi-judicial or judicial proceeding.

**Section 9.** Copies of this Resolution shall be distributed to the departments, boards and commissions of the City of Eugene and, as deemed appropriate by the City Manager, to the Federal government, State Legislative Assembly, State agencies, municipal corporations, and private foundations before presentation of testimony or funding requests. The City Manager is directed to take any other necessary administrative action to implement this Resolution.

**Section 10.** This Resolution shall become effective immediately upon its adoption.

**The foregoing Resolution adopted the 18th day of April, 2007.**

  
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City Recorder

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Public Forum

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Meeting Date: May 22, 2017  
Department: Central Services  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 2  
Staff Contact: Beth Forrest  
Contact Telephone Number: 541-682-5882

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### **ISSUE STATEMENT**

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on City-related issues and should not address items which have already been heard by a Hearings Official, or are on the present agenda as a public hearing item.

### **SUGGESTED MOTION**

No action is required; this is an informational item only.

### **FOR MORE INFORMATION**

Staff Contact: Beth Forrest  
Telephone: 541-682-5882  
Staff E-Mail: [beth.l.forrest@ci.eugene.or.us](mailto:beth.l.forrest@ci.eugene.or.us)

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of Tentative Working Agenda

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Meeting Date: May 22, 2017  
Department: City Manager's Office  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3A  
Staff Contact: Beth Forrest  
Contact Telephone Number: 541-682-5882

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### **ISSUE STATEMENT**

This is a routine item to approve City Council Tentative Working Agenda.

### **BACKGROUND**

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that, "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

### **RELATED CITY POLICIES**

There are no policy issues related to this item.

### **COUNCIL OPTIONS**

The council may choose to approve, amend or not approve the tentative agenda.

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

Staff has no recommendation on this item.

### **SUGGESTED MOTION**

Move to approve the items on the Tentative Working Agenda.

**ATTACHMENTS**

A. Tentative Working Agenda

**FOR MORE INFORMATION**

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: [beth.l.forrest@ci.eugene.or.us](mailto:beth.l.forrest@ci.eugene.or.us)

# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 18, 2017

<b>May 22</b>	<b>MONDAY</b>
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<b>5:30 p.m.</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. Executive Session pursuant to ORS 192.660(2)(e)		45 mins
B. WS: City Council Process Session		45 mins – CS/Cariaga

<b>7:30 p.m.</b>	<b>Council Meeting</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. Pledge of Allegiance to the Flag (Memorial Day)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
c. Resolution Annexing Land at 2908 River Rd. (Kreindel,Joel;A 17-2)		PDD/Gioello
d. Resolution Annexing Land at NW corner Boyce St. & Berwin Ln. (Lohman;A 17-4)		PDD/Gioello
e. Resolution Annexing Two Portions of River Rd. Right-of-Way (A 17-6)		PDD/Berg-Johansen
f. Resolution Annexing Land South of Thomason Ln. (DT Mini Storage Partnership; A 17-5)		PDD/Sullivan
4. Action: Ordinance Concerning Metropolitan Area General Plan Amendment for Park Plans		POS/Burke
5. Action: Ordinance Concerning Economic Development in the Industrial Corridor (CA 17-2)		PDD/Flock
6. Action: Open Record for Wilson Measure 49 Claim		CAO
7. Committee Reports and Items of Interest from Mayor, City Council and City Manager		

<b>MAY 24</b>	<b>WEDNESDAY</b>	<b>** NOTE: BUDGET COMMITTEE MEETING ADDED **</b>
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<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Eugene 2035 Transportation System Plan		90 mins – PW/Inerfeld

<b>5:30 p.m.</b>	<b>Budget Committee Meeting</b>	
<b>B/T Room</b>	<b>Expected Absences:</b>	
A. Budget Committee Meeting		CS/Miller
B. Public Hearing		CS/Miller

<b>MAY 31</b>	<b>WEDNESDAY</b>
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<b>Noon</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences: Pryor</b>	
A. WS: Overview of Chronic Nuisance Code		45 mins – PDD/Nicholas
B. WS: New Housing Development on Unimproved Roads		45 mins – PW/Schoening

<b>JUNE 12</b>	<b>MONDAY</b>
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<b>5:30 p.m.</b>	<b>Council Work Session</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
A. WS: Envision Eugene		90 min – PDD/Hostick

<b>7:30 p.m.</b>	<b>Council Meeting</b>	
<b>Harris Hall</b>	<b>Expected Absences:</b>	
1. Pledge of Allegiance to the Flag (Flag Day)		
2. Public Forum		
3. Consent Calendar		
a. Approval of City Council Minutes		CS/Forrest
b. Approval of Tentative Working Agenda		CS/Forrest
4. Action: Eugene 2035 Transportation System Plan		PW/Inerfeld
5. Committee Reports: PC, South Willamette EDC, LTD/EmX, OMPOC, McKenzie Watershed		

A=action; PH=public hearing; WS=work session

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# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 18, 2017

## JUNE 14 WEDNESDAY

**Noon Council Work Session**  
**Harris Hall Expected Absences:**  
A. WS: Interviews for Vacant Council Position in Ward 4 CMO/Forrest  
B. WS:

## JUNE 19 MONDAY

**7:30 p.m. Council Public Hearing**  
**Harris Hall Expected Absences: Taylor, Evans**  
A. PH: Ordinance Concerning RR-SC Urban Facilities Plan Amendment PDD/Berg-Johansen

## JUNE 21 WEDNESDAY

**Noon Council Work Session**  
**Harris Hall Expected Absences: Taylor, Evans**  
A. WS: Measure 49 Claim Processing 45 mins - CAO  
B. WS:

## JUNE 26 MONDAY

**5:30 p.m. Council Work Session**  
**Harris Hall Expected Absences:**  
A. Committee Reports and Items of Interest  
B. WS:

**7:30 p.m. Council Meeting**  
**Harris Hall Expected Absences:**  
1. Public Forum  
2. Consent Calendar  
    a. Approval of City Council Minutes CS/Forrest  
    b. Approval of Tentative Working Agenda CS/Forrest  
    c. Approval of EWEB Electric System Revenue Bonds CS/Cutsogeorge  
3. PH and Action: FY17 Supplemental Budget #2 CS/Miller  
4. PH and Action: FY18 Proposed Budget CS/Miller  
5. PH and Action: URA FY18 Proposed Budget CS/Miller  
6. Action: Wilson Measure 49 Claim CAO  
7. Action: E-Commerce Zone Resolution PDD/Nobel  
8. Action: Appointment to Vacant Ward 4 Council Position CMO/Forrest

## JUNE 27 TUESDAY **\*\* NOTE: PUBLIC HEARING ADDED \*\***

**5:30 p.m. JEO Public Hearing**  
**Harris Hall Expected Absences:**  
A. PH: Envision Eugene

## JUNE 28 WEDNESDAY

**Noon Council Work Session**  
**Harris Hall Expected Absences:**  
A. WS: 2017 GO Bonds for Street Preservation Projects PW/Willer  
B. WS:

## JULY 10 MONDAY

**5:30 p.m. Council Work Session**  
**Harris Hall Expected Absences:**  
A. Committee Reports: HRC, SC, HSC, LCOG, MPC, PSCC  
B. WS:

A=action; PH=public hearing; WS=work session

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# EUGENE CITY COUNCIL TENTATIVE WORKING AGENDA

May 18, 2017

**7:30 p.m. Council Meeting**  
**Harris Hall Expected Absences:**

1. Pledge of Allegiance to the Flag and Reading of the Declaration of Independence (Independence Day)
2. Public Forum
3. Consent Calendar
  - a. Approval of City Council Minutes CS/Forrest
  - b. Approval of Tentative Working Agenda CS/Forrest
4. Action: Ordinance Concerning RR-SC Urban Facilities Plan Amendment (RA 16-1) PDD/Berg-Johansen

<b>JULY 12</b>	<b>WEDNESDAY</b>
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**Noon Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

<b>JULY 17</b>	<b>MONDAY</b>
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**7:30 p.m. Council Public Hearing**  
**Harris Hall Expected Absences:**

- A. PH:

<b>JULY 19</b>	<b>WEDNESDAY</b>
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**Noon Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

<b>JULY 24</b>	<b>MONDAY</b>
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**5:30 p.m. Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

**7:30 p.m. Council Meeting**  
**Harris Hall Expected Absences:**

1. Public Forum
2. Consent Calendar
  - a. Approval of City Council Minutes CS/Forrest
  - b. Approval of Tentative Working Agenda CS/Forrest

<b>JULY 26</b>	<b>WEDNESDAY</b>
----------------	------------------

**Noon Council Work Session**  
**Harris Hall Expected Absences:**

- A. WS:
- B. WS:

COUNCIL BREAK: JULY 27, 2017 – SEPTEMBER 11, 2017

**ON THE RADAR**

<p><b>Work Session Polls/Council Requests</b></p> <ol style="list-style-type: none"> <li>1. Drones (Taylor).....</li> </ol>
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A=action; PH=public hearing; WS=work session

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of a Resolution Annexing Land to the City of Eugene (Property Identified as Assessor's Map 17-04-11-42, Tax Lot 400) (Kreindel, Joel; A 17-2)

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Meeting Date: May 22, 2017  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3B  
Staff Contact: Nicholas R. Gioello  
Contact Telephone Number: 541/682-5453

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### **ISSUE STATEMENT**

This item is a request to annex approximately 0.53 acres (23,087 square feet) of land located at 2908 River Road. The property is located within the Urban Growth Boundary (UGB) and is contiguous to the City limits along a portion of its north boundary. No public rights-of-way are proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The property is zoned Low Density Residential with Urbanizable Lands Overlay Zone (R-1/UL). The Metro Plan designates the subject property for Low Density Residential use. The applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan, which also designates the property for Low Density Residential use. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application and any land division of the property will be subject to a separate, future public process.

### **BACKGROUND**

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the City's 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice for this annexation request was provided to all owners and occupants of property within 500 feet of the subject property, and the affected neighborhood association, consistent with Eugene Code requirements. No written testimony has been received



as of this date.

Referral comments were provided by affected agencies including City of Eugene Public Works, EWEB and Lane County Public Works. 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, ability for the provision of key urban services 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 applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

### **COUNCIL OPTIONS**

City Council may consider the following 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

### **SUGGESTED MOTION**

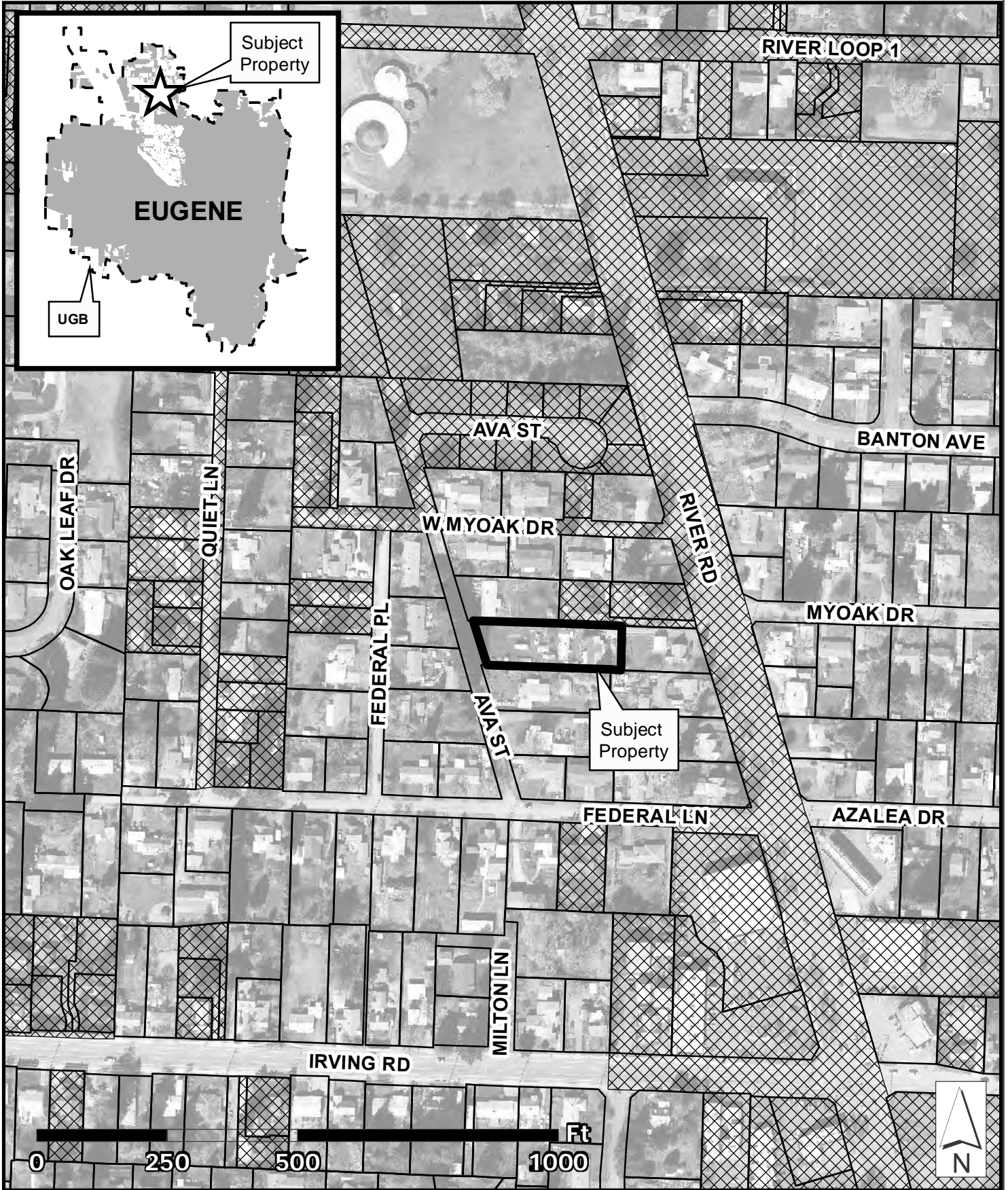
Move to adopt Resolution No. \_\_\_\_\_, which approves the proposed annexation request consistent with the applicable approval criteria.

### **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

**FOR MORE INFORMATION**

Staff Contact: Nicholas R. Gioello  
Telephone: 541/682-5453  
Staff E-Mail: [Nick.r.gioello@ci.eugene.or.us](mailto:Nick.r.gioello@ci.eugene.or.us)



**Legend**

Subject Property   City Limits   Taxlots

Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.



May 2017

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-11-42, TAX LOT  
400).**

**The City Council of the City of Eugene finds that:**

**A.** An annexation application was submitted on February 15, 2017, by Joel Kreindel, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-11-42, Tax Lot 400.

**B.** The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

**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 Findings and Recommendation is attached as Exhibit C.

**D.** On April 21, 2017, 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 applicant, 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 May 22, 2017.

**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 Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-11-42, Tax Lot 400, depicted on the map attached as Exhibit A, and described in the attached 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 R-1/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

**The foregoing Resolution adopted the \_\_\_ day of May, 2017.**

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**City Recorder**

**Annexation Written Statement  
Tax Map 17-04-11-42  
Tax Lot 400**



*Applicable criteria for Annexation, Eugene Code 9.7825.*

*9.7825 Annexation – Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application’s consistency with the following:*

*(1) The land proposed to be annexed is within the city’s urban growth boundary and is:*

*(a) Contiguous to the city limits; or*

*(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

*(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

*(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.*

*(Section 9.7825 repealed and replaced by Ordinance No. 20400, enacted December 10, 2007, effective January 1, 2008.)*

*(1) The land proposed to be annexed is within the city's urban growth boundary and is:*

*(a) Contiguous to the city limits; or*

*(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

The property fronts Ava Street one block West of River Road. The property is in the Santa Clara neighborhood. This area of Santa Clara is within the UGB. The property touches the current City Limits. The City Limits are along the North side of the property.

*(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

*The following Metro/refinement plans are applicable:*

*River Road - Santa Clara Urban Facilities Plan Policies.*

*(1) General Land Use. Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial-industrial, and commercial-agricultural uses. (Policy 1)*

The property is zoned for residential use and is currently being used as residential property. There is residential property to the North, East, West, and South .

*(2) Residential Land Use.*

*(a) Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan. (Policy 1)*

The neighborhood character to the North, East, West, and South is low density residential. The property is currently zoned for, and being used as, low density residential.

*(b) Evaluate traffic and compatibility impacts when considering new residential development on parcels fronting arterial streets. (Policy 3)*

The property fronts Ava Street to the West. Ava Street is not an arterial street.

*(c) Provide adequate buffering and traffic control for existing non-residential development fronting River Road, (to minimize conflicts with surrounding development). (Policy 4)*

The property is near, but does not front River Road.

*(d) Permit medium-density housing (10 to 20 dwelling units/acre) in proximity to existing or planned urban facilities. Access to commercial development, transit, and alternative modes of transportation, schools and parks, and open space should be considered. Medium-density residential development will be considered for the north Santa Clara area consistent with the above criteria. (Policy 5)*

The property is currently zoned for low density residential (please see above). LDR more appropriately fits the neighborhood character.

*(e) Design residential development which is adjacent to the Greenway, parks, and other identified natural features in a manner that ensures its compatibility with those features. (Policy 6)*

The property is not adjacent to natural features or parks. It is in a residential neighborhood.

*(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.*

EWEB currently has power and water on the site. There are no City stormwater facilities available. On site filtration is proposed for stormwater.

117 19 2017

### Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-c4-11-42 # 400 Address: 2908 RIVER RD.  
EUGENE, OR

Legal Description:

SEE ATTACHED PROPERTY DESCRIPTION.

In the corporate limits of said city, which is owned by the undersigned

DATED this 7<sup>TH</sup> day of FEBRUARY, 2017.

Joel Kreindel  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON )

County of Lane )ss )

On this 7<sup>th</sup> day of February, 2017, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named,

Joel Kreindel  
\_\_\_\_\_  
who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Roxy Styles Rich  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires 6/19/20



CLARENCE L. HALDORSON and INEZ HALDORSON, husband and wife

Grantor,

conveys and warrants to ALVIN L. LINDLEY and BETTY L. LINDLEY, husband and wife

Grantee,

the following described real property free of encumbrances except as specifically set forth herein situated in Lane County, Oregon, to-wit:

Beginning at a point on the North line of Lot 6, in subdivision of Lot 1 of the Plat of Ferndale Addition to Santa Clara, as platted and recorded in Book 10, Page 3, which is the intersection of said North line with the Westerly line of that parcel deeded to Lane County, a political subdivision by instrument recorded October 22, 1964, Reception No. 78931; running thence Westerly along said North line, a distance of 145.0 feet; thence South 84.83 feet to the South line of said Lot 6; thence Easterly along the South line of Lot 6, a distance of 172.56 feet to the Westerly line of the above mentioned Lane County Parcel; thence Northwesterly along said Westerly line to the North line of Lot 6 and the point of beginning, in Lane County, Oregon. - - -

Reserving unto the grantor, his assigns and heirs, the northerly 10 feet thereof for ingress and egress.

The said property is free from encumbrances except

rights of the public in and to that portion of the above described property lying within the boundaries of River Road; taxes for the fiscal year 1975-76 a lien but not yet due and payable;

The true consideration for this conveyance is \$ 23,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 0 day of July, 1975

Handwritten signatures of Clarence L. Haldorson and Inez Haldorson

STATE OF OREGON, County of Lane

Notary Public named Clarence L. Haldorson and Inez Haldorson

and hereby certify that the foregoing instrument is their voluntary act and deed.

Notary Public for Oregon—My commission expires 2-19-77

Grantee's Address 34878 Highway 58, Eugene, Oregon 97405

7527817

WARRANTY DEED



OF LANE & DESCHUTES COUNTIES

852 Pearl St. Eugene 942-1894  
1717 Commercial Bldg. Springfield 746-7252  
103 Oregon Ave. Bend 399-2130  
500 Kingwood Florence 997-8488

State of Oregon,  
County of Lane

I, D. M. Penfold, Director of the  
Department of Records and Elections,  
in and for the said County, do hereby  
certify that the within instrument was  
received for record at

1975 JUL 9 PM 2 14

*Penfold*

650 R

Lane County Official Records,

D. M. PENFOLD, Director of the  
Department of Records & Elections.

*D. M. Penfold*  
Deputy

OC29-083-05

After recording

Lane County Election

P.O. Box 1456

Eugene, Oregon 97401

*7/9/75*

## Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

JOEL KREINDEL

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation  
(For example: Map 17-03-19-31, Tax Lot 100)

17-04-11-42 TL 400

**Wastewater** -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

8" PVC IN AVA ST.

will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

\_\_\_\_\_

**Stormwater** -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

NO

If yes,  
location? \_\_\_\_\_

If no, how will stormwater be handled after development? -

ON SITE INFILTRATION

**Streets** – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. PROPERTY FRONTS AVA ST. ACCESS FROM RIVER RD IS VIA FEDERAL LN TO AVA ST.

Will dedication for additional street right-of-way be required upon further development of this site?

Yes  No  Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes  No  Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004).)

### **Parks, Recreation, and Cultural Services**

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

UNKNOWN

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

### **Public Safety**

**Police services** - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

**For River Road/Santa Clara area-**

*Police services* - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

*Fire and emergency services* (Please indicate which fire district serves subject property.)

✓ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

         River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

**Emergency medical transport (i.e., ambulance) services** are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

**Planning and Development Services** -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

**EWEB** (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

**Electric Service** – Which electric company will serve this site?

EWEB

**Water Service** -- Please provide the size and location of the water main closest to your property. \_\_\_\_\_

2" CI IN AUA ST.

**Solid Waste** -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Application #: C \* 2008 - \_\_\_\_\_  
For City Use Only

- \* CB = Coburg
- CR = Creswell
- FL = Florence
- OA = Oakridge
- CG = Cottage Grove
- EU = Eugene
- JC = Junction City
- SP = Springfield

**PETITION**

**Petition Signature Sheet**  
Annexation by Individuals

RECEIVED

FEB 14 2017

Lane County  
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
<i>Nancy Horner</i>	2-7-17	Nancy Horner	2908 RIVER RD.	17-04-11-42-00400	✓	✓	
<i>Dan Reppond</i>	2-7-17	DAN REPPOND	2908 RIVER RD	" "		✓	
<i>Rebecca Anderson</i>	2/7/17	Rebecca Anderson	2908 River Rd	" "		✓	
<i>Soel Kreindel</i>	2-10-17	SOEL KREINDEL	1593 W. 2ND AVE	" "	✓		

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, DAVE COLLIER (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.  
X *[Signature]* (signature of circulator)

**CERTIFICATION OF PROPERTY OWNERS**

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

**CERTIFICATION OF ELECTORS**

The total active registered voters in the proposed annexation are 5. I hereby certify that this petition includes 3 valid signatures representing 60 (%) of the total active registered voters that are registered in the proposed annexation.

*[Signature]*  
Lane County Department of Assessment and Taxation

2-14-17  
Date Certified

*Cynthia Kunnish*  
Lane County Clerk or Deputy Signature  
2/14/17  
Date Certified



Property Account Summary

As Of 2/14/2017 Status: Active

Account No.: 0371037 Alternate Property Number: 1704114200400  
 Account Type: Real Property  
 TCA: 00417  
 Situs Address: 2908 RIVER RD  
 EUGENE OR 97404  
 Legal: Township 17 Range 04 Section 11 Quarter 42 TL 00400

Parties:

Role	Name & Address
Owner	KREINDEL J RICO 1593 W 2ND AVE EUGENE OR 97402
Tax Service Companies	CORELOGIC REAL ESTATE SERVICE UNKNOWN ADDRESS UNKNOWN OR 97401
Taxpayer	KREINDEL J RICO 1593 W 2ND AVE EUGENE OR 97402

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	\$107,841	\$107,471	\$102,176	\$97,479	\$99,979
AVR	\$96,854	\$94,033	\$91,294	\$88,635	\$86,053
TVR	\$96,854	\$94,033	\$91,294	\$88,635	\$86,053

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	109 Res conforming mhome
	Change Property Ratio	1XX Residential
	Size	0.00
	Code Split	N
	Neighborhood	431500
	M5 tax compression for education	147.56

Exemptions:

(End of Report)



00417	200250	NONE			
15	EUGENE SCHOOL DISTRICT 4J		9871 Eugene School District Local Option	1.5000	
15	EUGENE SCHOOL DISTRICT 4J		9922 U Eugene School District	4.7485	
40	LANE COMMUNITY COLLEGE		9928 U Lane Community College	0.6191	
38	LANE EDUCATION SERVICE DISTRICT		9935 U Lane Education Service Dist	0.2232	
			<b>Total Education</b>		<b>7.0908</b>
95	LANE COUNTY		9875 Lane County 4-H /Extension LO	0.0150	
95	LANE COUNTY		9855 Lane County Public Safety LO	0.3800	
70	SANTA CLARA RURAL FIRE PROTECTION DIST		9764 Santa Clara RFPD	1.0439	
70	SANTA CLARA RURAL FIRE PROTECTION DIST		9867 Santa Clara RFPD LO	0.4500	
153	SANTA CLARA WATER DISTRICT		9811 Santa Clara Water District	0.0000	
95	LANE COUNTY		9891 U Lane County	1.2793	
			<b>Total General Government</b>		<b>3.1682</b>
15	EUGENE SCHOOL DISTRICT 4J		9882 U Eugene School District Bond I	0.3571	
15	EUGENE SCHOOL DISTRICT 4J		9949 U Eugene School District Bond II	1.2581	
40	LANE COMMUNITY COLLEGE		9902 U Lane Community College Bond II	0.2228	
			<b>Total Bonds - Other</b>		<b>1.8380</b>
	<b>Total 00417</b>		<b>Consolidated Rate:</b>		<b>12.0970</b>



# PLANNING RECEIPT

DATE 2/15/2017

## City of Eugene Planning

### Method of Payment

- Cash
- Check
- Visa/MC

### Customer Information

Name Joel s Kreindel  
 Address  
 Project 2908 River Road

**Amount Received**  
 \$5,155.70

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00		\$ 4,730.00
2							
3							
4							
5							
6							
7							
8							
9	Fire Review Fee						
	Other						
	Other						
	Appeal						
	Appeal						
					<b>Subtotal App Fees</b>	\$	4,730.00
					<b>Subtotal Other Fees</b>	\$	-
	Admin Fee (not included on appeals or other fees)			9%		\$	425.70

**Total** **\$ 5,155.70**

Staff Receiving Application  
 kew

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10<sup>th</sup> Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-11-42	400	R1	0.53

**Property Address:** 2908 RIVER RD.

**Plans for Future Development & Permit Number (if applicable):** \_\_\_\_\_

**Public Service Districts:**

Name			
<b>Parks:</b>			
<b>Electric:</b>	EWEB		
<b>Water:</b>	EWEB		
<b>Sanitary Sewer:</b>	EUGENE		
<b>Fire:</b>	SANTA CLARA RFPD		
<b>Schools:</b>	<b>Elementary:</b> SPRING CK	<b>Middle:</b> MADISON	<b>High:</b> NORTH EUGENE
<b>Other:</b>			

**Filing Fee**

- A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at [www.eugeneplanning.org](http://www.eugeneplanning.org)

**Written Statement (Submit 5 copies)**

- Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

### Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 1/2" x 14" sheet of paper. Site plans shall include the following information:

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

### Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

**Note:** This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed information may cause delay in processing the application. (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): Joel Kreindel  
Address: 1593 W 2ND AVE Email: \_\_\_\_\_  
City/State/Zip: Eugene OR 97402 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Signature: Joel Kreindel Date: 2-8-17

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_  
Address: \_\_\_\_\_ Email: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

SURVEYOR:

Name (print): DAVE COLLIER  
Company/Organization: PACIFIC SURVEYING, INC.  
Address: 75506 BLUE MT. SCHOOL RD.  
City/State/Zip: COTTAGE GROVE, OR 97424 Phone: 541-767-9790 Fax: 0790  
E-mail: PACIFICSURVEY@FASTMAIL.FM  
Signature: Dave Collier Date: 2-9-17

**REPRESENTATIVE** (If different from Surveyor):

Name (print):

Company/Organization:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

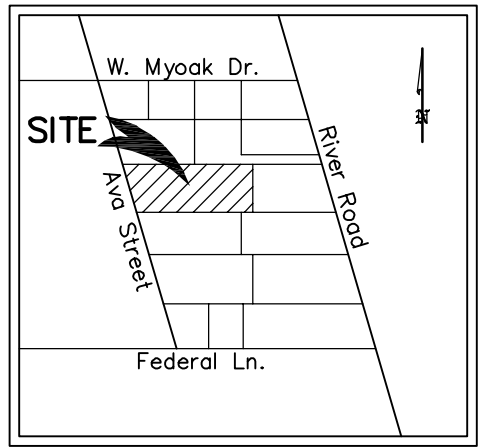
Signature:

Date:

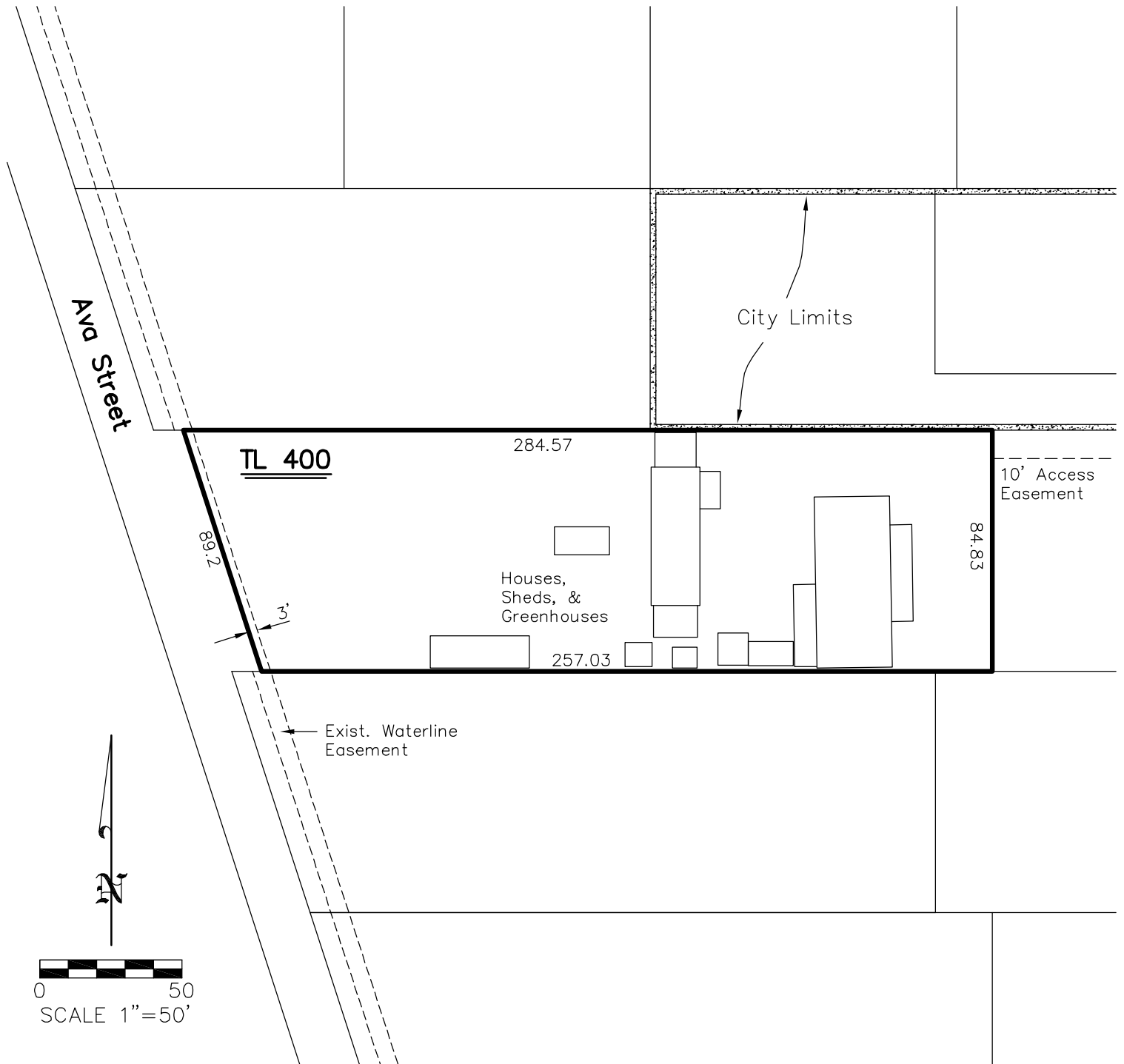
**\*\* Attached additional sheets if necessary.**

Exhibit A

Annexation Site Plan  
Tax Map 17-04-11-42  
Tax Lot 400  
February 9, 2017



Vicinity Map  
N.T.S.



**Annexation Legal Description  
Tax Map 17-04-11-42  
Tax Lot 400**

Beginning at a point on the Easterly right-of-way of Ava Street, said point also being on the North line of Lot 6 in the Subdiviion of Lot 1 of the Plat of Ferndale Addition to Santa Clara, as recorded in Book 10, Page 3, Lane County Oregon Plat Records; thence along said North line of Lot 6 N89°58'E 284.57 feet to the Northwest corner of that property described in Warranty Deed recorded July 9, 1975, in Instrument No. 75-27817; thence along the West line of said Warranty Deed S0°02'E 84.83 feet to the Southwest corner of said Warranty Deed, said Southwest corner being on the South line of said Lot 6; thence along said South line of Lot 6 S89°58'W 257.03 feet to the Easterly right-of-way of Ava Street; thence along said Easterly right-of-way N18°01'30"W 89.2 feet to the point of beginning, in Lane County, Oregon.



## Exhibit C



### Planning Director's Findings and Recommendation Annexation Request for Kreindel, Joel (City File A 17-2)

<b>Application Submitted:</b> February 15, 2017
<b>Applicant:</b> Joel Kreindel
<b>Property Included in Annexation Request:</b> Tax Lot 400 of Assessor's Map 17-04-11-42
<b>Zoning:</b> Low Density Residential with Urbanizable Lands Overlay (R-1/UL)
<b>Location:</b> 2908 River Road
<b>Representative:</b> Dave Collier, Pacific Surveying, 541-767-0790
<b>Lead City Staff:</b> Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

**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.

<b>EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is:</b>	
<p style="margin: 0;"><b>(a) Contiguous to the city limits; or</b></p> <p style="margin: 0;"><b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b></p>	
<b>Complies</b>	<b>Findings:</b> The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>	
<b>Complies</b>	<b>Findings:</b> Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic</i> text):
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<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="margin-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="margin-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-5).</i></p> <p><i>Policy 15. 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 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 use. The property is currently zoned Low-Density Residential with Urbanizable Land Overlay (R-1/UL). The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is not located within any of the described subareas. Further, none of the general “Residential Land Use Policies” at Section 2.2 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>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and applicable refinement plan.</p>
<p><b>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.</b></p>		
<p><b>Complies</b></p> <p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p><b>Findings:</b> Consistent with this criterion, 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><u>Wastewater</u> There is an 8-inch public wastewater system within Ava Street, west of the subject property, with a 6-inch service constructed to the property line. Location of Sewer Connection record #58752 shows the existing development on the site is connected to the 6-inch service. The wastewater equivalent assessment has been paid.</p> <p><u>Stormwater</u> Public stormwater systems are not available to serve this property. All development</p>

proposals must demonstrate consistency with flood control standards; on-site retention may be a feasible option for this site provided that adequate infiltration is demonstrated. Compliance with applicable stormwater development standards will be ensured at the time of property development.

Transportation

The subject property has frontage on Ava Street to the west, but appears to currently take primary access from River Road. River Road at this location is under the jurisdiction of the City of Eugene. Ava Street is classified as a Lane County Local Access Road. Any required street improvements will be determined at the time of property development.

Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric

EWEB Water staff state no objection to the annexation. EWEB Electric staff state no objection to the proposed annexation request. Water and electric services can be extended in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. 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.

Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

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.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.

Public Schools

The subject property is within Eugene School District 4J and is within the district boundary of Spring Creek Elementary School, Madison Middle School, and North Eugene High School. As access to schools is evaluated on a district wide basis, the property's

		location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.
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**CONCLUSION:**

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of a Resolution Annexing Land to the City of Eugene (Property Identified as Assessor's Map 17-04-14-23, Tax Lot 3900) (Lohman, Scott; A 17-4)

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Meeting Date: May 22, 2017  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3C  
Staff Contact: Nicholas R. Gioello  
Contact Telephone Number: 541/682-5453

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### ISSUE STATEMENT

This item is a request to annex approximately 0.1 acres (4,146 square feet) of vacant land located at the northwest corner of Boyce Street and Berwin Lane. The property is located within the Urban Growth Boundary (UGB) and is contiguous to the City limits along its north boundary. No public rights-of-way are proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The property is zoned Low Density Residential with Urbanizable Lands Overlay Zone (R-1/UL). The Metro Plan designates the subject property for Low Density Residential use. The applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan, which also designates the property for Low Density Residential use. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Specific plans for future development of the site are not included as part of this annexation application.

### BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the city and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the City's 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice for this annexation request was provided to all owners and occupants of property within 500 feet of the subject property, and the affected neighborhood association, consistent with Eugene Code requirements. No written testimony has been received

as of this date.

Referral comments were provided by affected agencies including City of Eugene Public Works, EWEB and Lane County Public Works. 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, ability for the provision of key urban services 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 applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

### **COUNCIL OPTIONS**

City Council may consider the following 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

### **SUGGESTED MOTION**

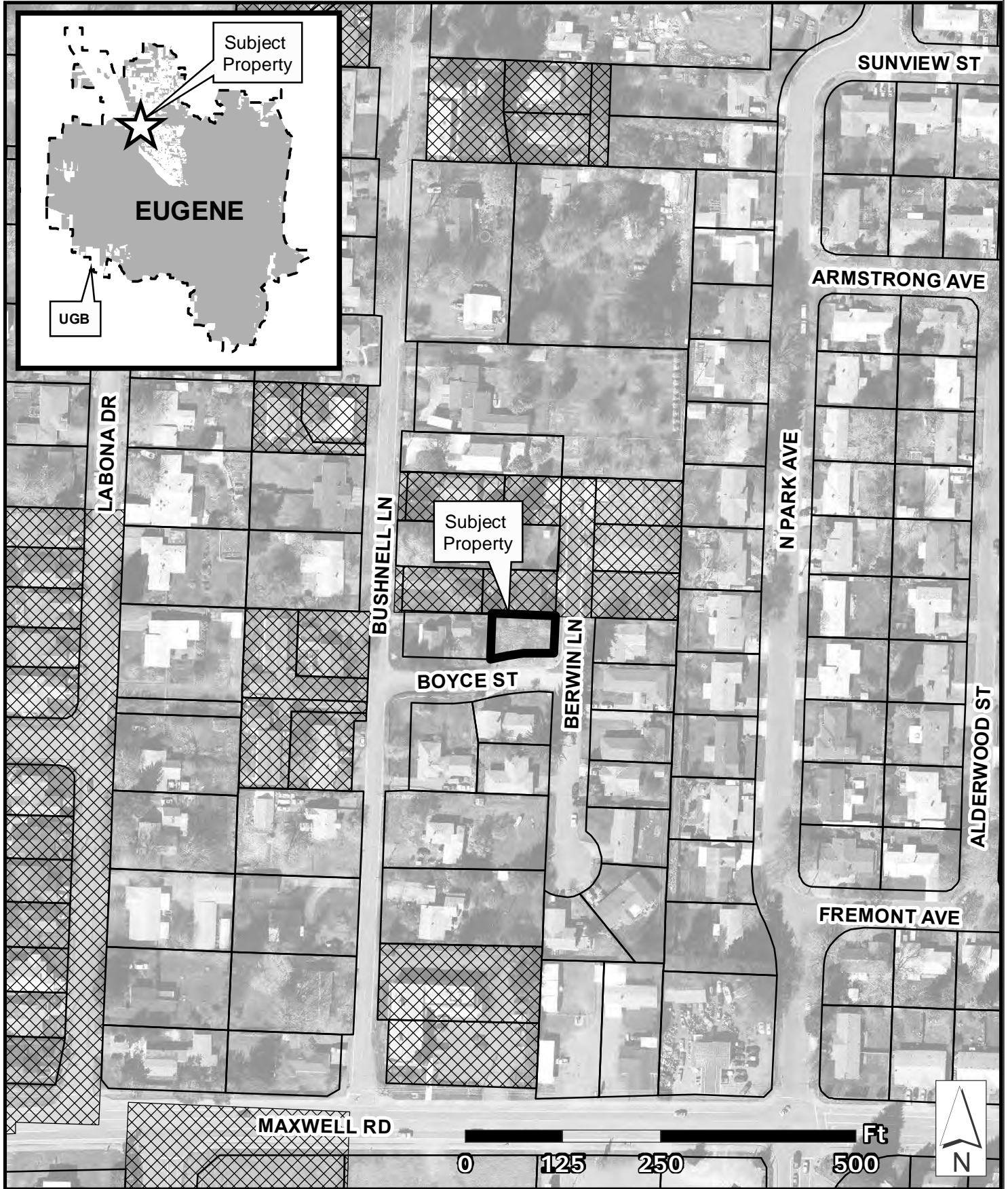
Move to adopt Resolution No. \_\_\_\_\_, which approves the proposed annexation request consistent with the applicable approval criteria.

### **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

**FOR MORE INFORMATION**

Staff Contact: Nicholas R. Gioello  
Telephone: 541/682-5453  
Staff E-Mail: [Nick.r.gioello@ci.eugene.or.us](mailto:Nick.r.gioello@ci.eugene.or.us)



**Legend**

- Subject Property
- City Limits
- Taxlots

Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.



May 2017





**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-14-23, TAX LOT  
3900).**

**The City Council of the City of Eugene finds that:**

**A.** An annexation application was submitted on March 2, 2017, by Scott Lohman in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-14-23, Tax Lot 3900.

**B.** The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

**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 Findings and Recommendation is attached as Exhibit C.

**D.** On April 21, 2017, 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 applicant, owners and occupants of property within 500 feet of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on May 22, 2017.

**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 Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-14-23, Tax Lot 3900, depicted on the map attached as Exhibit A, and described in the attached 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 R-1/UL to R-1 pursuant to EC 9.7820(3) shall become effective in accordance with State law.

**The foregoing Resolution adopted the \_\_\_ day of May, 2017.**

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**City Recorder**

**ANNEXATION APPLICATION  
FOR  
SCOTT LOHMAN  
ASSESSOR'S MAP 17-04-14-23, TAX LOT 3900**

**CRITERIA CONFORMANCE STATEMENT  
GENERAL CRITERIA  
February 1, 2017**

MAP 17-04-14-23

**I. INTRODUCTION AND BACKGROUND**

*1. Description of subject property:*

Assessor's Map 17-04-14-23, Tax Lot 3900 is approximately 4,146.4 square feet in size and currently vacant. It is designated by the Metro Plan as Low Density Residential. It is zoned R-1/low density residential with the UL/urbanizable land overlay. Tax Lot 3900 is contiguous to the incorporated city limits of Eugene along its northerly boundary.

*2. Summary of land use request:*

The applicant requests to annex all of Tax Lot 3900.

*3. Application Contents*

The information requirements for an annexation application are stated at EC 9.7810(1) through (10). The application form page 2 lists all the required information. That information has been compiled here, as reflected in the check boxes on the application form.

*4. Criteria for approval of annexation application:*

*EC 9.7825 provides the primary criteria applicable to an annexation application. This code section refers to additional criteria (such as applicable Metro Plan policies) that will need to be addressed as well.*

*EC 9.7825 Annexation -Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:*
  - (a) Contiguous to the city limits; or*
  - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

Applicant's proposed finding: the subject property is within the city's UGB. The subject property is directly contiguous with the current city limits along the northerly boundary.

(2) *The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans. "*

Applicant's proposed finding: The Metro Plan Policy 10, page 11-C-4, recognizes annexations through this normal process to be the highest priority. As such, the proposal is consistent with this policy

*Metro Plan Policy 8, page 11-C-4, provides for annexation when a minimum level of key facilities and services can be provided. This policy is the subject of the annexation standard in (3) below.*

*Metro Plan Policy 16 provides that land within the UGB shall be annexed to a city and provided with the minimum level of urban facilities and services. It further provides that while the timeframe for annexation may vary, annexation should occur as land transitions from urbanizable to urban.*

The property is within the UGB and therefore, based on this policy, should be annexed. The provision of facilities and services is addressed in standard (3) below. The property is designated LDR on the Metro Plan. The property is currently zoned R-1 which is consistent with the low density residential designation assigned to the site in the Metro Plan.

*Metro Plan Policy 18 is instructional to the City to dissolve special service districts after annexation and to consider intergovernmental agreements with affected special service districts.*

The applicant does not object to dissolving special service districts, as needed. The proposal is consistent with Policy 18.

(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. "*

Applicant's proposed finding: The Metro Plan defines the "Minimum Level" of "key urban facilities and services" as including "wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis (in other words, not necessarily within walking distance of all students served)."

Each of these facilities and services is addressed below.

In summary, the minimum level of key urban facilities and services is either immediately available or can be provided within a reasonable future time frame as needed.

*Wastewater services: When property is annexed to the city, it is automatically annexed to the Lane County Metropolitan Wastewater Service District, as provided for in ORS 199.510(2)(c). In the post-Boundary Commission era, the subject property will have to be annexed to the MWSD in a separate action, following annexation to the city.*

Currently, there is an 8" public wastewater line in Boyce Street and Berwin Lane adjacent to the southern and easterly boundaries of the subject property. This fact is illustrated on Page 64 of the 2015 Wastewater and Stormwater Infrastructure Map Book. Therefore, wastewater services are already available to the subject property.

*Stormwater services:*

Currently, there is a 10" public stormwater line in Berwin Lane adjacent to the easterly boundary of the subject property. This fact is illustrated on Page 64 of the 2015 Wastewater and Stormwater Infrastructure Map Book. Therefore, wastewater services are already available to the subject property. Current City stormwater policies require that stormwater be kept on-site and any run-off shall be limited to predevelopment flows. Therefore, future development of the site will require an on-site stormwater facility sized in accordance with the treatment and flood control guidelines of the City of Eugene Stormwater Management Manual. Overflows from the designed facility will be directed to the curb and gutter system in Boyce Street. Therefore, this type of "key urban facility" is available to the subject property.

*Transportation:*

The property is adjacent to Boyce Street to the south and Berwin Lane on the east. These are improved local streets which in turn connect to other local streets that feed Maxwell Road, Minor Arterial. Maxwell Road connects to River Road to the east and to Highway 99 N via Prairie Road to the west, being major arterials; thereby providing the subject property with access to the entire transportation network within the city limits and surrounding area. Therefore, the subject property is already served with this type of "key urban facility."

*Solid Waste Management:*

Private firms and individuals collect and transport solid waste to the Lane County administered landfill. Therefore, the subject property is already served with this type of "key urban facility."

*Water Service:*

Water is available from the 6" CI water main located in Boyce Street and the 6" DI water main located in Berwin Lane. Therefore, the subject property is already served with this type of "key urban facility."

*Fire and emergency medical services:*

According to RLID, fire protection is currently provided by the River Road Fire and Emergency Services. Upon annexation, the City of Eugene will provide services directly to the property. Therefore, the subject property is already served with this type of "key urban facility."

*Police Protection:*

Police protection will be provided by Eugene, which currently services other properties inside the city. After annexation this property will receive police services on an equal basis with all properties inside the city. Therefore, the subject property is can be served with this type of "key urban facility."

*City-wide parks and recreation programs:*

Park services are already provided to this area, consistent with the Metro Plan. The subject property is located within the River Road Park and Recreation District. Bramblewood City Park is nearby the subject property.

*Electric Service:*

The adjacent properties are served by EWEB, and service is available at the property boundaries.

*Land Use Controls:*

The subject property is currently subject to the land use controls of the City of Eugene and will continue to be after the annexation.

*Communication Facilities:*

Land line phone service, cellular phone and data service, and cable television are available in the area, and can be extended to the subject property.

*Public schools on a district-wide basis:*

The Eugene 4J School District serves the annexation area. Existing schools are: Corridor Elementary, Kelly Middle, and North Eugene High Schools

FOR ASSESSMENT AND TAXATION ONLY

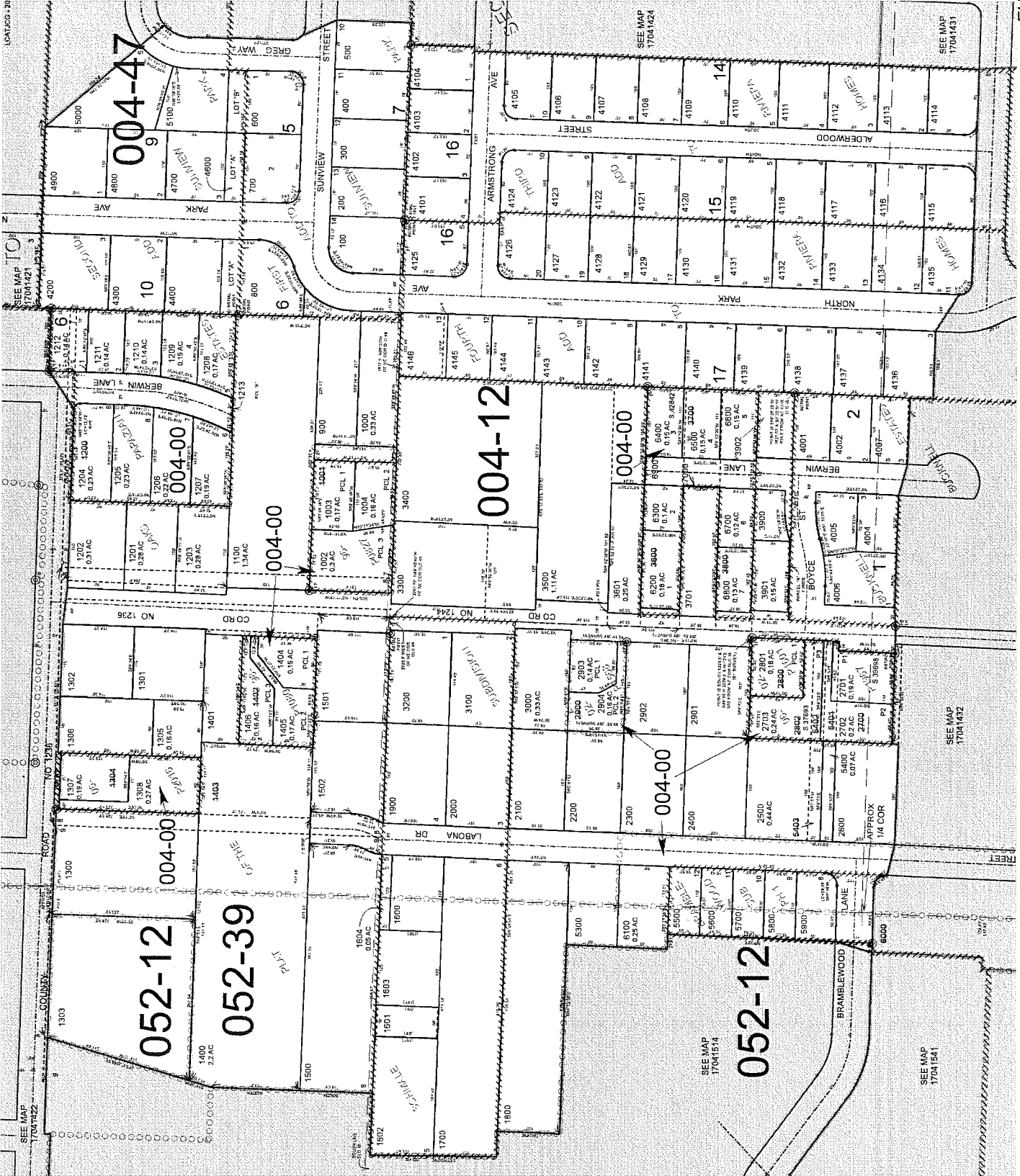
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Lane County

17041423  
EUGENE

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CANCELLED  
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3000  
3800



EUGENE  
17041423

**Consent to Annexation**

MAR - 2 2017

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-14-23-03900 Address: Vacant - No Address

Legal Description:

See attached Exhibit "A"

In the corporate limits of said city, which is owned by the undersigned

DATED this 8 day of February, 2017.

Scott Lohman  
\_\_\_\_\_  
Scott Lohman  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF OREGON )

County of Coos )  
  )ss

On this 8 day of February, 2017, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Scott Lohman, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Shannon Nicole Barr  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires April 20, 2020



Application #: C \* 2008 - \_\_\_\_\_  
For City Use Only

- \* CB = Coburg
- CR = Creswell
- FL = Florence
- OA = Oakridge
- CG = Cottage Grove
- EU = Eugene
- JC = Junction City
- SP = Springfield

**PETITION**

**Petition Signature Sheet**  
Annexation by Individuals

RECEIVED

FEB 15 2017

MAR - 2 2017

Lane County  
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
	2-6-17	SCOTT LOHMAN	VACANT-NO SITE ADDRESS PO BOX 2466	17-04-14-23- 03900	X		0.1
		OWNERS MAILING ADDRESS - EUGENE OR 97402					

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

1. SCOTT LOHMAN (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.  
X \_\_\_\_\_ (signature of circulator)

**CERTIFICATION OF PROPERTY OWNERS**

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

Lane County Department of Assessment and Taxation

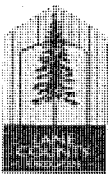
2-15-17  
Date Certified

**CERTIFICATION OF ELECTORS**

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.

Lane County Clerk or Deputy Signature

2/15/17  
Date Certified



Property Account Summary

As Of 2/15/2017 Status: Active

Account No.: 0386100 Alternate Property Number: 1704142303900  
 Account Type: Real Property  
 TCA: 00412  
 Situs Address: UNKNOWN  
 EUGENE OR 97404  
 Legal: Township 17 Range 04 Section 14 Quarter 23 TL 03900

Parties:

Role	Name & Address
Owner	LOHMAN SCOTT PO BOX 24616 EUGENE OR 97402
Taxpayer	LOHMAN SCOTT PO BOX 24616 EUGENE OR 97402

Property Values:

Value Name	2016	2015	2014	2013	2012
MKTTL	\$47,326	\$47,326	\$43,944	\$40,564	\$41,691
AVR	\$12,626	\$12,258	\$11,901	\$11,554	\$11,217
TVR	\$12,626	\$12,258	\$11,901	\$11,554	\$11,217

Property Characteristics:

Tax Year	Characteristic	Value
2016	Property Class	100 Res conforming vac
	Change Property Ratio	1XX Residential
	Size	0.00
	Code Split	N
	Neighborhood	431500

Exemptions:

(End of Report)

MAR - 2 2017

## Summary of Urban Service Provision

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This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name: Scott Lohman

---

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation  
(For example: Map 17-03-19-31, Tax Lot 100)

---

17-04-14-23, Tax Lot 3900

---

**Wastewater** -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

Yes will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

The property will connect to the existing gravity located in Boyce Street

No will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

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**Stormwater** -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

Yes

---

If yes, location? There is a 10" public stormwater line in Berwin Lane.

If no, how will stormwater be handled after development? -

Stormwater runoff will be pretreated with an approved system prior to leaving the site.

**Streets** – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. \_\_\_\_\_

River Road or NW Expressway to Maxwell Rd to Bushnell Ln to Boyce St

Will dedication for additional street right-of-way be required upon further development of this site?

Yes                       No                       Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes                       No                       Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

### **Parks, Recreation, and Cultural Services**

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

Bramblewood City Park is close to the site.

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

### **Public Safety**

**Police services** - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

**For River Road/Santa Clara area-**

*Police services* - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

*Fire and emergency services* (Please indicate which fire district serves subject property.)

\_\_\_\_\_ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

  X   River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

**Emergency medical transport (i.e., ambulance) services** are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

**Planning and Development Services** -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

**EWEB** (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

**Electric Service** – Which electric company will serve this site?  
Eugene Water & Electric Board (EWEB)

**Water Service** -- Please provide the size and location of the water main closest to your property. \_\_\_\_\_

There are EWEB 6" water mains located in Boyce St & Berwin Ln

**Solid Waste** -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10<sup>th</sup> Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-14-23	3900	R1	4146.4 Sq Ft

**Property Address:** Vacant - Site Address Unknown

**Plans for Future Development & Permit Number (if applicable):** \_\_\_\_\_

**Public Service Districts:**

Name	
<b>Parks:</b>	River Road Park and Recreation District - Closed Park = Bramblewood City Park,
<b>Electric:</b>	Eugene Water & Electric Board (EWEB)
<b>Water:</b>	Eugene Water & Electric Board (EWEB) for River Road Water District
<b>Sanitary Sewer:</b>	Metropolitan Wastewater Management Commission
<b>Fire:</b>	River Road Water District
<b>Schools:</b>	<b>Elementary:</b> Corridor <b>Middle:</b> Kelly <b>High:</b> North
<b>Other:</b>	

**Filing Fee**

- A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at [www.eugeneplanning.org](http://www.eugeneplanning.org)

**Written Statement (Submit 5 copies)**

- Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

## Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

## Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

**Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.**



By signing, the undersigned certifies that s/he has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 3900

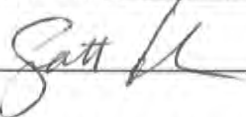
Name (print): Scott Lohman

Address: P.O. Box 24616

Email: pvtncrnt@aol.com

City/State/Zip: Eugene, OR 97402

Phone: 541-914-6704 Fax: --

Signature: 

Date: 3/2/17

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**SURVEYOR:**

Name (print): Lloyd L. Tolbert, L.S.

Company/Organization: Tolbert Associates, LLC

Address: P.O. Box 22603

City/State/Zip: Eugene, OR 97402

Phone: 541-350-8426 Fax: --

E-mail: lloyd@tolbertassociates.com

Signature: 

Date: 3/2/17

**REPRESENTATIVE** (If different from Surveyor):

Name (print): "Same as Surveyor"

---

Company/Organization:

---

Address:

---

City/State/Zip:

Phone:

Fax:

---

E-mail:

---

Signature:

Date:

---

**\*\*Attached additional sheets if necessary.**



# PLANNING RECEIPT

DATE 3/2/2017

## City of Eugene Planning

### Method of Payment

- Cash
- Check
- Visa/MC

### Customer Information

Name S&J Mobile Homes  
 Address PO Box 24616  
 Eugene, OR 97402  
 Project 1704-1423-03900

### Amount Received

\$5,155.70

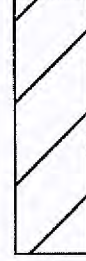
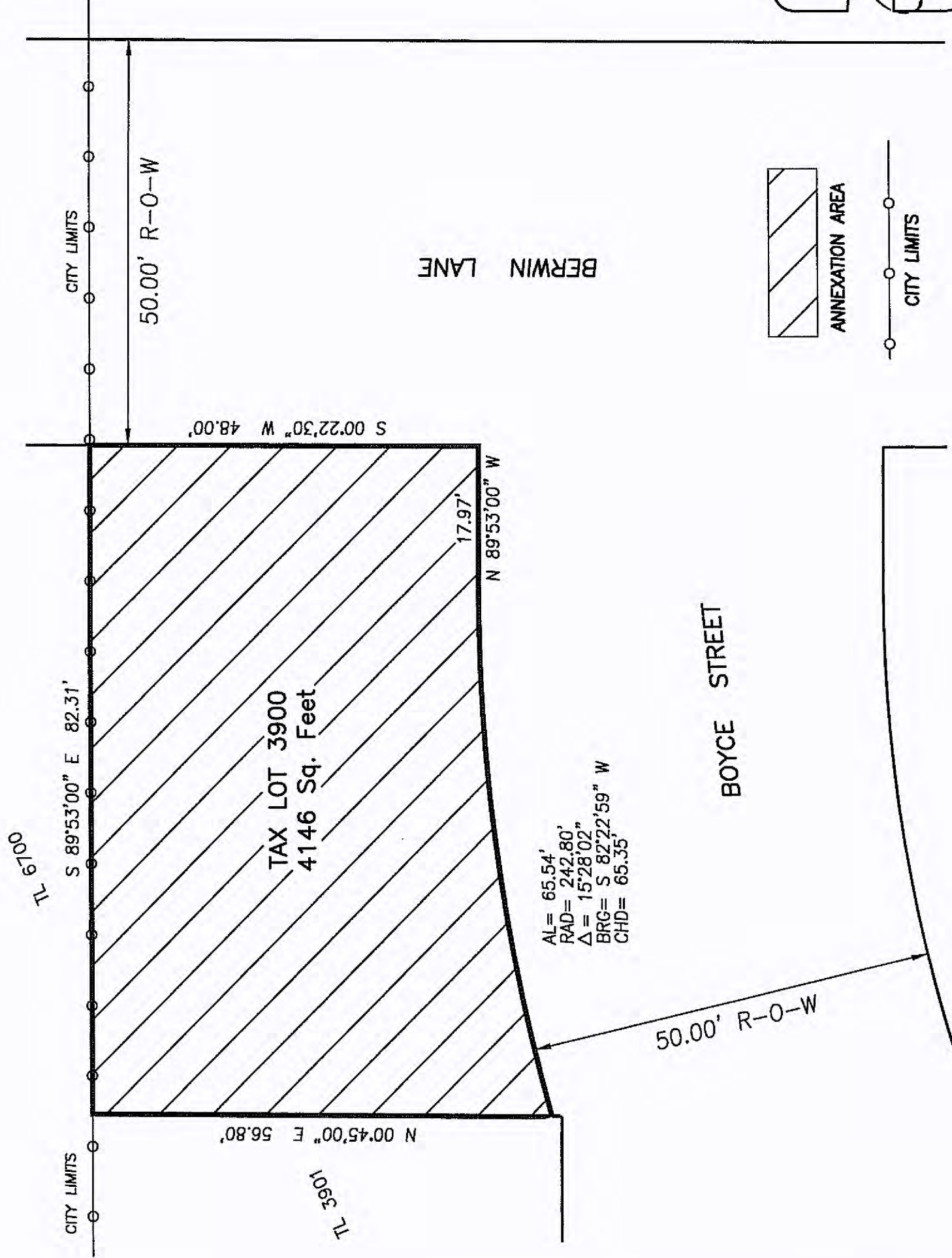
#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00		\$ 4,730.00
2							
3							
4							
5							
6							
7							
8							
9	Fire Review Fee						
	Other						
	Other						
	Appeal						
	Appeal						
					<b>Subtotal App Fees</b>	\$	4,730.00
					<b>Subtotal Other Fees</b>	\$	-
	Admin Fee (not included on appeals or other fees)			9%		\$	425.70
<b>Total</b>						<b>\$</b>	<b>5,155.70</b>

Staff Receiving Application  
 MHD

# SITE PLAN

## FOR SCOTT LOHMAN ANNEXATION

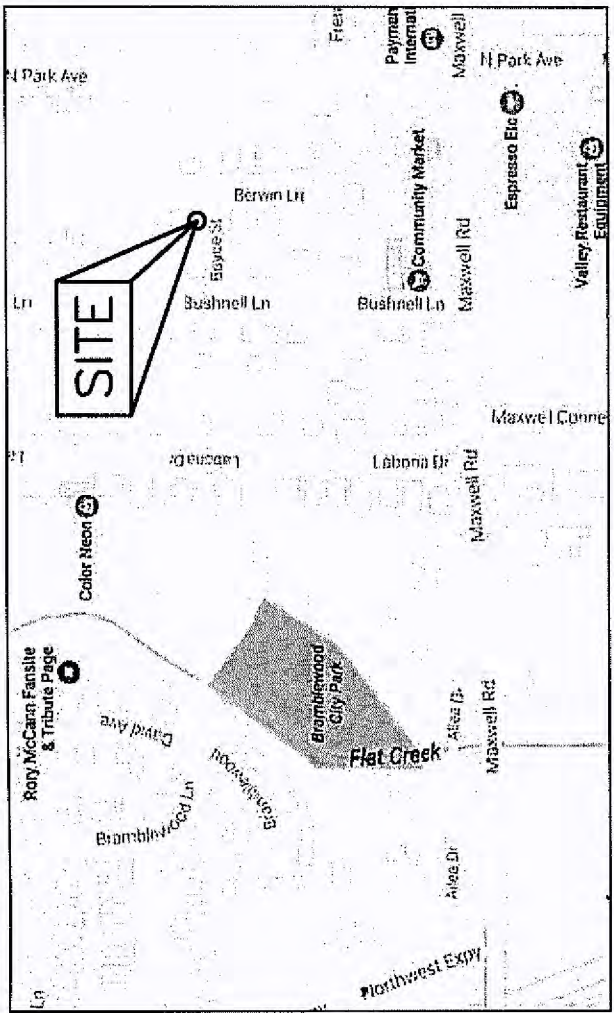
SW 1/4, NW 1/4, SECTION 14, T. 17 S., R. 4 W., W.M.  
ASSESSOR'S MAP 17-04-14-23, TAX LOT 3900  
EUGENE, LANE COUNTY, OREGON  
APRIL 7, 2017



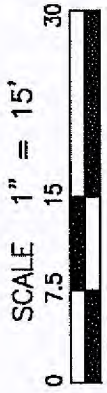
ANNEXATION AREA



CITY LIMITS




**VICINITY MAP**  
NOT TO SCALE



NOTE: COURSES AND DISTANCES DEPICTED HEREON ARE BASED ON COUNTY SURVEY FILE 18872, ON FILE IN THE OFFICE OF THE LANE COUNTY SURVEYOR, IN LANE COUNTY, OREGON.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JUNE 30, 1997  
LLOYD L. TOLBERT  
2813

EXPIRES: JUNE 30, 2018

**TOLBERT ASSOCIATES, LLC**

LAND SURVEYING & LAND USE PLANNING  
P.O. BOX 22603  
EUGENE, OREGON 97402  
(541) 359-8426  
WWW.TOLBERTASSOCIATES.COM  
CADD FILE-1449ANNEX.DWG  
DWN BY: LLT

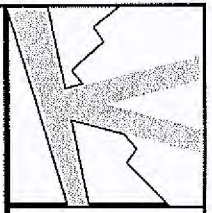


Exhibit B

**LEGAL DESCRIPTION  
FOR THE ANNEXATION OF THE SCOTT LOHMAN PROPERTY  
TO THE CITY OF EUGENE  
ASSESSOR'S MAP NO. 17-04-14-23, TAX LOT 3900  
FEBRUARY 1, 2017**

Beginning at a point on the north line of the James McCabe Donation Land Claim No. 46 located in Township 17 South, Range 4 West of the Willamette Meridian, said point bearing North 89°53'00" West 1817.50 from the Northeast corner of said D.L.C. No. 46; thence South 00°11'00" West 578.48 feet; thence North 89°53'00" West 250.00 feet to the True Point of Beginning; thence South 89°53'00" East 82.31 feet to the westerly margin of Berwin Lane; thence along said westerly margin South 00°22'30" West 48.00 feet to the northerly margin of Boyce Street; thence along said northerly margin North 89°53'00" West 17.97 feet; and along the arc of a 242.80 foot radius curve left (the chord of which bears South 82°22'59" West 65.35 feet) a distance of 65.54 feet; thence leaving said northerly margin bearing North 00°45'00" East 56.80 feet to the **True Point of Beginning** all in Lane County, Oregon.

Containing 4,146 Square feet, more or less.

Courses and distances depicted hereon are based on County Survey File 18872, on file in the office of the Lane County Surveyor, in Lane County, Oregon.



## Exhibit C



### Planning Director's Findings and Recommendation Annexation Request for Lohman, Scott (City File A 17-4)

<b>Application Submitted:</b> March 2, 2017
<b>Applicant:</b> Scott Lohman
<b>Property Included in Annexation Request:</b> Tax Lot 3900 of Assessor's Map 17-04-14-23
<b>Zoning:</b> Low Density Residential with Urbanizable Lands Overlay (R-1/UL)
<b>Location:</b> Northwest corner of Boyce Street and Berwin Lane
<b>Representative:</b> Lloyd Tolbert, Tolbert Associates, 541-350-8426
<b>Lead City Staff:</b> Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

**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.

<b>EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is:</b>					
<b>(a) Contiguous to the city limits; or</b> <b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b>					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>Complies</b></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> YES</td> <td style="text-align: center;"><input type="checkbox"/> NO</td> </tr> </table>	<b>Complies</b>		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<b>Findings:</b> The annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).
<b>Complies</b>					
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO				
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>Complies</b></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> YES</td> <td style="text-align: center;"><input type="checkbox"/> NO</td> </tr> </table>	<b>Complies</b>		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<b>Findings:</b> Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic text</i> ):  <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> <ol style="list-style-type: none"> <li><i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i></li> <li><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></li> </ol>
<b>Complies</b>					
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO				

		<p><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i></p> <p><i>Policy 15. 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 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 Low-Density Residential with Urbanizable Land Overlay (R-1/UL). The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is not located within any of the described subareas. Further, none of the general “Residential Land Use Policies” at Section 2.2 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>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and applicable refinement plan.</p>
<p><b>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.</b></p>		
<p><b>Complies</b></p> <p><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>	<p><b>Findings:</b> Consistent with this criterion, 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><u>Wastewater</u> There is an 8-inch public wastewater system within each of the adjacent streets, Boyce Street and Berwin Lane, south and east of the subject property, respectively. An on-hold wastewater equivalent assessment will become due upon property development.</p> <p><u>Stormwater</u> Public stormwater systems are not available to serve this property. All development proposals must demonstrate consistency with flood control standards; on-site retention</p>	

may be a feasible option for this site provided that adequate infiltration is demonstrated. Compliance with applicable stormwater development standards will be ensured at the time of property development.

Transportation

This property has frontages on Boyce Street and Berwin Lane, which are both Lane County Roads. Any required street improvements will be determined at the time of property development.

Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric

EWEB Water staff state no objection to the annexation. EWEB Electric staff state no objection to the proposed annexation request. Water and electric services can be extended in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. 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.

Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

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.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.

Public Schools

The subject property is within Eugene School District 4J and is within the district boundary of Howard Elementary School, Kelly Middle School, and North Eugene High School. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.



**CONCLUSION:**

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of a Resolution Annexing Right-of-Way to the City of Eugene Identified as River Road between Merry Lane/Arbor Drive and between Maynard Avenue/Rosewood Avenue (River Road Annexation; A 17-6)

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Meeting Date: May 22, 2017  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3D  
Staff Contact: Erik Berg-Johansen  
Contact Telephone Number: 541/682-5437

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### **ISSUE STATEMENT**

The City of Eugene Public Works Engineering Division is requesting to annex two sections of River Road right-of-way into the Eugene City limits. The proposed annexation includes a section of River Road between Merry Lane/Arbor Drive, and a section of River Road between Maynard Avenue/Rosewood Avenue. Both sections of River Road are within the City's Urban Growth Boundary (UGB). A map showing the location of these two street sections is included as Attachment A.

The purpose of this annexation is to create clear boundaries for police and other City services, which increases the effectiveness and efficiency of these services. In the current case, speed limits on these sections of River Road are not consistently enforced, which has created a public safety concern. Annexation will also allow for future road improvements that will benefit residents and businesses in the area. The City of Eugene's outreach letter and a letter of support from the River Road Community Organization are included as Attachment B to this Agenda Item Summary.

### **BACKGROUND**

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB (including streets) will be annexed into the City and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the City's 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the resolution (Attachment C).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within

500 feet of the subject property, and the affected neighborhood association, consistent with Eugene Code requirements. Other than the letter of support from the River Road Community Organization, one letter was received from Don Milligan and is included as Attachment E.

Given the findings of compliance and limited 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 D. 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 applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment C).

### **COUNCIL OPTIONS**

City Council may consider the following options:

1. Adopt the resolution
2. Adopt the resolution with specific modifications as determined by the City Council
3. Deny the 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

### **SUGGESTED MOTION**

Move to adopt Resolution No. \_\_\_\_\_, which approves the proposed annexation request consistent with the applicable approval criteria.

### **ATTACHMENTS**

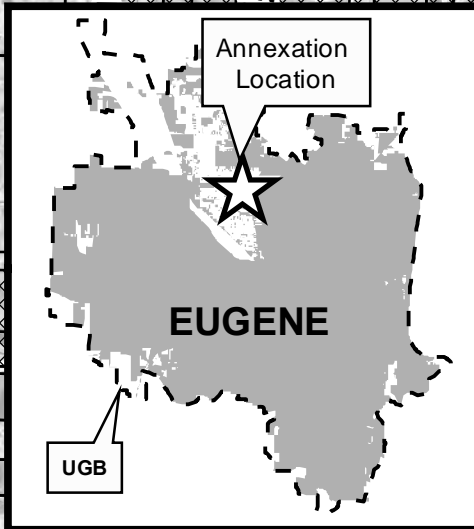
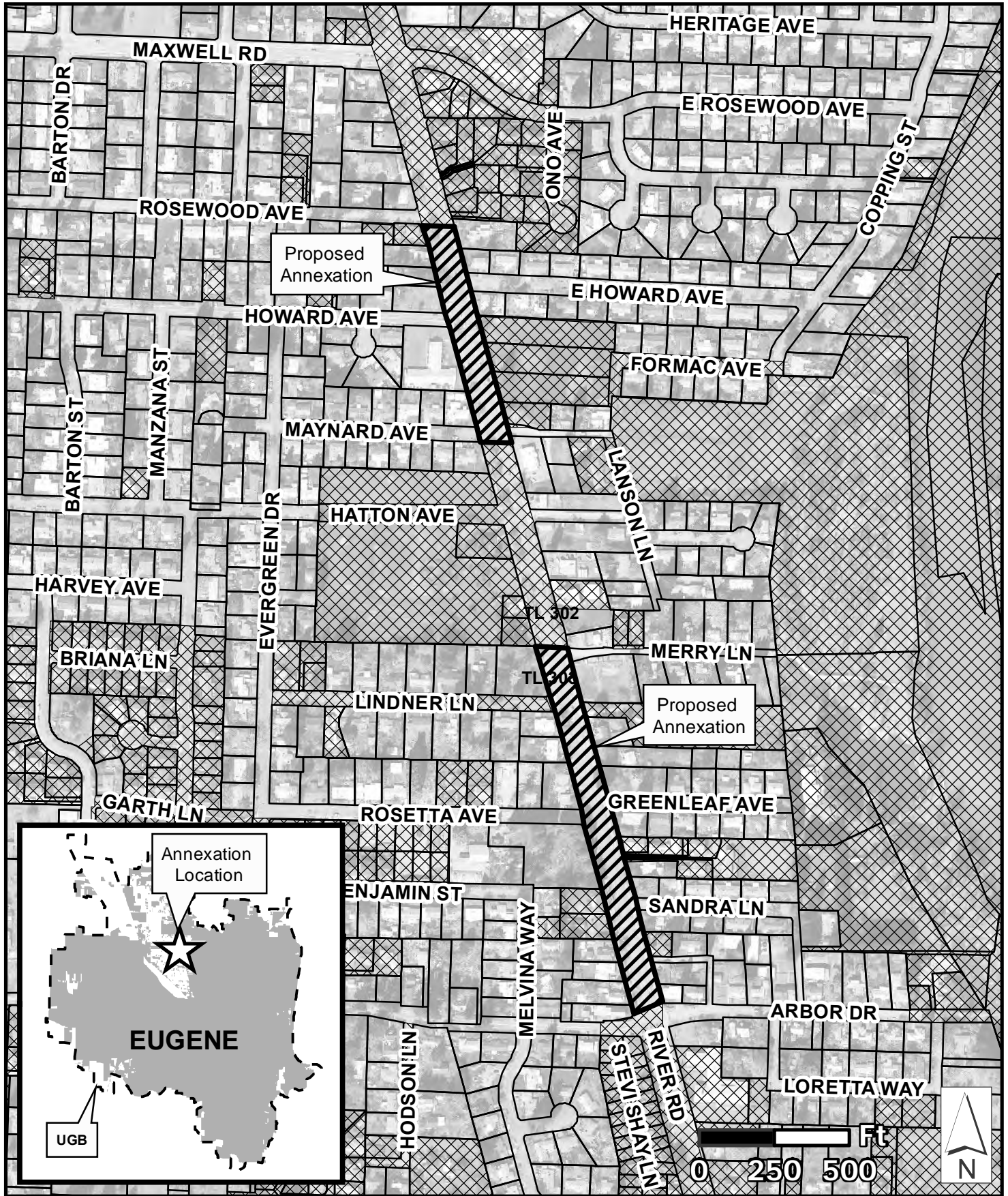
- A. Vicinity Map
- B. River Road Community Organization Letter of Support / City of Eugene Outreach Letter
- C. Annexation Resolution with Exhibits A through C
  - Exhibit A: Map of Annexation Request
  - Exhibit B: Legal Description
  - Exhibit C: Planning Director Findings and Recommendation
- D. Application Materials for Annexation Request
- E. Public Comment

### **FOR MORE INFORMATION**

Staff Contact: Erik Berg-Johansen  
Telephone: 541/682-5437  
Staff E-Mail: erik.berg@ci.eugene.or.us

# River Road Annexation (A 17-6)

Attachment A



## Legend

- Proposed Annexation
- City Limits
- Taxlots

Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.



May 2017



Date: June 14, 2016

To: Kevin Farthing, City of Eugene Public Work Civil Engineer

From: River Road Community Organization

Re: Letter of Support for Annexation of remaining County sections of River Road within the River Road Community Organization

Greetings:

At the June 13, 2016 RRCO General Meeting you and Zachary Galloway from the Eugene Planning Department presented a proposal to annex the sections of River Road from Maynard Avenue to Rosewood Avenue and from Arbor Drive to Merry Lane currently under the Jurisdiction of Lane County. Y'all described the clarity the annexation will provide in enforcing excess speed infractions and future opportunities for alternate modes of transportation including the potential of Bus Rapid Transit. We discussed the implications to the River Road Park and Recreation District and to the River Road Water district. We heard you agree to inform any affected neighbors about the proposal and its potential effect to their properties.

After discussion, the membership voted 12-1 in support of the proposal.

Thanks for bringing the option to our attention, for contacting the service districts and for answering our questions.

\s\

Jon Belcher  
Co-Chair RRCO



**6/8/2016**

**River Road Community Organization**

**Attn: Jon Belcher**

**1055 River Road**

**Eugene, OR 97404**

Dear Members of the River Road Community Organization,

Because of the unique jurisdictional arrangement in north Eugene/Santa Clara, certain properties and streets are within the City of Eugene's Urban Growth Boundary (UGB), but remain in Lane County. Lane County properties are ineligible for City services and not subject City codes. City of Eugene law enforcement is challenged to consistently apply City traffic regulations due to numerous jurisdictional boundary changes between the City and County. The intent of the proposed annexation is to remove jurisdictional boundaries south of Beltline to support community goals and assist law enforcement.

The City of Eugene is proposing to annex the following sections of River Road (see attached maps for details):

- Horn Lane to Merry Lane, approximately 1,250 feet in length
- Maynard Avenue to Rosewood Avenue, approximately 750 feet in length

These properties are Right-of-Way (ROW) owned by Lane County. Lane County has requested the City annex the remaining portions of River Road. The City supports this request and is initiating the annexation to provide an unambiguous and contiguous sections of road so that traffic laws, transportation programs, and community goals can be implemented uniformly. Neighborhood concerns and citizen comments are the primary drivers for annexation.

The result of the annexation is that all of River Road south of Beltline will be within the Eugene city limits. One other noteworthy aspect of the annexation is that all of the water, storm, and wastewater infrastructure not already maintained by either the City of Eugene (waste and storm water) or the Eugene Water & Electric Board (water) in these sections of River Road will fall under the aforementioned respective purview as a result.

Lane County staff support this course of action. From the County's perspective, it has many other maintenance and law enforcement commitments, and since these sections of ROW are within the City's UGB, it would make sense for the City of Eugene to be responsible for them. It is also worth noting that both of these sections of River Road are surrounded by sections of River Road that have already been annexed into the City.

At this time, City staff is asking for the written support of the River Road Community Organization for the annexation to present to the Eugene City Council. This support, combined with support from Lane County, will make this annexation successful, and help to meet the goals and address some of the concerns of the River Road area. There are no plans to annex other ROW at this time.

Finally, it should be acknowledged that due to this annexation, thirteen properties will become contiguous with the City of Eugene limits, and thus will become eligible for annexation. It should be stressed that while these properties are eligible, they are not required to annex, and it is owner of the individual property that would initiate that process, not the City of Eugene.

Kevin Farthing, PE

City of Eugene, Public Works Engineering

541-682-5778

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ANNEXING PORTIONS OF RIVER ROAD RIGHTS-OF-WAY TO THE CITY OF EUGENE. (PROPERTY IDENTIFIED AS A PORTION OF RIVER ROAD BETWEEN HORN LANE AND MERRY LANE (ASSESSOR'S MAP NOS. 17-04-24-21 AND 17-04-24-22), AND A PORTION OF RIVER ROAD BETWEEN ROSEWOOD AVENUE AND MAYNARD AVENUE (ASSESSOR'S MAP NOS. 17-04-13-32 AND 17-04-13-33))**

**The City Council of the City of Eugene finds that:**

**A.** An annexation application was submitted by the City of Eugene on March 27, 2017, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of street rights-of-way identified as a portion of River Road between Horn Lane and Merry Lane (Assessor's Map Nos. 17-04-24-21 and 17-04-24-22), and a portion of River Road between Rosewood Avenue and Maynard Avenue (Assessor's Map Nos. 17-04-13-32 and 17-04-13-33).

**B.** The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the rights-of-way proposed to be annexed is attached to this Resolution as Exhibit B.

**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 Findings and Recommendation is attached as Exhibit C.

**D.** On April 21, 2017, a notice containing a description of the location of the street rights-of-way proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicant, owners and occupants of property within 500 feet of the subject property, and was provided to the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on May 22, 2017.

**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 Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is



ordered that the street rights-of-way identified as a portion of River Road between Horn Lane and Merry Lane (Assessor's Map Nos. 17-04-24-21 and 17-04-24-22), and a portion of River Road between Rosewood Avenue and Maynard Avenue (Assessor's Map Nos. 17-04-13-32 and 17-04-13-33), depicted on the map attached as Exhibit A, and described in the attached Exhibit B, are annexed to the City of Eugene.

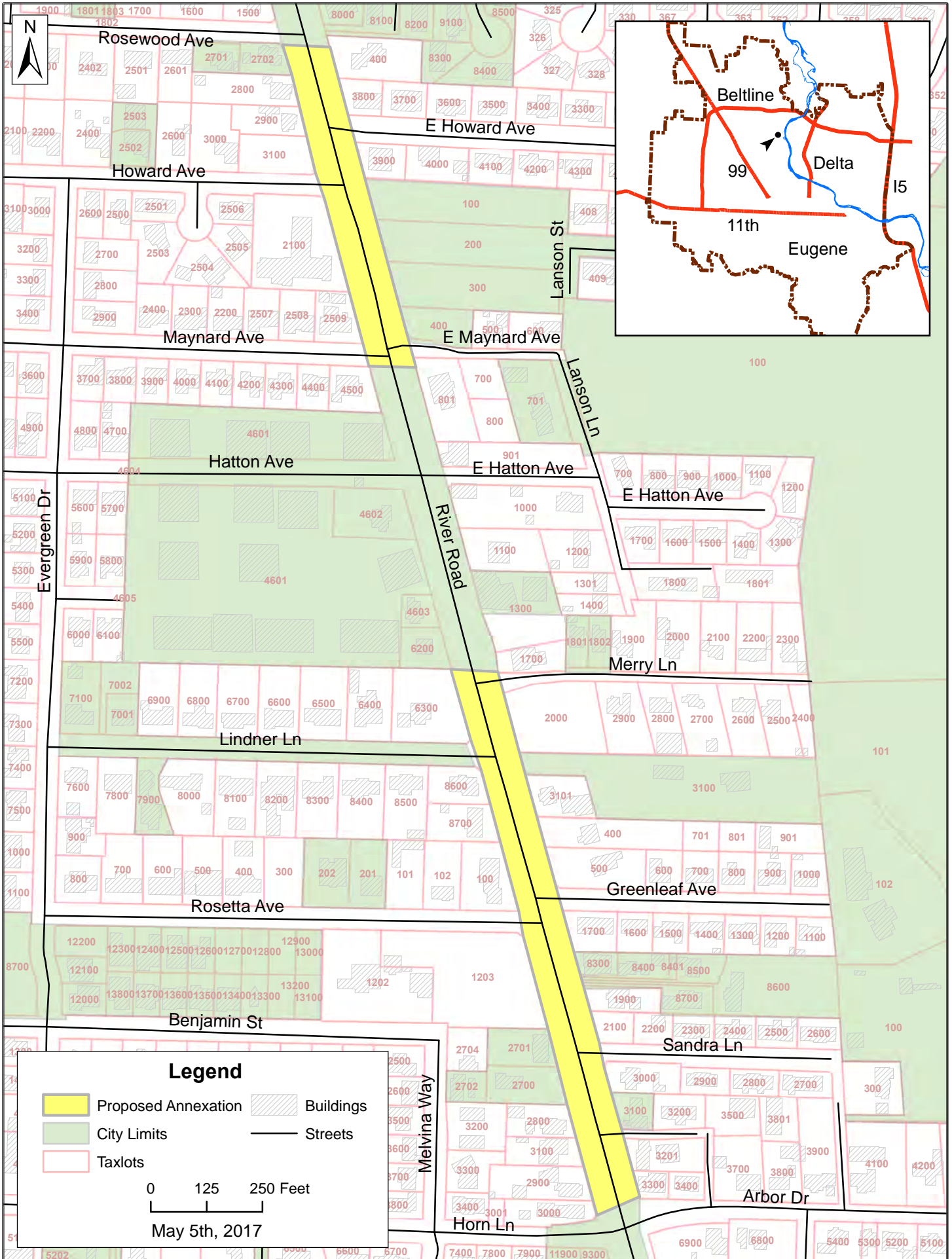
**Section 2.** This Resolution is effective immediately upon its passage by the City Council. The annexation shall become effective in accordance with State law.

**The foregoing Resolution adopted the \_\_\_\_\_ day of May, 2017.**

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**City Recorder**

# Proposed River Road Annexation Sections



## River Road Annexation Horn Lane to Merry Lane

A portion of the Right-of-Way of River Road (County Road no. 200) located in the Southwest one-quarter of Section 24 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the centerline intersections of East Hillcrest Drive and River Road (County Road No. 200) said point being North 2°09'54" West 4614.83 feet from the Northeast corner of the West Half of the Prior Blair DLC #39; thence North 15°01'23" West 444.13 feet to a point when extended being the intersection of the centerline of said River Road and the South Right-of-Way of Horn Lane and also being the **TRUE POINT OF BEGINNING** of the herein annexation description; thence leaving said centerline of River Road and run North 88°09'41" West 52.25 feet to the westerly Right-of-Way of said River Road; thence run along the westerly Right-of-Way of said River Road, North 15°01'23" West 1462.44 feet; thence leaving said westerly Right-of-Way of River Road and run South 86°56'10" East 105.65 feet to the Easterly Right-of-Way of said River Road; thence Run along the Easterly Right-of-Way of River Road South 15°01'23" East 1460.20 feet; thence leaving said easterly Right-of-Way of River road and run North 88°09'41" West 104.49 feet to the point of beginning and there ending, all in Lane County, Oregon.

Containing 3.39± Acres

## River Road Annexation Maynard Ave. to Rosewood Ave.

A portion of the Right-of-Way of River Road (County Road no. 200) located in the Southwest one-quarter of Section 24 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the centerline intersections of East Hillcrest Drive and River Road (County Road No. 200) said point being North 2°09'54" West 4614.83 feet from the Northeast corner of the West Half of the Prior Blair DLC #39; thence North 15°01'23" West 2038.54 feet to a point when extended being the intersection of the centerline of said River Road and the South Right-of-Way of Maynard Avenue; thence leaving said centerline of River Road run, North 87°46'21" West 52.35 feet to the westerly Right-of-Way of said River Road and being the **TRUE POINT OF BEGINNING** of the herein annexation description; thence North 15°01'23" West 743.42 feet to the South Right-of-Way line of Rosewood Avenue; thence leaving said west Right-of-Way line and run South 87°27'15" East 104.89 feet to the East Right-of-Way line; thence along the East Right-of-Way line of said River Road, South 15°01'23" West 742.81 feet; thence leaving said east Right-of-Way line and run North 87°46'21" West 104.71 feet to the true point of beginning and there ending, all in Lane County, Oregon.

Containing 1.71± Acres

## Exhibit C



### Planning Director's Findings and Recommendation Annexation Request for River Road Right-of-Way (City File A 17-6)

<b>Application Submitted:</b> March 28, 2017
<b>Applicant:</b> Eric Favreau, City of Eugene Public Works Engineering; 541/682-2869
<b>Property Included in Annexation Request:</b> Two sections of River Road, between Merry Lane/Arbor Drive and between Maynard Avenue/Rosewood Avenue
<b>Zoning:</b> No Applicable Zoning District (Street Right-of-Way)
<b>Location:</b> River Road between Merry Lane/Arbor Drive and between Maynard Avenue/Rosewood Avenue
<b>Surveyor:</b> Tim Fassbender, City of Eugene
<b>Lead City Staff:</b> Erik Berg-Johansen, City of Eugene Planning Division, 541/682-5437

**EVALULATION:**

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.

<b>EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is:</b>	
<b>(a) Contiguous to the city limits; or</b>	
<b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b>	
<p style="text-align: center;"><b>Complies</b></p> <p><input checked="" type="checkbox"/> <b>YES</b>      <input type="checkbox"/> <b>NO</b></p>	<p><b>Findings:</b> The annexation area is within the City’s urban growth boundary (UGB), and is contiguous to city limits, consistent with subsection (a).</p>
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>	
<p style="text-align: center;"><b>Complies</b></p> <p><input checked="" type="checkbox"/> <b>YES</b>      <input type="checkbox"/> <b>NO</b></p>	<p><b>Findings:</b> Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging efficient use of land and urban service provisions within the UGB, including the following policies from the “Growth Management” section (in <i>italic text</i>):</p> <p style="margin-left: 40px;"><i>Policy 1: The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB.</i></p> <p style="margin-left: 40px;"><i>Policy 9: A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities.</i></p> <p style="margin-left: 40px;"><i>Policy 15. 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 annexation may vary, annexation should occur as land transitions from urbanizable to urban. (page II-C-5)</i></p> <p>The <u>River Road - Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject road sections. With regard to applicable policies of the <u>RR/SC UFP</u>, a portion of the street annexation is within the River Road/Howard subarea; however, none of these subarea policies are applicable to the request. The City’s proposed street annexation is consistent with the following policy under Section 3.8 Police Protection:</p>

		<p><i>Policy 1. As annexation occurs, Eugene shall provide for a level of police service comparable to that received in the remainder of the City.</i></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. 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>The following policies from the River Road and Santa Clara Goals, Findings, Objectives, and Policies section are also relevant to the request:</p> <p><i>Objective 2. Capitalize on existing public expectations by providing further public services which will allow the River Road and Santa Clara areas to achieve urban densities.</i></p> <p><i>Objective 3. Deliver a full range of urban services to the River Road and Santa Clara areas through annexation.</i></p> <p>The following policy from the Transportation Element (Chapter III) is relevant to the request:</p> <p><i>Policy F.14. Address the mobility and safety needs of motorists, transit users, bicyclists, pedestrians, and the needs of emergency vehicles when planning and constructing roadway system improvements.</i></p> <p>Annexation of these two sections of River Road will create clear boundaries for police and other City services, which increases the effectiveness and efficiency of these services. In the current case, speed limits on these sections of River Road are not being enforced. Annexation will also allow for future city road improvements that will benefit residents and businesses in the area.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and applicable refinement plan.</p>
<p><b>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.</b></p>		
<p><b>Complies</b></p> <p><input checked="" type="checkbox"/> <b>YES</b>      <input type="checkbox"/> <b>NO</b></p>		<p><b>Findings:</b> Consistent with this criterion, 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><u>Wastewater</u> This is not relevant as the road sections will not be developed with commercial or residential uses.</p> <p><u>Stormwater</u> There are existing public stormwater lines within River Road. Lane County currently owns and will continue to own and maintain the public storm system within the right-of-way after the annexation.</p> <p><u>Transportation</u> These two sections of River Road will continue to operate as a key transportation facility.</p>

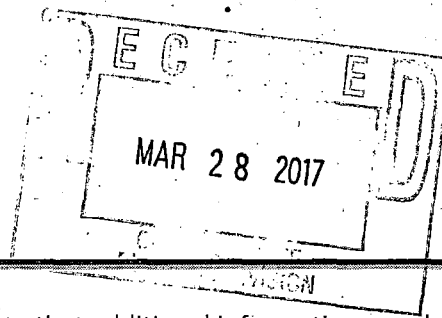
		<p><u>Solid Waste</u> This is not relevant as the road sections will not be developed with commercial or residential uses.</p> <p><u>Water and Electric</u> Eugene Water and Electric Board (EWEB) Water staff confirm that water and electric services are available to the property.</p> <p><u>Public Safety</u> Police protection will be extended upon annexation consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. 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><u>Parks and Recreation</u> A minimum level of park service can be provided to the proposal area as prescribed in the <u>Metro Plan</u>.</p> <p><u>Planning and Development Services</u> Planning and building permit services are provided for all properties located within the urban growth boundary by the City of Eugene.</p> <p><u>Communications</u> This is not relevant as the road sections will not be developed with residential or commercial uses.</p> <p><u>Public Schools</u> This is not relevant as the road sections will not be developed with residential uses.</p>
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**CONCLUSION:**

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with state law.

**INFORMATION:**

- ◆ Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.



**ANNEXATION**

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10<sup>th</sup> Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
Horn to Merry: 17-04-24-22, 17-04-21-24;	N/A		
Rosewood to Maynard:			
17-04-13-32, 17-04-13-33,	N/A		

Property Address: N/A; both properties are Lane County Right-of-Way

Plans for Future Development & Permit Number (if applicable): N/A

Public Service Districts:

Name		
Parks:	River Road Recreational District	
Electric:	Eugene Water and Electric Board	
Water:	Eugene Water and Electric Board	
Sanitary Sewer:	The City of Eugene	
Fire:	Eugene/Springfield	
Schools:	Elementary: See Other	Middle: Kelly High: North
Other:	Elementary: River Rd Elementary and Howard Elementary	

Filing Fee

A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at [www.eugeneplanning.org](http://www.eugeneplanning.org)

Written Statement (Submit 5 copies)

Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

**Site Plan Requirements**

*Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:*

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

**Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)**

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

**Note:** This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.



By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (we), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge. Attachment D

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

SURVEYOR:

Name (print): TIM FASSBENDER

Company/Organization: CITY OF EUGENE

Address: 99 E BROADWAY STE 400

City/State/Zip: EUGENE, OR 97401

Phone: (541) 682-2704 Fax: \_\_\_\_\_

E-mail: TIM.H.FASSBENDER@CI.EUGENE.OR.US

Signature: T. Fassbender

Date: 3-23-17

REPRESENTATIVE (If different from Surveyor):

Attachment D

Name (print): ERIC FAUREAU

Company/Organization: CITY OF EUGENE

Address: 99 E BROADWAY STE 400

City/State/Zip: EUGENE, OR 97401

Phone: (541) 682-2869 Fax:

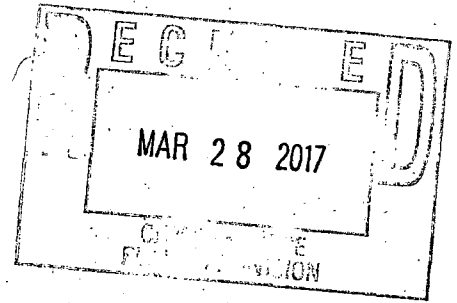
E-mail: ERIC.J.FAUREAU@CI.EUGENE.OR.US

Signature:



Date: 3/20/17

**\*\*Attached additional sheets if necessary.**



## Written Statement

Applicant: City of Eugene

Contact Information: Eric Favreau  
Public Works Engineering Division  
City of Eugene  
99 E Broadway Ste. 400  
Eugene, OR 97401  
541-682-2869  
[Eric.j.favreau@ci.eugene.or.us](mailto:Eric.j.favreau@ci.eugene.or.us)

Surveyor: Tim Fassbender

Date: March 13, 2017

Site: River Road between Horn Lane and Merry Lane; River Road between Rosewood Avenue and Maynard Avenue

**Background:** The City of Eugene as a municipality, currently has a unique situation due to certain roads in the North Eugene and Santa Clara area that are within the Urban Growth Boundary (UGB), but are still legally part of Lane County, and thus are subject to County laws and services. As a means of furthering the goal of unambiguous enforcement areas for City of Eugene police, it has been proposed that two sections of the River Road – from Horn to Merry; and, Rosewood to Maynard – be annexed into the City of Eugene.

**Consistency with Eugene Code (EC) 9.7825:** The proposed annexation is consistent with EC 9.7825 (Annexation Approval Criteria) of the Eugene City Code because as this section of states, the proposed annexation must:

- (1) The land proposed to be annexed is within the city's urban growth boundary and is:*
  - (a) Contiguous to the city limits; or*
  - (b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

From the included section map, it is clear that these sections of River Road are within the UGB and contiguous with land in the city limits, thus adhering to Condition of (1) of EC 9.785. Within both proposed annexation areas, there are multiple annexed properties that have frontage on River Road. Between Horn Ln and Mary Ln these properties include tax lots 2700, 2701, 2702, 3100, 8300, 8400, 8401, 8500, 8600, and 8700 of tax map 17-04-24-21 and tax lot 3100 of tax map 17-04-13-34. Between Rosewood Ave and Maynard Ave, annexed properties include tax lots 0100, 0200, and 0300 of tax map 17-04-13-33 and tax lot 2702 of tax map 17-04-13-32. Furthermore, the two aforementioned sections of road are the only remaining sections of River Road south of Beltline that have not been annexed.

*(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

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 Metro Plan policies listed below support this annexation:

*C. Growth Management, Goals, Findings, and Policies (Chapter II):*

*Policy 1. The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB.*

*Policy 9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities.*

*Policy 15. 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 annexation may vary, annexation should occur as land transitions from urbanizable to urban.*

*F. River Road and Santa Clara Goals, Findings, Objectives, and Policies (Chapter II):*

*Objective 2. Capitalize on existing public expectations by providing further public services which will allow the River Road and Santa Clara areas to achieve urban densities.*

*Objective 3. Deliver a full range of urban services to the River Road and Santa Clara areas through annexation.*

*F. Transportation Element (Chapter III):*

*Policy F.14. Address the mobility and safety needs of motorists, transit users, bicyclists, pedestrians, and the needs of emergency vehicles when planning and constructing roadway system improvements.*

Annexation of these two sections of River Road is consistent with these policies. Given that clearly defined enforcement boundaries for police (and other services) are the most efficient way to allocate municipal resources; poorly defined boundaries mean that services could either overlap with other municipalities, or worse, a region may not be covered at all. In the case of River Road, the latter is the current situation.

As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services.

*(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.*

The Metro Plan defines the minimum level for key urban facilities and services as “wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and

public schools on a district-wide basis". It should also be remembered that the sole impetus behind this annexation is to give City of Eugene Police clearly defined ROW limits for enforcement of City traffic regulations which shows compliance with Condition (3) of EC 9.7825 by providing key urban services in the an efficient manner. 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:

**Wastewater** -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

*No additional properties are being served by wastewater due to this annexation being Right of Way.*

Location and size of existing wastewater line: *These sections of Lane County Right-of-Way do have an existing 8" PVC wastewater line running down constructed in 1989; however, this section of WW pipe is already owned and maintained by the City of Eugene.*

*Zero properties will be served by an extension of an existing gravity wastewater line.*

Where will a wastewater line be extended from? When will it be extended? By whom?

*No properties requiring wastewater service are included in this annexation application. This section of Lane County Right of Way does have an existing 8" PVC wastewater line running down constructed in 1989; however, this section of WW pipe is already owned and maintained by the City of Eugene.*

**Stormwater** -- *Currently, both sections of River Road are being served by Lane County Storm water infrastructure. This includes catch basins, curb inlets, manholes, and storm water lines of various sizes (see included maps for details). As a condition of annexation of these two sections of River Road, the City of Eugene will assume maintenance and operational responsibility for all of the stormwater infrastructure present.*

Is the site currently served by an approved stormwater system? *Yes, Lane County currently owns and will continue to own and maintain the public storm system within the Right-of-Way after the annexation.*

If yes, location? *Within the Right-of-Way*

If no, how will stormwater be handled after development?

**Streets** – What existing streets provide access to this site? List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway.

*This application is to annex two sections of River Road ROW from Chambers to Beltline; at this time, there are no plans to change any access or ingress/egress from these sections. Maynard – Rosewood Section; Howard and East Howard Ave; Horn to Merry: Lindner Lane, Rosetta Ave, Greenleaf Ave, and Sandra Lane.*

Will dedication for additional street right-of-way be required upon further development of this site?

Yes                       No                       Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes                       No                       Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

**Parks, Recreation, and Cultural Services**

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

*This is not applicable. The annexation of ROW from Lane County to the City of Eugene will not generate any additional money for the City's general fund.*

**Public Safety**

**Police services** -- *Police protection will be extended to this site upon annexation consistent with service provision throughout the city. The impetus for this annexation is to give City of Eugene police unambiguous ROW definitions for consistent enforcement of City laws and traffic regulations.*

**Fire and emergency services** -- *This area is currently served by City of Eugene Fire & EMS Department. After annexation, this section of ROW will be still be under Eugene/Springfield Fire and EMS jurisdiction.*

**Emergency medical transport (i.e., ambulance) services** -- *This area is currently served by City of Eugene Fire & EMS Department. After annexation, this section of ROW will be still be under Eugene/Springfield Fire and EMS jurisdiction.*

**Planning and Development Services** -- *Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.*

**Electric Service** – *Which electric company will serve this site? EWEB has overhead power throughout the proposed annexation area.*

**Water Service** – *EWEB has a six-inch pipe in both sections of the ROW that is proposed to be annexed (see included maps for details on the utilities)*

**Solid Waste** -- *Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.*

**Natural Gas** -- *Northwest Natural Gas can extend service to new development in this area.*

**Communications** -- *A variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.*

**Conclusion**

Based on the above findings, the proposed annexation complies with applicable approval criteria. From a consistency of services and specifically providing law enforcement clear enforcements boundaries standpoint, the annexation of these two sections of River Road is the next logical step. Given that there are sections of River Road further north that have already been annexed, the proposed annexation should be viewed through the lens of completeness and consistency of services, rather than the City attempting to extend its influence.

## River Road Annexation

### Horn Lane to Merry Lane

A portion of the Right-of-Way of River Road (County Road no. 200) located in the Southwest one-quarter of Section 24 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the centerline intersections of East Hillcrest Drive and River Road (County Road No. 200) said point being North 2°09'54" West 4614.83 feet from the Northeast corner of the West Half of the Prior Blair DLC #39; thence North 15°01'23" West 444.13 feet to a point when extended being the intersection of the centerline of said River Road and the South Right-of-Way of Horn Lane and also being the **TRUE POINT OF BEGINNING** of the herein annexation description; thence leaving said centerline of River Road and run North 88°09'41" West 52.25 feet to the westerly Right-of-Way of said River Road; thence run along the westerly Right-of-Way of said River Road, North 15°01'23" West 1462.44 feet; thence leaving said westerly Right-of-Way of River Road and run South 86°56'10" East 105.65 feet to the Easterly Right-of-Way of said River Road; thence Run along the Easterly Right-of-Way of River Road South 15°01'23" East 1460.20 feet; thence leaving said easterly Right-of-Way of River road and run North 88°09'41" West 104.49 feet to the point of beginning and there ending, all in Lane County, Oregon.

Containing 3.39± Acres

## River Road Annexation

### Maynard Ave. to Rosewood Ave.

A portion of the Right-of-Way of River Road (County Road no. 200) located in the Southwest one-quarter of Section 24 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

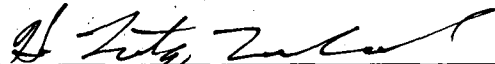
Beginning at the centerline intersections of East Hillcrest Drive and River Road (County Road No. 200) said point being North 2°09'54" West 4614.83 feet from the Northeast corner of the West Half of the Prior Blair DLC #39; thence North 15°01'23" West 2038.54 feet to a point when extended being the intersection of the centerline of said River Road and the South Right-of-Way of Maynard Avenue; thence leaving said centerline of River Road run, North 87°46'21" West 52.35 feet to the westerly Right-of-Way of said River Road and being the **TRUE POINT OF BEGINNING** of the herein annexation description; thence North 15°01'23" West 743.42 feet to the South Right-of-Way line of Rosewood Avenue; thence leaving said west Right-of-Way line and run South 87°27'15" East 104.89 feet to the East Right-of-Way line; thence along the East Right-of-Way line of said River Road, South 15°01'23" West 742.81 feet; thence leaving said east Right-of-Way line and run North 87°46'21" West 104.71 feet to the true point of beginning and there ending, all in Lane County, Oregon.

Containing 1.71± Acres



### Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature:   
Registered Land Surveyor

Print Name: H. TIMOTHY FASSBENDER

Date: 3-23-17

Seal:

## Summary of Urban Service Provision – River Road: Horn to Merry & Rosewood to Maynard

---

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

**Property Owner(s) Name:** *Right of Way for the City of Eugene, currently owned, operated, and maintained by Lane County*

### Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation

(For example: Map 17-03-19-31, Tax Lot 100)

*Right of Way for the City of Eugene*

*Maps: Horn to Merry: 17-04-24-22, 17-04-24-21; Rosewood to Maynard: 17-04-13-33,  
17-04-13-32*

**Wastewater** -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

*No additional properties are being served by wastewater due to this annexation being Right of Way.*

*Location and size of existing wastewater line: These sections of Lane County Right-of-Way do have an existing 8" PVC wastewater line running down constructed in 1989; however, this section of WW pipe is already owned and maintained by the City of Eugene.*

*Zero properties will be served by an extension of an existing gravity wastewater line.*

Where will a wastewater line be extended from? When will it be extended? By whom?

*No properties requiring wastewater service are included in this annexation application. This section of Lane County Right of Way does have an existing 8" PVC wastewater line running down constructed in 1989; however, this section of WW pipe is already owned and maintained by the City of Eugene.*

**Stormwater** -- Currently, both sections of River Road are being served by Lane County Storm water infrastructure. This includes catch basins, curb inlets, manholes, and storm water lines of various sizes (see included maps for details). As a condition of annexation of these two sections of River Road, the City of Eugene will assume maintenance and operational responsibility for all of the stormwater infrastructure present.

Is the site currently served by an approved stormwater system? Yes, the City of Eugene, as part of the annexation the City of Eugene will assume maintenance and operational responsibility for all sections of stormwater infrastructure within the ROW in question for this application.

If yes, location? *Within the Right-of-Way*

If no, how will stormwater be handled after development?

**Streets** – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway.

*This application is to annex two sections of River Road ROW from Chambers to Beltline; at this time, there are no plans to change any access or ingress/egress from these sections. Maynard – Rosewood Section; Howard and East Howard Ave; Horn to Merry: Lindner Lane, Rosetta Ave, Greenleaf Ave, and Sandra Lane.*

Will dedication for additional street right-of-way be required upon further development of this site?

Yes                       No                       Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes                       No                       Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

**Parks, Recreation, and Cultural Services**

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

*This is not applicable. The annexation of ROW from Lane County to the City of Eugene will not generate any additional money for the City's general fund.*

**Public Safety**

**Police services** -- *Police protection will be extended to this site upon annexation consistent with service provision throughout the city. The impetus for this annexation is to give City of Eugene police unambiguous ROW definitions for consistent enforcement of City laws and traffic regulations.*

**Fire and emergency services** -- *This area is currently served by City of Eugene Fire & EMS Department. After annexation, this section of ROW will be still be under Eugene/Springfield Fire and EMS jurisdiction.*

**Emergency medical transport (i.e., ambulance) services** -- *This area is currently served by City of Eugene Fire & EMS Department. After annexation, this section of ROW will be still be under Eugene/Springfield Fire and EMS jurisdiction.*

**Planning and Development Services** -- *Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.*

**Electric Service** -- *Which electric company will serve this site? EWEB has a 6-inch main running through the ROW of Maynard to Rosewood; EWEB has a 6-inch main running through the ROW of Horn Lane to Merry Lane;*

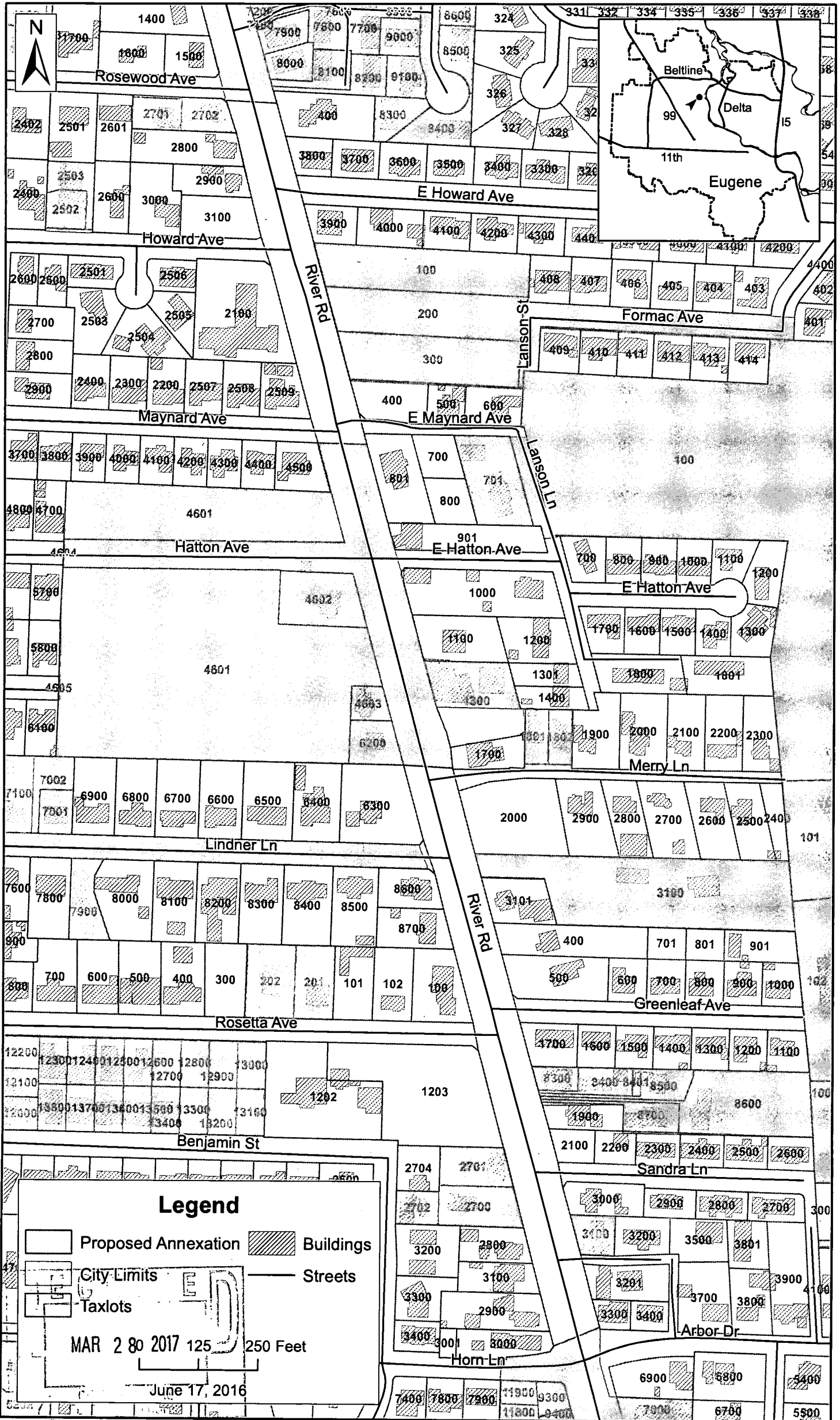
**Water Service** -- *EWEB has a six-inch pipe in both sections of the ROW that is proposed to be annexed (see included maps for details on the utilities)*

**Solid Waste** -- *Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.*

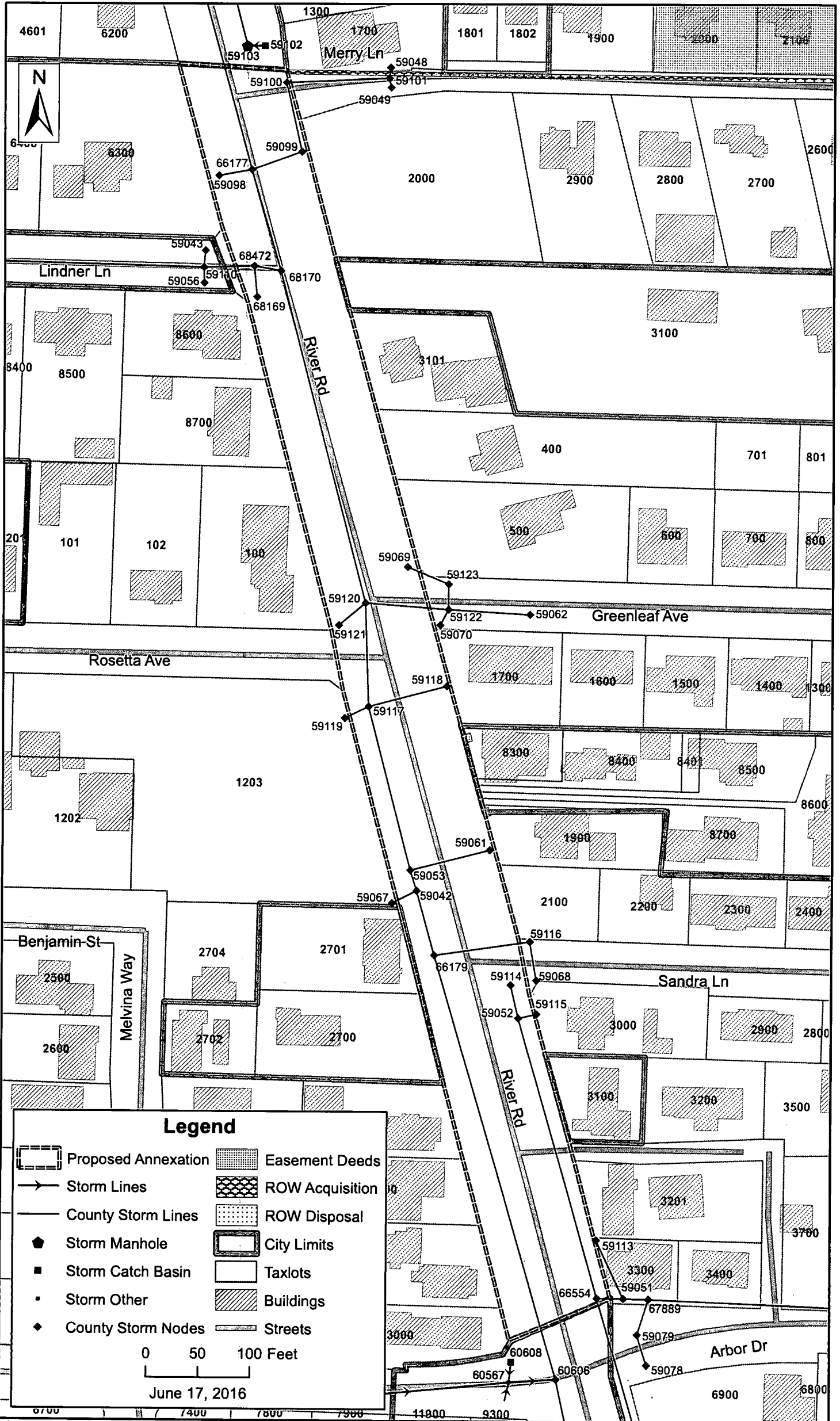
**Natural Gas** -- *Northwest Natural Gas can extend service to new development in this area.*

**Communications** -- *A variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.*

# Proposed River Road Annexation Sections Attachment D



# Merry Lane to Horn Lane Stormwater Infrastructure



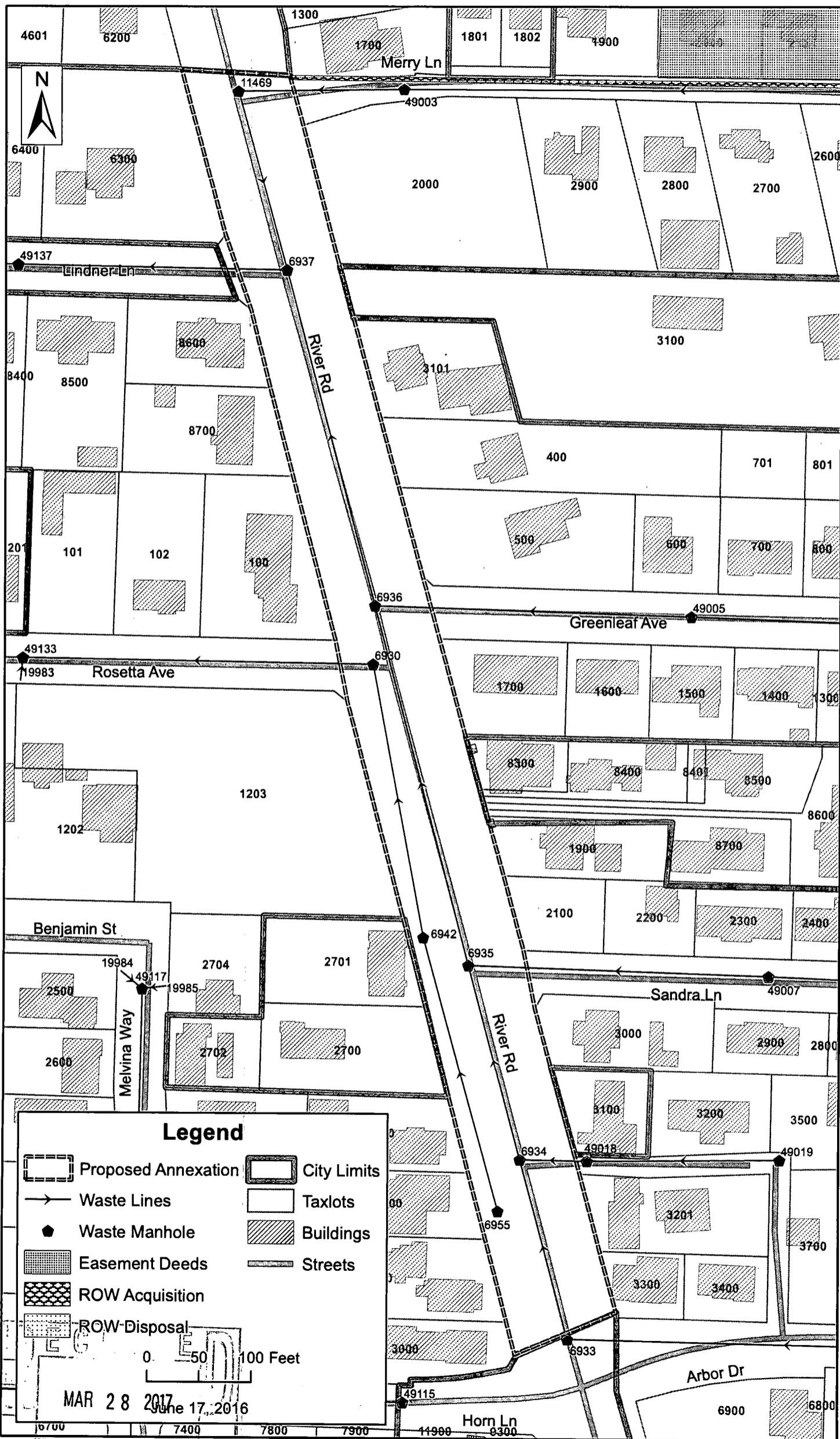
### Legend

- Proposed Annexation
- Storm Lines
- County Storm Lines
- Storm Manhole
- Storm Catch Basin
- Storm Other
- County Storm Nodes
- Easement Deeds
- ROW Acquisition
- ROW Disposal
- City Limits
- Taxlots
- Buildings
- Streets

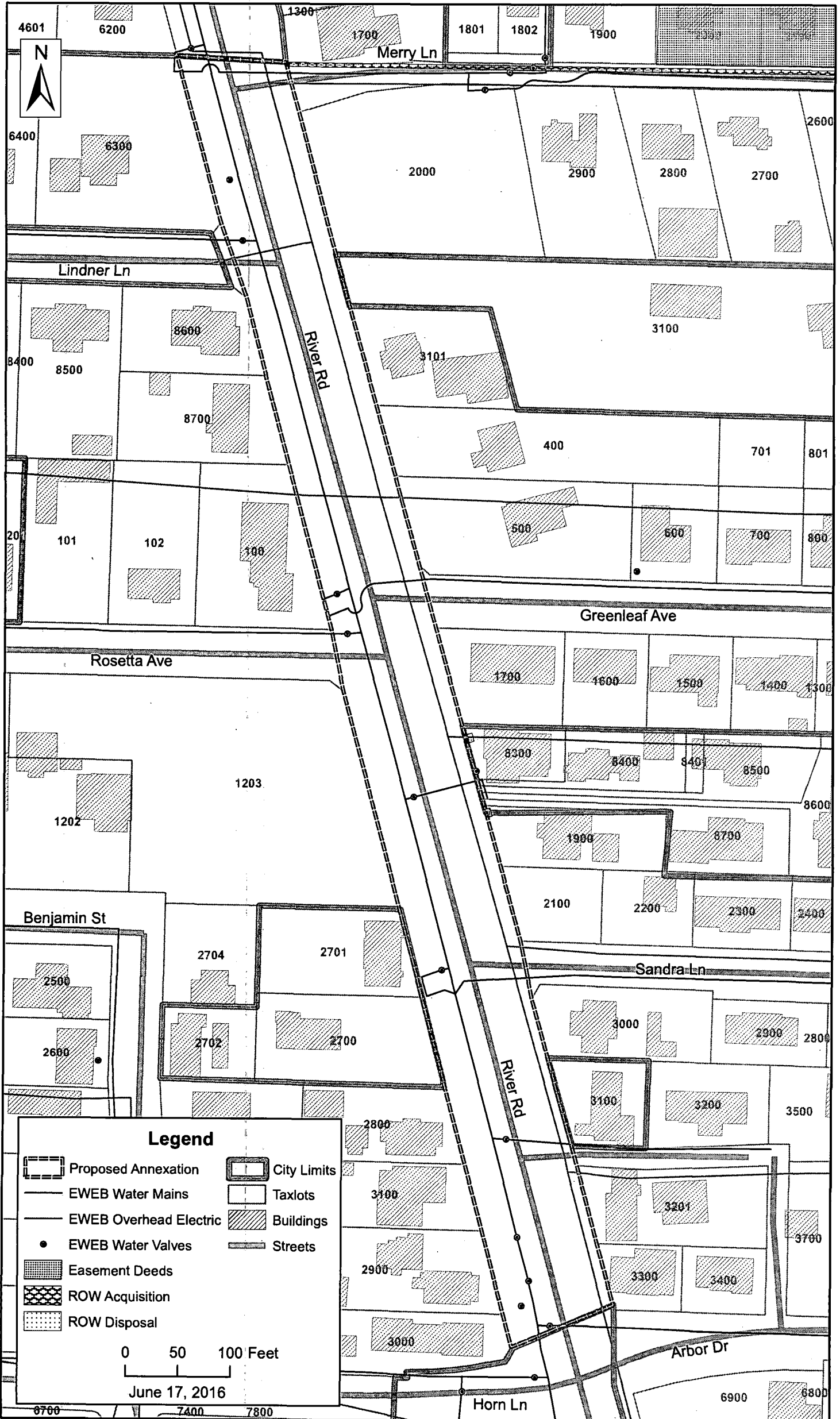
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June 17, 2016

# Merry Lane to Horn Lane Wastewater Infrastructure



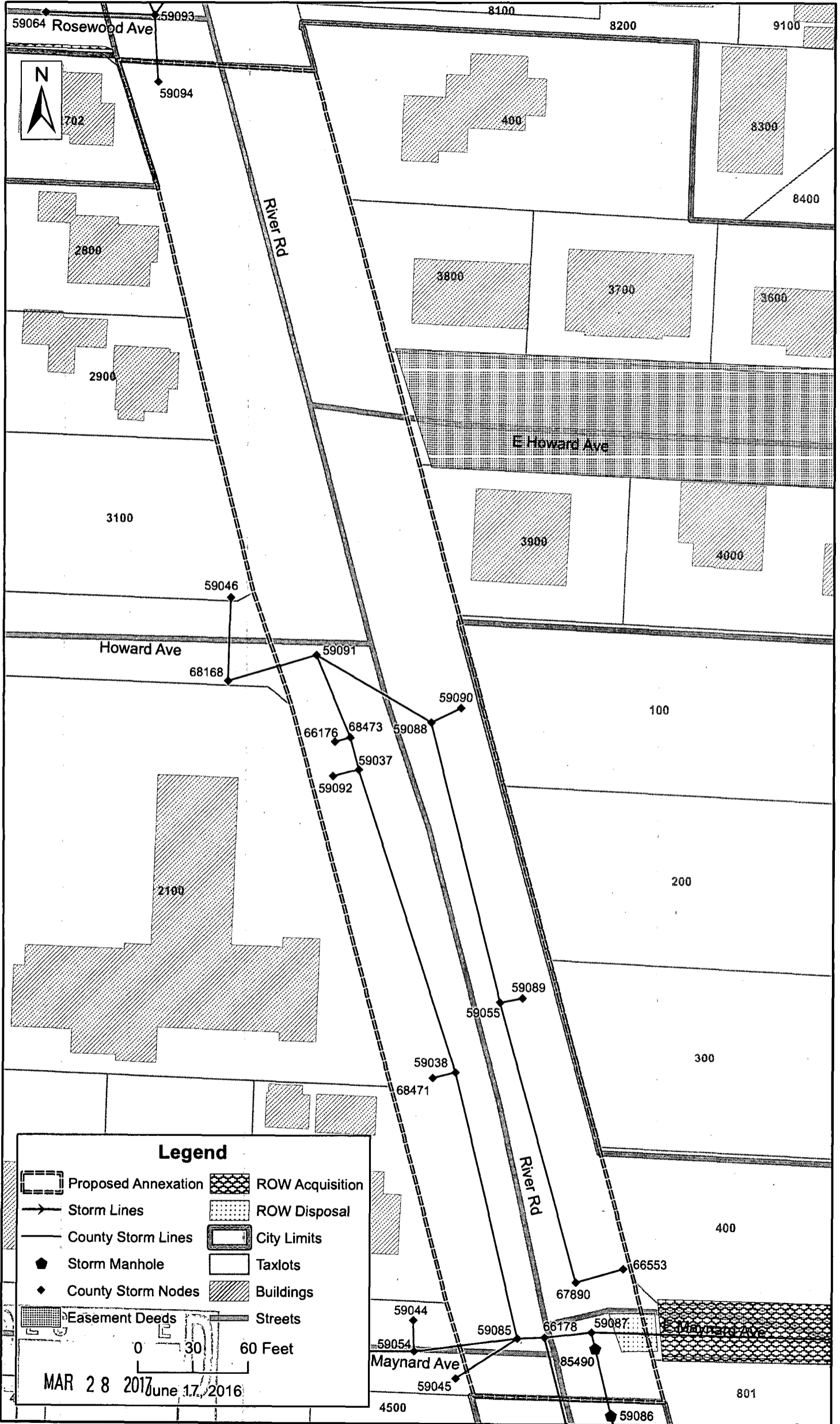
# Merry Lane to Horn Lane Water and Electric Infrastructure





# Rosewood Avenue to Maynard Avenue Stormwater Infrastructure

Attachment D



### Legend

- Proposed Annexation
- Storm Lines
- County Storm Lines
- Storm Manhole
- County Storm Nodes
- Easement Deeds
- ROW Acquisition
- ROW Disposal
- City Limits
- Taxlots
- Buildings
- Streets

0 30 60 Feet

MAR 28 2017 June 17, 2016

CITY OF...  
ENGINEERING DIVISION

# Rosewood Avenue to Maynard Avenue Wastewater Infrastructure

Attachment D



# Rosewood Avenue to Maynard Avenue Water and Electric Infrastructure

Attachment D



## Consent to Annexation

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Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: *Horn Lane to Merry Lane: 17-04-24-22, 17-04-24-21; Rosewood Ave. to Maynard Ave: 17-04-13-33, 17-04-13-32*

Address: N/A; these are sections of Right-of-Way on River Road

Legal Description:

### Horn Lane to Merry Lane

A portion of the Right-of-Way of River Road (County Road no. 200) located in the Southwest one-quarter of Section 24 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the centerline intersections of East Hillcrest Drive and River Road (County Road No. 200) said point being North 2°09'54" West 4614.83 feet from the Northeast corner of the West Half of the Prior Blair DLC #39; thence North 15°01'23" West 444.13 feet to a point when extended being the intersection of the centerline of said River Road and the South Right-of-Way of Horn Lane and also being the **TRUE POINT OF BEGINNING** of the herein annexation description; thence leaving said centerline of River Road and run North 88°09'41" West 52.25 feet to the westerly Right-of-Way of said River Road; thence run along the westerly Right-of-Way of said River Road, North 15°01'23" West 1462.44 feet; thence leaving said westerly Right-of-Way of River Road and run South 86°56'10" East 105.65 feet to the Easterly Right-of-Way of said River Road; thence Run along the Easterly Right-of-Way of River Road South 15°01'23" East 1460.20 feet; thence leaving said easterly Right-of-Way of River road and run North 88°09'41" West 104.49 feet to the point of beginning and there ending, all in Lane County, Oregon.

Containing 3.39± Acres

### Maynard Ave. to Rosewood Ave.

A portion of the Right-of-Way of River Road (County Road no. 200) located in the Southwest one-quarter of Section 24 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the centerline intersections of East Hillcrest Drive and River Road (County Road No. 200) said point being North 2°09'54" West 4614.83 feet from the Northeast corner of the West Half of the Prior Blair DLC #39; thence North 15°01'23" West 2038.54 feet to a point when extended being the intersection of the centerline of said River Road and the South Right-of-Way of Maynard Avenue; thence

leaving said centerline of River Road run, North 87°46'21" West 52.35 feet to the westerly Right-of-Way of said River Road and being the **TRUE POINT OF BEGINNING** of the herein annexation description; thence North 15°01'23" West 743.42 feet to the South Right-of-Way line of Rosewood Avenue; thence leaving said west Right-of-Way line and run South 87°27'15" East 104.89 feet to the East Right-of-Way line; thence along the East Right-of-Way line of said River Road, South 15°01'23" West 742.81 feet; thence leaving said east Right-of-Way line and run North 87°46'21" West 104.71 feet to the true point of beginning and there ending, all in Lane County, Oregon.

Containing 1.71± Acres

In the corporate limits of said city, which is owned by the undersigned

DATED this 7 day of April, 2017.

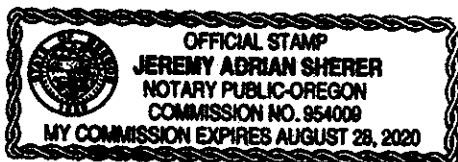
Peggy Keppler  
Peggy Keppler  
County Engineer, Lane Pw

STATE OF OREGON )

County of \_\_\_\_\_ )ss  
\_\_\_\_\_ )

On this 7<sup>th</sup> day of APRIL, 2017, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, PEGGY KEPPLER, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

[Signature]  
Notary Public for Oregon  
My Commission Expires Aug 28, 2020

May 12, 2017

Reg: River Road Street Annexation  
(A 17-6)

Owner of 103 Arbor dr.  
105 Arbor dr. 107 Arbor dr Eugene  
97404

I disagree with the  
annexation request to city  
of Eugene

Dont see or agree with  
with this annexation

Ph. Don Miller  
458-215-4448

Delivered to  
Erik Berg-Johansen Associate Planner  
City of Eugene Planning Division  
99 West 10th Avenue  
Eugene, Or 97401

City of Eugene  
Planning Division

MAY 12 2017

Received

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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## Approval of a Resolution Annexing Land to the City of Eugene Identified as Assessor's Map 17-04-25-13, Tax Lots 2200 and 2300 (Downtown Mini Storage Partnership; A 17-5)

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Meeting Date: May 22, 2017  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 3E  
Staff Contact: Althea Sullivan  
Contact Telephone Number: 541/682-5282

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### **ISSUE STATEMENT**

This item is a request to annex approximately 0.4 acre of land south of Thomason Lane, into the Eugene City limits. The property is located within the Urban Growth Boundary (UGB) and is contiguous to the City limits. No public right-of-way would be annexed as part of this request.

The property is zoned Low-Density Residential with Urbanizable Lands Overlay Zone (R-1/UL) and is designated for Low Density Residential use in the Metro Plan. The applicable refinement plan is the River Road-Santa Clara Urban Facilities Plan, which also designates the property for Low-Density Residential use with a Nodal Development Overlay. Upon approval of the annexation, the base zoning of Low-Density Residential will remain, and the Nodal Development Overlay will automatically be applied. Annexation will allow for future development consistent with the property's designation and the Eugene Code. Plans for future development of the site are not included as part of this annexation application, and any land division of the property will be subject to a separate, future public process.

### **BACKGROUND**

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services. Approval of annexation requests are based on the criteria at Eugene Code (EC) 9.7825 which require that (1) the land proposed to be annexed is within the City's 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice for this annexation request was provided to all owners and occupants of property within 500 feet of the subject property, and the affected neighborhood

association, consistent with Eugene Code requirements. No written testimony has been received as of this date.

Referral comments were provided by affected agencies including City of Eugene Public Works, Lane County Public Works, and 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 applicable refinement plan is the River Road - Santa Clara Urban Facilities Plan. The policies applicable to this request are addressed in the Planning Director's findings and recommendation (Exhibit C to Attachment B).

### **COUNCIL OPTIONS**

City Council may consider the following options:

1. Adopt the resolution
2. Adopt the resolution with specific modifications as determined by the City Council
3. Deny the 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

### **SUGGESTED MOTION**

Move to adopt Resolution No. \_\_\_\_\_, which approves the proposed annexation request consistent with the applicable approval criteria.

### **ATTACHMENTS**

- A. Vicinity Map
- B. 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



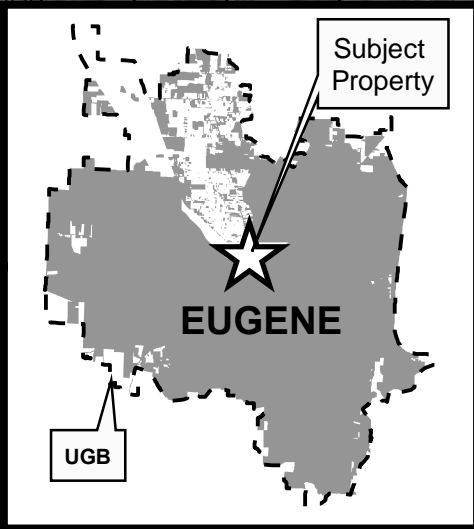
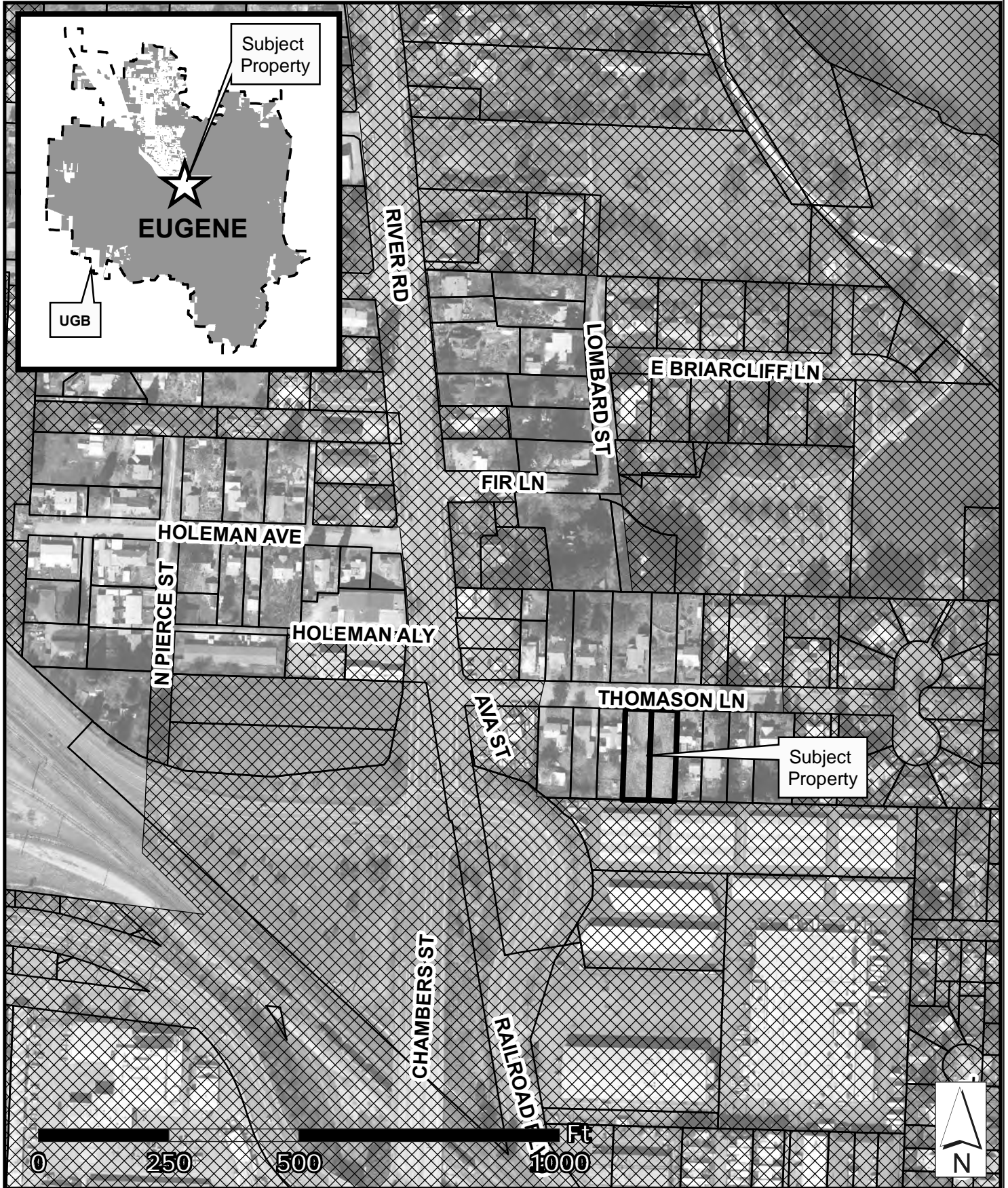
**FOR MORE INFORMATION**

Staff Contact: Althea Sullivan




Telephone: 541/682-5282

Staff E-Mail: [althea.c.sullivan@ci.eugene.or.us](mailto:althea.c.sullivan@ci.eugene.or.us)

# Downtown Mini Storage Partnership (A 17-5)



## Legend

-  Subject Property
-  City Limits
-  Taxlots

Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.

May 2017



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-25-13, TAX LOTS  
2200 AND 2300).**

**The City Council of the City of Eugene finds that:**

**A.** An annexation application was submitted on March 7, 2017, by Donald C. McRae on behalf of Downtown Mini-Storage LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-25-13, Tax Lots 2200 and 2300.

**B.** The property proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit B.

**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 Findings and Recommendation is attached as Exhibit C.

**D.** On April 21, 2017, 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 applicant, owners and occupants of property within 500 feet of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on May 22, 2017.

**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 Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-25-13, Tax Lots 2200 and 2300, depicted on the map attached as Exhibit A, and described in the attached 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 R-1/UL to R-1/ND pursuant to EC 9.7820(3) shall become effective in accordance with State law.

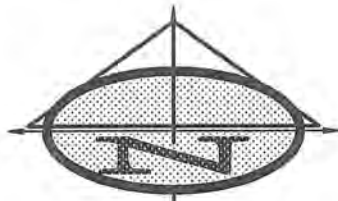
**The foregoing Resolution adopted the \_\_\_ day of May, 2017.**

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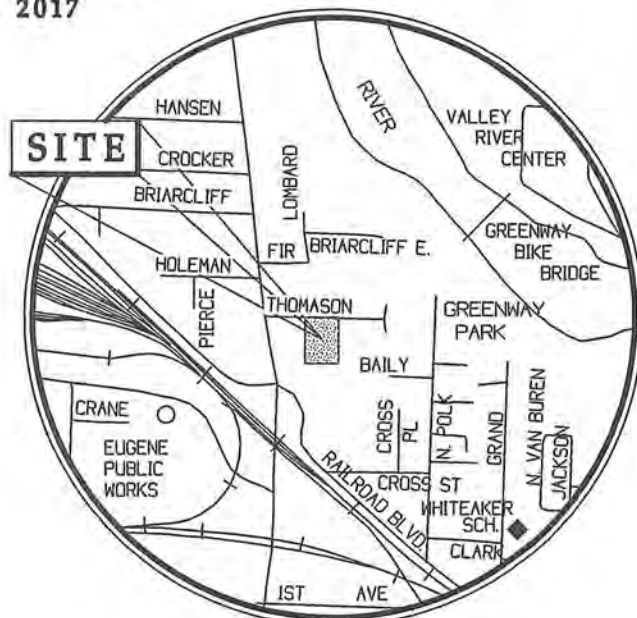
**City Recorder**

**SITE PLAN for DOWNTOWN MINI STORAGE ANNEXATION**

SW 1/4 NE 1/4 SEC. 25 T 17 S, R 4 W W.M.  
 ASSESSOR'S MAP 17-04-25-13 TL No. 2200 & 2300  
 EUGENE, LANE COUNTY, OREGON  
 FEBRUARY 28, 2017

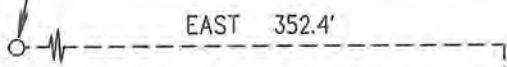


SCALE 1"=60'

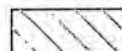


VICINITY MAP  
NO SCALE

PER C.S.F. No. 5753, THIS POINT IS DUE WEST OF A POINT 11.30 CHAINS SOUTH 00°27' WEST OF THE NORTHEAST CORNER OF THE PRIOR F. BLAIR D.L.C. No. 39 TOWNSHIP 17 S, R 4 WEST, WM, LANE COUNTY, OREGON, ALSO 11.66 CHAINS SOUTH 7°40' EAST OF THE INTERSECTION OF THE EAST LINE OF THE PACIFIC HIGHWAY, WITH THE NORTH LINE OF SAID D.L.C. AS MARKED IN THE COUNTY SURVEY No. 609 RECORDED IN BOOK 2 ON PAGE 95 RECORD OF SURVEYS, IN LANE COUNTY, OREGON, THE SAID POINT OF INTERSECTION BEING ACCORDING TO SAID SURVEY 47.44 CHAINS EAST OF THE NORTHWEST CORNER OF THE CLAIM.



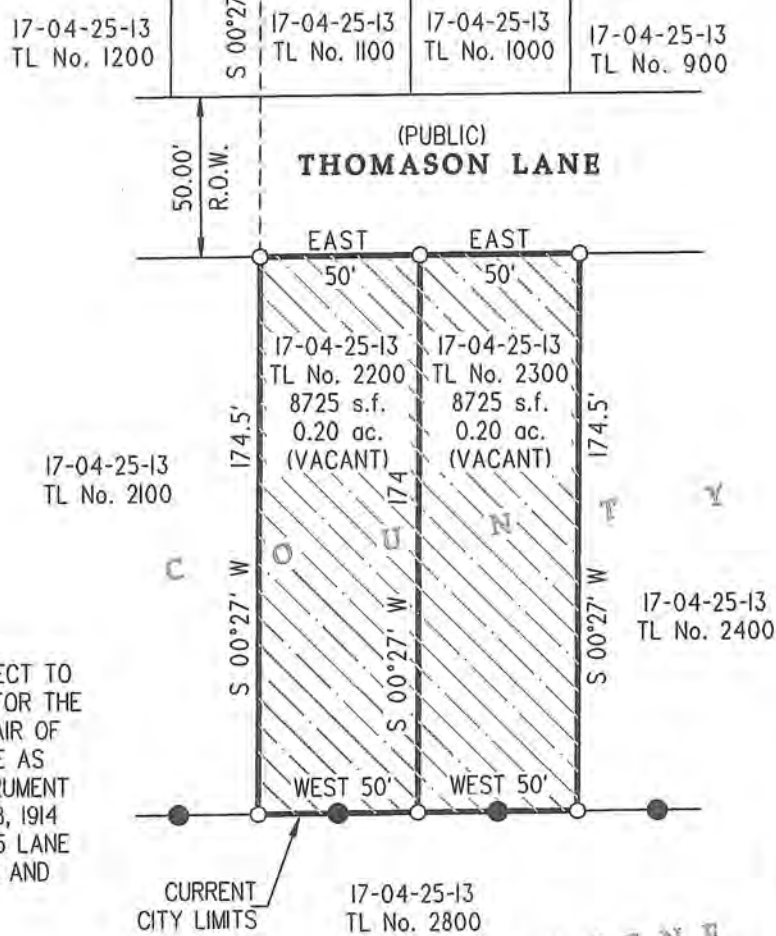
**LEGEND:**



AREA OF ANNEXATION



CITY LIMIT LINE



**NOTE:**

THE PROPERTY IS SUBJECT TO A BLANKET EASEMENT FOR THE INSTALLATION AND REPAIR OF A SANITARY SEWER LINE AS DISCLOSED BY AN INSTRUMENT RECORDED FEBRUARY 28, 1914 IN BOOK 105, PGS. 34-35 LANE COUNTY OREGON DEEDS AND RECORDS.

MAR -7 2017

CITY OF EUGENE

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jonathan A. Oakes*  
 OREGON  
 JULY 13, 1984  
 JONATHAN A. OAKES  
 2105

**POAGE ENGINEERING & SURVEYING, INC.**

P.O. BOX 2527 \* EUGENE, OREGON 97402 \* (541) 485-4505  
 JOB No. 4504 \* DRAWN: KSG\4504.GXD \* 02-17

EXPIRES: DECEMBER 31, 2018

## Exhibit B

**Legal Description for the Annexation of a portion of the Downtown Mini-Storage Property  
to the City of Eugene**

**NE 1/4 SEC. 25 T 17 S, R 4 W W.M.**

**Assessor's Map No. 17-04-25-13, TL No.'s 2200 & 2300**

**March 2, 2017**

Beginning at a point 352.4 feet East and 224.7 feet South 00°27' West of a point on the East line of County Road No. 200 (now Pacific Highway), said point on the East line of said County Road being due West of a point 11.30 chains South 00°27' West of the Northeast corner of the Prior F. Blair D.L.C. No. 39 in Township 17 South, Range 4 West of the Willamette Meridian, also 11.66 chains South 7°40' East of the intersection of the East line of the Pacific Highway with the north line of said D.L.C. No. 39 as marked in County Survey No. 609 recorded in Book 2, Page 95 Record of Surveys in Lane County Oregon, the said intersection point being according to said County Survey 47.44 chains East of the Northwest corner of the claim; thence running East 50.00 feet; thence South 00°27' West 174.50 feet; thence West 50.00 feet; thence North 00°27' East 174.50 feet to the point of beginning, all in Lane County Oregon. (TL No. 2200)

**ALSO:** Beginning at a point 402.4 feet East and 224.7 feet South 00°27' West of a point on the East line of County Road No. 200 (now Pacific Highway), said point on the East line of said County Road being due West of a point 11.30 chains South 00°27' West of the Northeast corner of the Prior F. Blair D.L.C. No. 39 in Township 17 South, Range 4 West of the Willamette Meridian, also 11.66 chains South 7°40' East of the intersection of the East line of the Pacific Highway with the north line of said D.L.C. No. 39 as marked in County Survey No. 609 recorded in Book 2, Page 95 Record of Surveys in Lane County Oregon, the said intersection point being according to said County Survey 47.44 chains East of the Northwest corner of the claim; thence running East 50.00 feet; thence South 00°27' West 174.50 feet; thence West 50.00 feet; thence North 00°27' East 174.50 feet to the point of beginning, all in Lane County Oregon. (TL No. 2300)



## Exhibit C

**Planning Director's Findings and Recommendation  
Annexation Request for Downtown Mini Storage Partnership  
(City File A 17-5)**

<b>Application Submitted:</b> March 7, 2017
<b>Applicant:</b> Downtown Mini Storage Partnership
<b>Location:</b> South of Thomason Lane
<b>Property Included in Annexation Request:</b> Tax Lot(s) 2200 and 2300 of Assessor's Map 17-04-25-13
<b>Zoning:</b> Low-Density Residential (R-1) with Urbanizable Lands overlay (/UL)
<b>Surveyor:</b> Jonathan A. Oakes
<b>Lead City Staff:</b> Althea Sullivan, City of Eugene Planning Division, 541-682-5282

**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.

<b>EC 9.7825(1) The land proposed to be annexed is within the city's urban growth boundary and is:</b>	
<b>(a) Contiguous to the city limits; or</b>	
<b>(b) Separated from the city only by a public right of way or a stream, bay, lake or other body of water.</b>	
<b>Complies</b>	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
<b>Findings:</b> As shown in the application materials and confirmed by City staff, the annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a).	
<b>EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.</b>	
<b>Complies</b>	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
<b>Findings:</b> Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following policies from the Growth Management section (in <i>italic</i> text):	
<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>	
<i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</i>	
<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><i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority (page II-C-5).</i></p> <p><i>Policy 15. 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 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 Low Density Residential use. The <u>River Road – Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject property. An ordinance in 2003 amended the <u>RR/SC UFP</u>, designating properties as part of a Nodal Development area (see Council Ordinance No. 20289). The subject site was included in this area and is designated to have a Nodal Development Overlay (/ND). Upon approval of the annexation, the base zoning of R-1 Low Density Residential will remain, and the /ND overlay will automatically be applied in accordance with EC 9.7820(3); however, the /UL Urbanizable Lands overlay will be automatically removed.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, none of the general “Residential Land Use Policies” 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 discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with the <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>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u>.</p>
<p><b>EC 9.7825(3)</b></p>		<p><b>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.</b></p>
<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p><b>Findings:</b> Consistent with this criterion, 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><u>Wastewater</u> Public wastewater service is available within Thomason Lane. Public Works notes that an “On Hold” wastewater equivalent assessment will become due upon development of the parcels.</p>



Stormwater

Public Works notes that public stormwater systems are not available to serve the subject property, however, there are options for complying with stormwater standards which will be further evaluated at the time of future development.

Transportation

The property abuts Thomason Lane to the north, which is under the jurisdiction of Lane County. Street improvements will be determined at the time of property development. A referral was received from Lane County which encouraged the City to include Thomason Lane with the annexation request. In this case, the site is located in the RR/SC UFP area, and according to EC 9.7815 the City may not modify an application to include right-of-way if it would cause unincorporated property to be surrounded as described by ORS 222.750. As an inclusion of the right-of-way would create the situation previously described, no right-of-way is included in this annexation.

Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric

EWEB Water staff and Electric staff state no objection to the proposed annexation. Water and electric services can be extended in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. 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.

Parks and Recreation

Parks and recreation programs are provided on a City-wide basis. The inclusion of the subject property in the City is sufficient evidence to demonstrate the minimum level of this key urban service is met.

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.

Communications

A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area providing a minimum level of this key urban service.

	<p><u>Public Schools</u></p> <p>The subject property is within the Eugene 4J school district. As access to schools is evaluated on a district wide basis, the property's location within the school district is sufficient evidence to demonstrate the minimum level of this key urban service is met.</p>
--	--

**CONCLUSION:**

Based on the above findings, information submitted to date, and the criteria set forth in EC 9.7825, the proposed annexation is consistent with the applicable approval criteria. A map and legal description showing the area subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

March 6, 2017

**ANNEXATION APPLICATION**

Property Location: Map 17-04-25-13, tax lot 02200 and 02300  
Thomason Lane, Eugene, OR 97402

Owner: Downtown Mini Storage Partnership  
1475 Railroad Blvd  
Eugene, OR 97402

Applicant: same as owner  
Contact: Don McRae, managing partner  
(541)579-5089; donmcrae123@gmail.com

**WRITTEN STATEMENT**

**I. INTRODUCTION AND BACKGROUND**

**1. Description of subject property:**

The subject properties, each 8,725 square feet (approximately 0.2 acres) in size, are designated by the Metro Plan as Low Density Residential. They are zoned R-1 Low-Density Residential with the UL/urbanizable land overlay. Both lots are currently vacant and undeveloped, primarily covered in mowed grass. Both lots are adjacent to the city limits on their southern boundaries. Unless otherwise noted, these two lots will be referred to as “the subject property” in the remainder of this narrative. The subject property is highlighted in red in the following image:



## 2. Summary of land use request:

The applicant requests to annex the subject property, such that the /UL overlay will be removed.

## 3. Application Contents

The information requirements for an annexation application are stated at EC 9.7810(1) through (10). The application form page 2 lists all the required information. That information has been compiled here, as reflected in the check boxes on the application form.

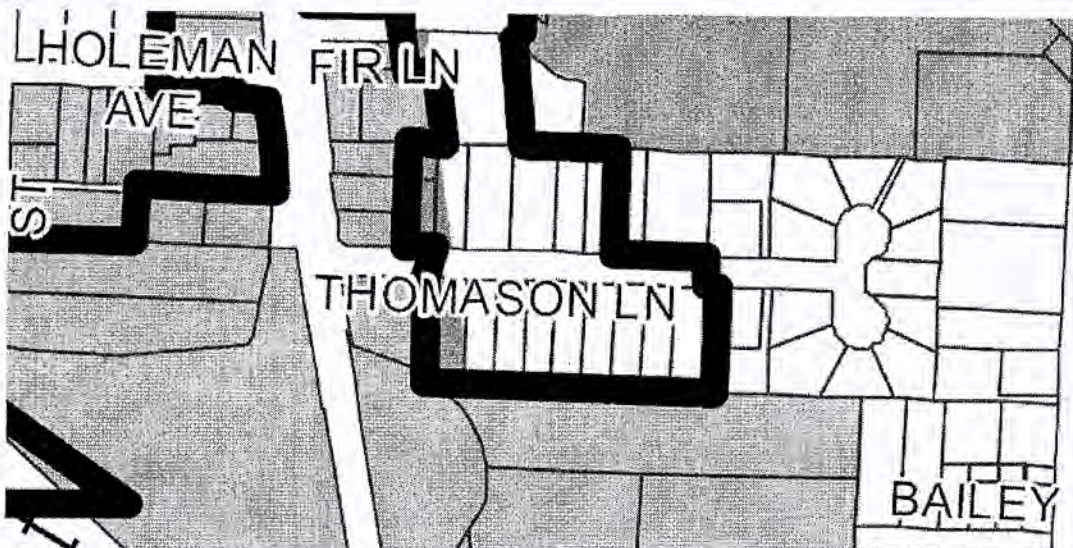
## 4. Criteria for approval of annexation application:

EC 9.7825 provides the primary criteria applicable to an annexation application. This code section refers to additional criteria (such as applicable Metro Plan policies) that will need to be addressed as well.

***EC 9.7825 Annexation – Approval Criteria.*** *The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

- (1) *The land proposed to be annexed is within the city's urban growth boundary and is:*
  - (a) *Contiguous to the city limits; or*
  - (b) *Separated from the city only by a public right of way or a stream, bay, lake or other body of water.*

**Applicant's proposed finding:** the subject property is within the city's UGB. The subject property is immediately contiguous with city limits on its southern boundary. The following image is a detail taken from the city's unofficial web-based zoning map. The heavy black line is the city limits. (The UGB is not depicted in this detail of the zoning map, as it is located a considerable distance to the north.)



*“(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.”*

**Applicant’s proposed finding:** The Metro Plan Policy 10, page 11-C-4, recognizes annexations through this normal process to be the highest priority. As such, the proposal is consistent with this policy

Metro Plan Policy 8, page 11-C-4, provides for annexation when a minimum level of key facilities and services can be provided. This policy is the subject of the annexation standard in (3) below.

Metro Plan Policy 16 provides that land within the UGB shall be annexed to a city and provided with the minimum level of urban facilities and services. It further provides that while the timeframe for annexation may vary, annexation should occur as land transitions from urbanizable to urban. The property is within the UGB and therefore, based on this policy, should be annexed. The provision of facilities and services is addressed in standard (3) below. The property is designated LDR and zoned R-1/UL. Following approval of the annexation request, the /UL overlay will be automatically removed.

Metro Plan Policy 18 is instructional to the City to dissolve special service districts after annexation and to consider intergovernmental agreements with affected special service districts. The applicant does not object to dissolving special service districts, as needed. The proposal is consistent with Policy 18.

*“(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.”*

**Applicant’s proposed finding:** The Metro Plan defines the “Minimum Level” of “key urban facilities and services” as including:

“wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis (in other words, not necessarily within walking distance of all students served).”

Each of these facilities and services is addressed below.

In summary, the minimum level of key urban facilities and services is either immediately available or can be provided within a reasonable future time frame as needed.

**Wastewater services:** Thomason Lane is currently served by sanitary sewer. Currently, there is an 8-inch public wastewater line in the Thomason Lane ROW, adjacent to the subject property. This is shown on page 95 of the Wastewater and Stormwater Infrastructure Map Book 2013, and included as exhibit A. Therefore, this key urban facility already serves the subject property.

**Stormwater services:** As shown in the Infrastructure Map Book described above, there is a 10-inch stormwater line in western portion of Thomason Lane. If this key urban facility needed to be extended for the entire length of Thomason Lane, it could be done so in an orderly manner, simply by tying into the existing stub. It is unclear if additional stormwater plumbing would ever be needed to serve this neighborhood, as the property sits on alluvial gravel deposits and it enjoys excellent soil percolation with no stormwater drainage issues. Therefore, the subject property is already served with this type of key urban facility, which could also be extended further if needed.

**Transportation:** The property is a short distance from River Road to the west, which connects to major streets and arterials, including Northwest Expressway, Chambers St. and local streets, including Railroad Blvd, which becomes W. 1<sup>st</sup> Ave. Therefore, the subject property is already served with this type of “key urban facility.”

**Solid Waste Management:** Private firms and individuals collect and transport solid waste to the Lane County administered landfill. Therefore, the subject property is already served with this type of “key urban facility.”

**Water Service:** Water is available from EWEB main lines in River Road. Therefore, the subject property is already served with this type of “key urban facility.”

**Fire and emergency medical services:** According to RLID, fire protection is currently provided by the Eugene-Springfield Fire and EMS. Upon annexation, the City of Eugene will provide services directly to the property. Therefore, the subject property is already served with this type of “key urban facility.”

**Police Protection:** Police protection will be provided by Eugene, which currently services other properties inside the city. After annexation this property will receive police services on an equal basis with all properties inside the city. Therefore, the subject property is can be served with this type of “key urban facility.”

**City-wide parks and recreation programs:** Park services are already provided to this area, consistent with the Metro Plan. The subject property is within the River Road Parks and Recreation District. According to Lane County’s GIS maps, there are 7 parks within one mile of the subject property: Raisor, Trainsong, Maurie Jacob. Sladden, Scobert, Washington Jefferson, and Skinner Butte parks. Therefore, the subject property is already served with parks.

**Electric Service:** The adjacent properties are served by EWEB, and service can be extended to the subject property.

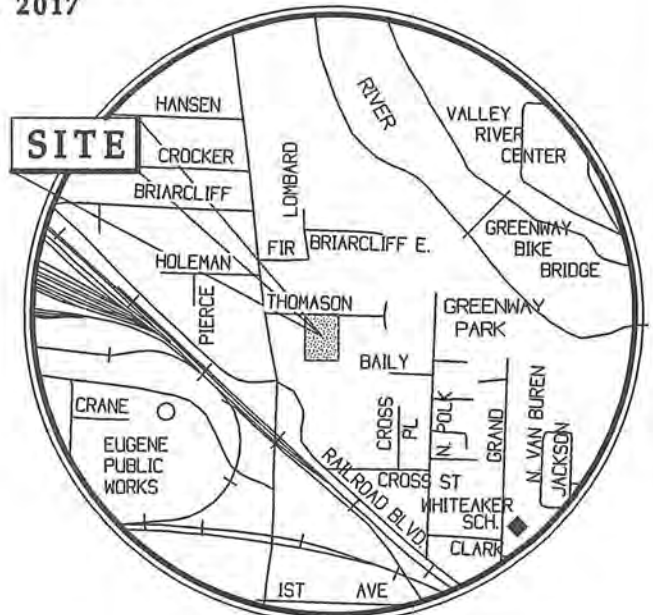
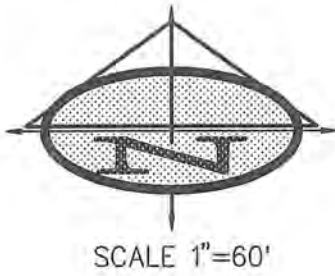
**Land Use Controls:** The subject property is now, and after annexation will continue to be, subject to the land use controls of the City of Eugene.

**Communication Facilities:** Land line phone service, cellular phone and data service, and cable television are available in the area, and can be extended to the subject property.

**Public schools on a district-wide basis:** The Eugene 4J School District serves the annexation area. Existing schools are: River Road elementary, Kelly middle school, and North Eugene High Schools

# SITE PLAN for DOWNTOWN MINI STORAGE ANNEXATION

SW 1/4 NE 1/4 SEC. 25 T 17 S, R 4 W W.M.  
 ASSESSOR'S MAP 17-04-25-13 TL No. 2200 & 2300  
 EUGENE, LANE COUNTY, OREGON  
 FEBRUARY 28, 2017

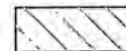


**VICINITY MAP**  
NO SCALE

PER C.S.F. No. 5753, THIS POINT IS DUE WEST OF A POINT 11.30 CHAINS SOUTH 00°27' WEST OF THE NORTHEAST CORNER OF THE PRIOR F. BLAIR D.L.C. No. 39 TOWNSHIP 17 S, R 4 WEST, WM, LANE COUNTY, OREGON, ALSO 11.66 CHAINS SOUTH 7°40' EAST OF THE INTERSECTION OF THE EAST LINE OF THE PACIFIC HIGHWAY, WITH THE NORTH LINE OF SAID D.L.C. AS MARKED IN THE COUNTY SURVEY No. 609 RECORDED IN BOOK 2 ON PAGE 95 RECORD OF SURVEYS, IN LANE COUNTY, OREGON, THE SAID POINT OF INTERSECTION BEING ACCORDING TO SAID SURVEY 47.44 CHAINS EAST OF THE NORTHWEST CORNER OF THE CLAIM.

EAST 352.4'

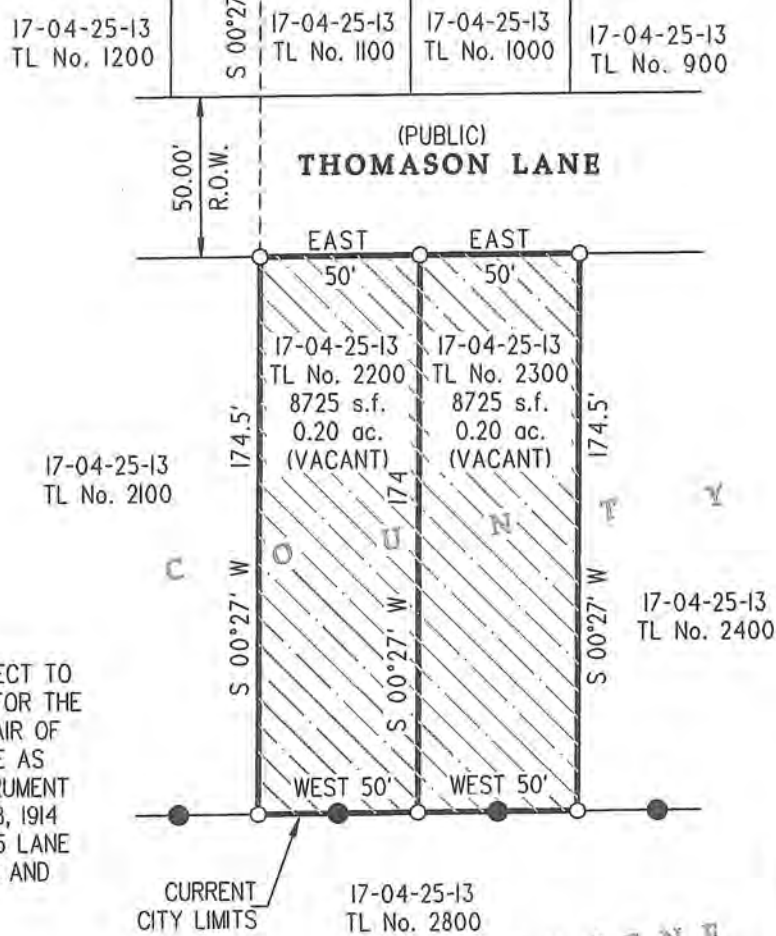
**LEGEND:**



AREA OF ANNEXATION



CITY LIMIT LINE



**NOTE:**

THE PROPERTY IS SUBJECT TO A BLANKET EASEMENT FOR THE INSTALLATION AND REPAIR OF A SANITARY SEWER LINE AS DISCLOSED BY AN INSTRUMENT RECORDED FEBRUARY 28, 1914 IN BOOK 105, PGS. 34-35 LANE COUNTY OREGON DEEDS AND RECORDS.

MAP - 7 - 2017

CITY OF EUGENE

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jonathan A. Oakes*

OREGON  
JULY 13, 1984  
JONATHAN A. OAKES  
2105

**POAGE ENGINEERING & SURVEYING, INC.**  
 P.O. BOX 2527 \* EUGENE, OREGON 97402 \* (541) 485-4505  
 JOB No. 4504 \* DRAWN: KSG\4504.GXD \* 02-17

EXPIRES: DECEMBER 31, 2018



## Summary of Urban Service Provision

---

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

Downtown Mini-Storage Partnership

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation  
(For example: Map 17-03-19-31, Tax Lot 100)

Map 17-04-25-13 Tax Lot 02200

Map 17-04-25-13 Tax Lot 02300

**Wastewater** -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

Thomason Lane, 8" wastewater line

will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

\_\_\_\_\_

---

**Stormwater** -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

no

If yes,  
location? \_\_\_\_\_

If no, how will stormwater be handled after development? -

on-site dry well

Future extension of 10" stormwater line in western portion of Thomason Lane

**Streets** – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. Thomason Lane

Will dedication for additional street right-of-way be required upon further development of this site?

Yes                       No                       Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

Yes                       No                       Unknown

(For more information, contact the City of Eugene Public Works staff at (682-6004.)

**Parks, Recreation, and Cultural Services**

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation: 7 parks within one mile radius.

Raisor, Train song, Maurie Jacob, Sladden, Scobert, Washington Jefferson, and Skinner Butte parks

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

**Public Safety**

**Police services** - Police protection can be extended to this site upon annexation consistent with service provision throughout the city.

**For River Road/Santa Clara area-**

*Police services* - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

*Fire and emergency services* (Please indicate which fire district serves subject property.)

\_\_\_\_\_ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

X River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

**Emergency medical transport (i.e., ambulance) services** are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

**Planning and Development Services** -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

**EWEB** (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

**Electric Service** – Which electric company will serve this site?

EWEB

**Water Service** -- Please provide the size and location of the water main closest to your property. \_\_\_\_\_

EWEB 6" water line in Thomason Lane

**Solid Waste** -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

### Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-25-13-02200 Address: \_\_\_\_\_  
17-04-25-13-02300

Legal Description:

See Attached:  
Legal Discription for The Annexation of a portion of the Downtown Mini-Storage Property to the City of Eugene

In the corporate limits of said city, which is owned by the undersigned

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Downtown Mini-Storage Partnership

Donald C. McRae, managing partner

Donald C. McRae, managing partner

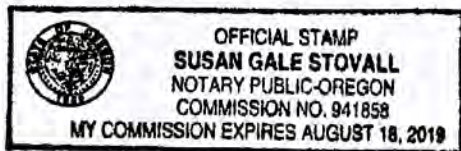
STATE OF OREGON )

)ss

County of )

On this 7<sup>th</sup> day of March, 2017, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Donald C. McRae, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Susan G. Stovall  
Notary Public for Oregon  
My Commission Expires August 18, 2019

Application #: C \* 2008 - \_\_\_\_\_  
For City Use Only

\* CB = Coburg  
CR = Creswell  
FL = Florence  
OA = Oakridge  
CG = Cottage Grove  
EU = Eugene  
JC = Junction City  
SP = Springfield

PETITION

Petition Signature Sheet  
Annexation by Individuals

RECEIVED

MAR 07 2017

Lane County  
Assessment & Taxation

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	Land Owner	Reg Voter	Acres (qty)
<i>Donald C McRae</i>	3/3/17	Donald C McRae	84535 Thomas Truick - Mc, OR 97405	17-04-25-13-02200	✓	✓	.20
<i>Donald C McRae</i>	3/3/17	Donald C McRae	84535 Thomas Truick Eugene, OR 97405	17-04-25-13-02300	✓	✓	.20

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Susan E. Stovall (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.  
X Susan E. Stovall (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

*S. Stovall*  
Lane County Department of Assessment and Taxation

3-7-17  
Date Certified

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 0. I hereby certify that this petition includes 0 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.

*Christina*  
Lane County Clerk or Deputy Signature  
3/3/17  
Date Certified

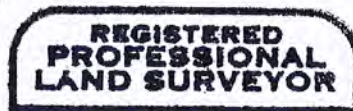
## Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

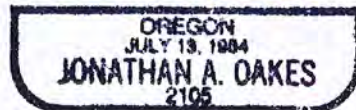
Signature: Jonathan A. Oakes 03.02.2017  
Registered Land Surveyor Date

Print Name: JONATHAN A. OAKES

Seal:



Jonathan A. Oakes



Expires: DEC 31, 2018

**Legal Description for the Annexation of a portion of the Downtown Mini-Storage Property  
to the City of Eugene**

**NE 1/4 SEC. 25 T 17 S, R 4 W W.M.**

**Assessor's Map No. 17-04-25-13, TL No.'s 2200 & 2300**

**March 2, 2017**

Beginning at a point 352.4 feet East and 224.7 feet South 00°27' West of a point on the East line of County Road No. 200 (now Pacific Highway), said point on the East line of said County Road being due West of a point 11.30 chains South 00°27' West of the Northeast corner of the Prior F. Blair D.L.C. No. 39 in Township 17 South, Range 4 West of the Willamette Meridian, also 11.66 chains South 7°40' East of the intersection of the East line of the Pacific Highway with the north line of said D.L.C. No. 39 as marked in County Survey No. 609 recorded in Book 2, Page 95 Record of Surveys in Lane County Oregon, the said intersection point being according to said County Survey 47.44 chains East of the Northwest corner of the claim; thence running East 50.00 feet; thence South 00°27' West 174.50 feet; thence West 50.00 feet; thence North 00°27' East 174.50 feet to the point of beginning, all in Lane County Oregon. (TL No. 2200)

**ALSO:** Beginning at a point 402.4 feet East and 224.7 feet South 00°27' West of a point on the East line of County Road No. 200 (now Pacific Highway), said point on the East line of said County Road being due West of a point 11.30 chains South 00°27' West of the Northeast corner of the Prior F. Blair D.L.C. No. 39 in Township 17 South, Range 4 West of the Willamette Meridian, also 11.66 chains South 7°40' East of the intersection of the East line of the Pacific Highway with the north line of said D.L.C. No. 39 as marked in County Survey No. 609 recorded in Book 2, Page 95 Record of Surveys in Lane County Oregon, the said intersection point being according to said County Survey 47.44 chains East of the Northwest corner of the claim; thence running East 50.00 feet; thence South 00°27' West 174.50 feet; thence West 50.00 feet; thence North 00°27' East 174.50 feet to the point of beginning, all in Lane County Oregon. (TL No. 2300)



S.W. 1/4 N.E. 1/4 SEC. 25 T. 17S. R. 4W. W.M.  
Lane County

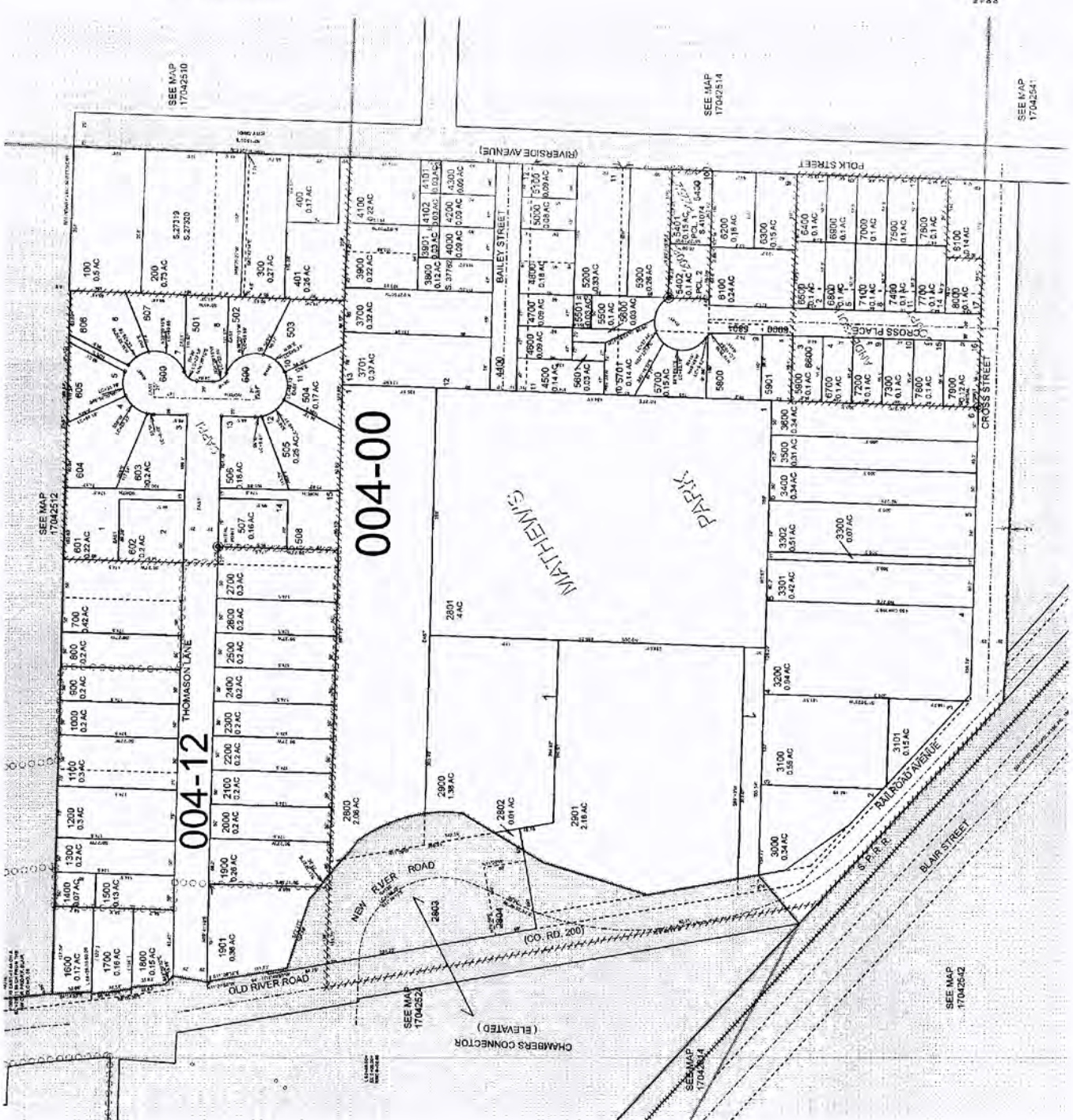
1" = 100'

FOR ASSESSMENT AND  
TAXATION ONLY

CONT. 004 - 2016-08-22 14:20

CANCELLED

- 2803
- 4900
- 5001
- 5801
- 6000
- 6800
- 5400
- 2804



FOR ASSESSMENT AND TAXATION ONLY  
LANSING COUNTY MAP 2015  
LANSING COUNTY  
MAP 1025-1, LOCAL 18, LANSING INTO TOWN

SEE MAP  
17042541

SEE MAP  
17042512

SEE MAP  
17042514

SEE MAP  
17042512

SEE MAP  
17042510



## PRELIMINARY TITLE REPORT

CASCADE ESCROW  
ATTN: MELISSA MITCHELL  
811 WILLAMETTE STREET  
EUGENE, OR 97401

February 16, 2017  
Report No: 0299943  
Your No: EU17-0343  
Seller: DOWNTOWN MINI STORAGE PARTNERSHIP  
Buyer: PEARLSON

<u>PRELIMINARY REPORT FOR:</u>	
Owner's Standard Policy	\$120,000.00
<u>PREMIUMS:</u>	
Owner's Standard Premium	\$500.00
Gov. Lien/Inspect Fee	\$35.00

We are prepared to issue 2006 (6/17/06) ALTA title insurance policy(ies) of OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, in the usual form insuring the title to the land described as follows:

( A T T A C H E D )

Vestee:

DOWNTOWN MINI STORAGE PARTNERSHIP

Estate:

FEE SIMPLE

DATED AS OF: FEBRUARY 07, 2017 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS (Standard Coverage Policy Exceptions):

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

*No liability is assumed hereunder until policy has been issued and full policy premium has been paid.*

**MAIN OFFICE**  
811 WILLAMETTE ST.  
EUGENE, OREGON 97401  
PH: (541) 687-2233 \* FAX: (541) 485-0307  
E-MAIL: [INFO@CASCADETITLE.COM](mailto:INFO@CASCADETITLE.COM)

**FLORENCE OFFICE**  
715 HWY 101 \* FLORENCE, OREGON 97439  
MAILING: PO BOX 508 \* FLORENCE, OREGON 97439  
PH: (541) 997-8417 \* FAX: (541) 997-8246  
E-MAIL: [FLORENCE@CASCADETITLE.COM](mailto:FLORENCE@CASCADETITLE.COM)

**VILLAGE PLAZA OFFICE**  
4750 VILLAGE PLAZA LOOP SUITE 100  
EUGENE, OREGON 97401  
PH: (541) 653-8622 \* FAX: (541) 844-1626  
E-MAIL: [VILLAGEPLAZA@CASCADETITLE.COM](mailto:VILLAGEPLAZA@CASCADETITLE.COM)

Order No. 0299943

Page 2

4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIAL EXCEPTIONS:

6. City Lien, "ON HOLD" as levied by the City of Eugene, Account ID No. 15708, Master Project No. 1991-01003, Job No. 93002649, in the preliminary amount of \$0.00. (Tax Lot 2200)
7. City Lien, "ON HOLD" as levied by the City of Eugene, Account ID No. 15709, Master Project No. 1991-01003, Job No. 93002649, in the preliminary amount of \$0.00. (Tax Lot 2300)
8. Easement, including the terms and provisions thereof, granted to City of Eugene, by instrument recorded February 25, 1914, Reception No. B105 P034, Lane County Oregon Deed Records.
9. Rights of the State Land Board as to mineral and geothermal resources as provided by ORS 273.775 to 273.790.
10. A copy of the Partnership Agreement of Downtown Mini Storage Partnership should be furnished to Cascade Title Company for the purpose of ascertaining partners authorized to execute on behalf of the partnership.

NOTE: Taxes, Account No. 0437382, Assessor's Map No. 17 04 25 1 3, #2200, Code 4-12, 2016-2017, in the amount of \$429.36, PAID IN FULL.

Taxes, Account No. 0437390, Assessor's Map No. 17 04 25 1 3, #2300, Code 4-12, 2016-2017, in the amount of \$429.36, PAID IN FULL.

NOTE: A judgment search has been made on the above named Vestee(s), and we find NONE except as set forth above.

NOTE: As of the date hereof, there are no matters against NIR PEARLSON, which would appear as exceptions in the policy to issue, except as shown herein.

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

Order No. 0299943

Page 3

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

**Cascade Title Co.**

bw: Title Officer: KURT BEATY

Cc: WINDERMERE REAL ESTATE/LANE COUNTY  
ATTN: ED ST CLAIR, JR.

Cc: WINDERMERE REAL ESTATE/LANE COUNTY  
ATTN: KRISTENA COX/JUSTIN SCHMICK

Cc: DOWNTOWN MINI STORAGE PARTNERSHIP

Order No. 0299943

Page 4

## PROPERTY DESCRIPTION

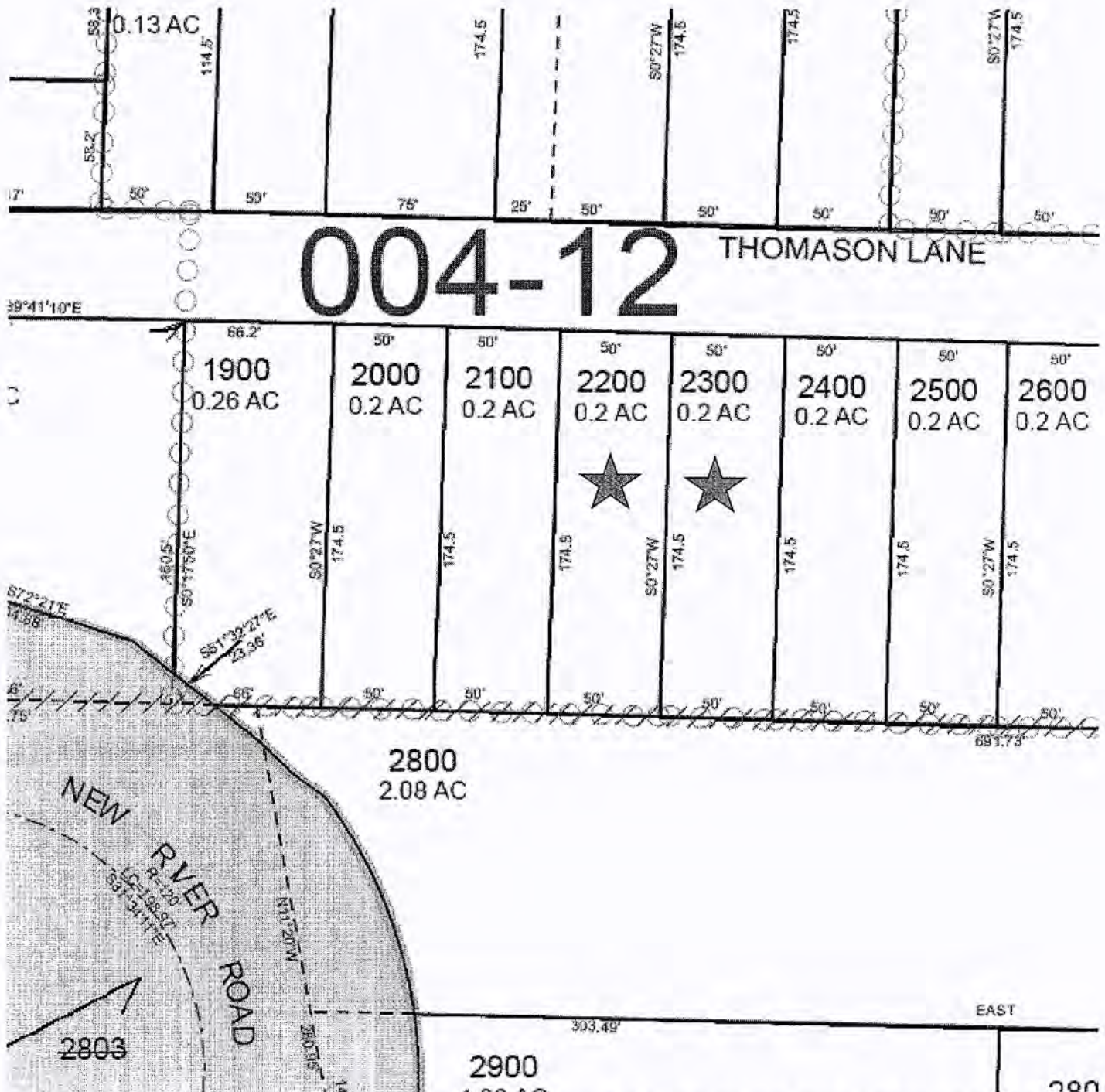
A parcel of land lying in the Prior F. Blair Donation Land Claim No. 39, Township 17 South, Range 4 West, Willamette Meridian, Lane County, Oregon and being that property described in those deeds to Jesse J. and Mary H. Hooper, recorded in Book 268, Page 177 and in Book 327, Page 292, Lane County Oregon Deed Records; the said parcel being described as follows:

Beginning at a point 352.4 feet East and 224.7 feet South 27' West of a point on the East line of the County Road No. 200 (now Pacific Highway) said point on the East line of said County Road being due West of a point 11.30 chains South 27' West of the Northeast corner of the Prior F. Blair Donation Land Claim No. 39, Township 17 South, Range 4 West of Willamette Meridian, Lane County, Oregon, also 11.66 chains South 7° 40' East of the intersection of the East line of the Pacific Highway, with the North line of said Donation Land Claim as marked in County Survey No. 609, recorded in Book 2, Page 95, Record of Surveys, in Lane County, Oregon, the said point of the intersection being according to said County Survey 47.44 chains East of the Northwest corner of the claim and running thence from the above named beginning point East 50 feet; thence South 27' West 174.5 feet; thence West 50 feet; thence North 27' East 174.5 feet to the place of beginning, in Lane County, Oregon.

ALSO beginning at a point 402.4 feet East and 224.7 feet South 27' West of a point on the East line of the County Road No. 200 (now Pacific Highway) said point on the East line of said County Road being due West of a point 11.30 chains South 27' West of the Northeast corner of the Prior F. Blair Donation Land Claim No. 39, Township 17 South, Range 4 West of Willamette Meridian, Lane County, Oregon, also 11.66 chains South 7° 40' East of the intersection of the East line of the Pacific Highway, with the North line of said Donation Land Claim as marked in County Survey No. 609, recorded in Book 2, Page 95, Record of Surveys, in Lane County, Oregon, the said point of intersection being according to said County Survey 47.44 chains East of the Northwest corner of the claim and running thence from the above named beginning point East 50 feet; thence South 27' West 174.5 feet; thence West 50 feet; thence North 27' East 174.5 feet to the place of beginning, in Lane County, Oregon.

# CASCADE TITLE CO.

MAP NO.  
17-04-25-13



THIS MAP/PLAT IS BEING FURNISHED AS AN AID IN LOCATING THE HEREIN DESCRIBED LAND IN RELATION TO ADJOINING STREETS, NATURAL BOUNDARIES AND OTHER LAND, AND IS NOT A SURVEY OF THE LAND DEPICTED. EXCEPT TO THE EXTENT A POLICY OF TITLE INSURANCE IS EXPRESSLY MODIFIED BY ENDORSEMENT, IF ANY, THE COMPANY DOES NOT INSURE DIMENSIONS, DISTANCES, LOCATION OF EASEMENTS, ACREAGE OR OTHER MATTERS SHOWN THEREON.

April 5, 2017

Don McRae, Managing Partner  
Downtown Mini-Storage Partnership  
1475 Railroad Blvd.  
Eugene, OR 97402

Althea Sullivan, Assistant Planner  
City of Eugene Planning Division  
990 West 10<sup>th</sup> Avenue  
Eugene, OR 97401

Received

APR 06 2017

City of Eugene  
Planning Division  
By email to  
althea sullivan

Re: Completeness Review for: Downtown Mini Storage Partnership (A 17-5)

Dear Ms. Sullivan,

Thank you for sending me the City of Eugene's Completeness Review for: Downtown Mini Storage Partnership (A 17-5). I am herein submitting all of the materials identified as missing by the City in the April 4, 2017, completeness review letter.

Specifically, the completeness review letter requested the applicant to address relevant provisions in the River Road / Santa Clara Urban Facilities Plan (RR/SC UFP), which serves as the applicable adopted Refinement plan for the area included in this annexation proposal. The 2003 Council Ordinance (No. 20289) amended the RR/SC UFP and the Metro Plan adding to this property a Nodal Development overlay zone (/ND). The property is designated Low-Density Residential on the Land Use Diagram in the Metro Plan and in the Refinement plan. Upon City Council approval of the annexation application, the existing /UL urbanizable land overly will be removed from the subject property, and the /ND nodal development overlay zone will be applied, consistent with the RR/SC UFP.

The findings adopted in support of Ordinance No. 20289 provide additional support to the applicant's position that the requested annexation is consistent with the Metro Plan, applicable refinement plans, and that the uses and density allowed on this property can be served through the orderly extension of key urban facilities and services. The annexation of these vacant residential lots will add to buildable land inventory in Eugene, meeting the goals of Nodal Development and compact urban growth in the existing node.

Pursuant to ORS 227.178(2)(a), please deem the application complete on receipt of this letter, which includes the materials identified by the city's letter of incompleteness.

Thank you for your assistance with this matter.

Respectfully submitted,  
Don McRae



Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10<sup>th</sup> Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17042513	2200	R-1/UL	0.2
17042513	2300	R-1/UL	0.2

Property Address: N/A

Plans for Future Development & Permit Number (if applicable): N/A

Public Service Districts:

Name		
Parks:	River Road Park and Recreation District	
Electric:	EWEB	
Water:	EWEB	
Sanitary Sewer:	Eugene-Springfield Metropolitan Wastewater Management Commission	
Fire:	Eugene/Springfield Fire & EMS	
Schools:	Elementary: River Road	Middle: Kelly High: North Eugene
Other:		

**Filing Fee**

- A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at [www.eugeneplanning.org](http://www.eugeneplanning.org)

**Written Statement (Submit 5 copies)**

- Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).



**Site Plan Requirements**

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 14" sheet of paper. Site plans shall include the following information:

- Show the date & north arrow on site plan.
- Show the Assessor's Map and Tax Lot number(s) on the site plan.
- Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- Show city limits & UGB (if applicable)
- Clearly label the affected territory and any public right of ways to be annexed.
- Show all adjacent streets, alleys, and accessways.
- Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- Show the location of all existing structures.

**Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)**

- Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- Notarized Consent to Annexation form.
- A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- Summary of Urban Service Provision form.
- A county Assessor's cadastral map. *(Available at Lane County Assessment & Taxation)*
- Census Information Sheet.

**Note:** This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined in Attachment C and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 2200 and 2300

Name (print): Downtown Mini Storage Partnership

Address: 1475 Railroad Blvd Email: lynnkling@gmail.com donmcrae123@gmail.com

City/State/Zip: Eugene, OR 97402 Phone: 541-579-5089

Signature: Donald Mc Crae, Managing Partner Date: 3-6-17

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PROPERTY OWNER OF TAX LOT: \_\_\_\_\_

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SURVEYOR:**

Name (print): Jonathan A. Oakes

Company/Organization: Poage Engineering & Surveying

Address: 990 Olive St. P.O. BOX 2527

City/State/Zip: Eugene, OR 97402 Phone: (541) 485-4505 Fax: \_\_\_\_\_

E-mail: oakes@poage.net

Signature: Jonathan A. Oakes Date: 03-07-2017

REPRESENTATIVE (If different from Surveyor):

Name (print): Donald McRae

Company/Organization: Downtown Mini-Storage Partnership

Address: 1475 Railroad Blvd

City/State/Zip: Eugene, OR 97402 Phone: 541-579-5089 Fax:

E-mail: donmrae123@gmail.com

Signature: Donald C McRae Date: 3-6-17

**\*\*Attached additional sheets if necessary.**

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Action: An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Policy H.2 to Clarify Eugene May Adopt Aspirational Park Plans

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Meeting Date: May 22, 2017  
Department: Public Works  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 4  
Staff Contact: Carolyn Burke  
Contact Telephone Number: 541-682-4914

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## ISSUE STATEMENT

This meeting is an opportunity for the City Council to deliberate and take action on a Type I Metro Plan amendment to amend a policy that governs whether a plan for future development of the parks and recreation system must be adopted as land use plan policy. This Type I, single jurisdiction amendment to the Metro Plan only requires approval by the Eugene City Council.

## BACKGROUND

The Eugene Parks and Open Space and Recreation Divisions are in the process of developing a new plan for future capital improvements in the city-wide system of park and recreation facilities, called the Eugene Parks and Recreation System Plan. The previous plan, the Parks, Recreation and Open Space Comprehensive Plan (PROS plan), was adopted by the City Council in 2006, but was later appealed to LUBA, and ultimately remanded back to the city to address an inconsistency with one particular Metro Plan Policy. The 2006 PROS plan was not intended to be a land use regulation, but LUBA determined that the Metro Plan prohibited the city from adopting the 2006 PROS plan unless it included the PROS plan as part of the City's land use code. In response, the city chose not to adopt the 2006 PROS plan at all. Like the 2006 plan, the new Eugene Parks and Recreation System Plan is not intended to be a land use regulation. The proposed ordinance would amend the Metro Plan to resolve this policy inconsistency so that the city can adopt the new Eugene Parks and Recreation System Plan as intended.

The Metro Plan currently contains a policy requiring the City's policies for future parks and recreation facilities to be adopted as land use policy and incorporated into the land use code.

Policy H.2 in Section H in Chapter III of the Metro Plan provides:

*Local parks and recreation plans and analyses shall be prepared by each jurisdiction and coordinated on a metropolitan level. The park standards adopted by the applicable city and incorporated into the city's development code shall be used in local development processes.*

This policy dates back to an era when the inventory of developable land within Eugene and Springfield's shared UGB did not account for (subtract) land for public parks and open space. The City's new buildable lands inventory includes this accounting; it explicitly excludes the land needed for future public parks, so that the planning, acquisition, design and development of land for future parks will not impact the residential buildable lands inventory. This makes the Policy H.2 unnecessary for Eugene.

With this in mind, the Parks and Open Space Division and Recreation Division chose to draft the new plan for future parks and recreation capital development as an aspirational plan, rather than one that imposes specific requirements integrated into the Metro Plan and the land use code. There are several reasons for this. The policies and proposed projects that will be included in the new Parks and Recreation System Plan are for land acquired and owned by the city—there will not be any prescriptive policies that place limitations on use or development of private land. The development of the new Parks and Recreation System Plan has already involved input from more than 10,000 Eugene community members, and represents a broad future vision for development of park and recreation facilities on public lands based upon the stated preferences of the community. With this in mind, the collective assessment of staff is that adding a land use approval process on top of this massive public engagement campaign will not improve the plan or add value or effectiveness to the adoption process. Finally, staff concludes that no land use related policy is necessary in the new Parks and Recreation System Plan to carry out a robust vision for future development of Eugene's park and recreation facilities.

### Proposed Amendment

The proposed Metro Plan Amendment would add the following sentence to Policy H2:

*This Policy does not apply to the City of Eugene, where a park and recreation plan may be aspirational in nature and does not need to be adopted as a land use plan.*

This approach confines the impact of the amendment to Eugene alone, leaving the other jurisdictions to approach this issue as they see fit, while clarifying that Eugene's adoption of an aspirational plan will be consistent with the Metro Plan. The draft ordinance containing the proposed amendment is shown in Attachment A.

### Eugene Planning Commission Public Hearing

The Eugene Planning Commission held a public hearing on the proposed Metro Plan Amendment on March 14, 2017. There were no requests to speak at the public hearing. The Planning Commission closed the public hearing and discussed the item. A key concern expressed by Commissioners was that they wanted to see more frequent and more broadly shared information from the Parks and Open Space Division on how it has implemented the existing plan and accompanying Bond Measure from 2006 and how it implements any future bond measures. Parks and Open Space representatives explained that this effort is already underway with additional reporting on the 2006 PROS Bond implementation, and that an expanded effort would be made with measuring and reporting progress on future plan implementation and any future Parks and Recreation funding measures.

An additional concern raised by the Commission was whether the change in the policy would result in reduced coordination with other metropolitan area park and recreation agencies. Parks and Open Space representatives explained that this type of coordination is of high importance and that it is on-going. One such example of this coordination is the fifteen-member Rivers to Ridges Partnership. It was also pointed out that a policy in the Metro Plan is not the most effective trigger for the level of on-going coordination that is needed between Metro-area parks and recreation agencies. This is because the Metro Plan policy is only invoked at the time of adoption of a new plan or adoption of changes to an existing plan, whereas the coordination among these parks agencies is needed during all phases of plan development, adoption, and implementation.

#### City Council Public Hearing

The City Council held a public hearing on the proposed Metro Plan Amendment on May 15, 2017. One individual testified, but did not address the matter of this ordinance. No written testimony was submitted. The public hearing was closed and there were no questions or discussion on the item.

#### Next Steps

If adopted, the ordinance will become effective 30 days after approval.

#### **RELATED CITY POLICIES**

- Council goal for Accessible and Thriving Culture and Recreation (*a community where arts and outdoors are integral to our social and economic well-being and are available to all*).
- Council goal for Fair, Stable and Adequate Financial Resources (*a government whose ongoing financial resources are based on a fair and equitable system of revenues and are adequate to maintain and deliver municipal services*).

#### **COUNCIL OPTIONS**

1. Approve the ordinance to amend Metro Plan Policy H-2, as written in Attachment A.
2. Approve the ordinance to amend Metro Plan Policy H-2, as written in Attachment A, with modifications.
3. Decline to approve the ordinance.

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

The City Manager recommends Option 1, approve the ordinance to amend Metro Plan Policy H-2, as written in Attachment A.

#### **SUGGESTED MOTION**

Move to adopt Council Bill 5175, an ordinance to amend Metro Plan Policy H-2, as written in Attachment A.

**ATTACHMENTS**

- A. Proposed ordinance for amendment to Metro Plan Policy H-2.
- B. Metro Plan Amendment Findings

**FOR MORE INFORMATION**

Staff Contact: Carolyn Burke, Parks and Open Space Planning Manager

Telephone: 541-682-4914

Email: [carolyn.j.burke@ci.eugene.or.us](mailto:carolyn.j.burke@ci.eugene.or.us)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN POLICY H.2 TO CLARIFY EUGENE MAY ADOPT ASPIRATIONAL PARK PLANS.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Eugene-Springfield Metropolitan Area General Plan is amended to add new text to the end of Policy H.2 in Section H in Chapter III of the Metro Plan, to provide:

H.2 Local parks and recreation plans and analyses shall be prepared by each jurisdiction and coordinated on a metropolitan level. The park standards adopted by the applicable city and incorporated into the city’s development code shall be used in local development processes. *[This Policy does not apply to the City of Eugene, where a park and recreation plan may be aspirational in nature and does not need to be adopted as a land use plan.]*

**Section 2.** The findings set forth in Exhibit A attached to this Ordinance are provided in support of this ordinance.

**Section 3.** This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002.

**Passed by the City Council this**  
\_\_\_\_ day of \_\_\_\_\_, 2017

**Approved by the Mayor this**  
\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
**City Recorder**

\_\_\_\_\_  
**Mayor**



## Findings

### Metro Plan Amendment (City File MA 17-2)

#### Metro Plan Amendment (City File MA 17-2)

The policy with the amendment showing in ***bold underline italics*** is provided below:

*H.2 Local parks and recreation plans and analyses shall be prepared by each jurisdiction and coordinated on a metropolitan level. The park standards adopted by the applicable city and incorporated into the city's development code shall be used in local development processes. ***This Policy does not apply to the City of Eugene, where a park and recreation plan may be aspirational in nature and does not need to be adopted as a land use plan.****

#### Findings

Eugene Code Section 9.7735 requires that the following approval criteria (in ***bold italics***) be applied to a Metro Plan amendment:

***Criteria for Approval of Plan Amendment. The following criteria shall be applied by the city council in approving or denying a Metro Plan amendment application:***

***(1) The proposed amendment is consistent with the relevant Statewide Planning Goals; and***

***Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.***

The City has acknowledged provisions for citizen involvement which ensure the opportunity for citizens to be involved in all phases of the planning process and set out requirements for such involvement. The amendment does not amend the citizen involvement program. The process for adopting this amendment complies with Goal 1 because it is consistent with the citizen involvement provisions.

This amendment anticipates the future adoption of a new park and recreation plan. The citizen involvement process for the draft Eugene Parks and Recreation System Plan has far exceeded any previous standards established for citizen and community involvement. More than 10,000 interactions with Eugene community members have occurred thus far through online surveys, phone surveys, small group discussions, and more than forty public events in parks and other public spaces designed to gather input.

The Planning Commission public hearing on the proposal was duly noticed to all individuals who have requested notice, as well as to the City of Springfield and Lane County. In addition, notice of the public hearing was also published in the Register Guard. The City Council will hold a duly noticed

## Exhibit A

public hearing to consider approval, modification, or denial of the code amendments. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the proposed ordinance is consistent with Statewide Planning Goal 1.

*Goal 2 - Land Use Planning.* *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

Eugene's land use code specifies the procedure and criteria that were used in considering these amendments. The record shows that there is an adequate factual base for the amendments. The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens.

To comply with the Goal 2 coordination requirement, the City provided notice to the City of Springfield, Lane County, and Lane Council of Governments. The City provided notice of the proposed action and opportunity to comment to the Oregon Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for these amendments. Therefore, the amendments are consistent with Statewide Planning Goal 2.

*Goal 3 - Agricultural Lands.* *To preserve agricultural lands.*

*Goal 4 - Forest Lands.* *To conserve forest lands.*

The amendments do not affect any land designated for agricultural or forest use. Therefore, Statewide Planning Goals 3 and 4 do not apply.

*Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources.* *To conserve open space and protect natural and scenic resources.*

*OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:*

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

This amendment does not create or amend the City's list of Goal 5 resources, does not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5, does not allow new uses that could be conflicting uses with a significant Goal

## Exhibit A

5 resource site and does not amend the acknowledged urban growth boundary. Therefore, Statewide Planning Goal 5 does not apply.

*Goal 6 - Air, Water and Land Resource Quality.* *To maintain and improve the quality of the air, water and land resources of the state.*

Goal 6 addresses waste and process discharges from development, and is aimed at protecting air, water and land from impacts from those discharges. The amendment does not affect the City's ability to provide for clean air, water or land resources. Therefore, Statewide Planning Goal 6 does not apply.

*Goal 7 - Areas Subject to Natural Disasters and Hazards.* *To protect life and property from natural disasters and hazards.*

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires and prohibits development in natural hazard areas without appropriate safeguards. The amendment does not affect the City's restrictions on development in areas subject to natural disasters and hazards. Therefore, Statewide Planning Goal 7 does not apply.

*Goal 8 - Recreational Needs.* *To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is largely concerned with the provision of large destination facilities in non-urban areas. Neither Goal 8 nor DLCD's rules requires cities to adopt local park plans. Nonetheless, the City of Eugene is anticipating the future adoption of a local park plan. The amendment allows the City of Eugene flexibility in the process for adoption of Eugene's park and recreation plan. To the extent Statewide Planning Goal 8 is applicable (if at all), this amendment is consistent with Statewide Planning Goal 8.

*Goal 9 - Economic Development.* *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The amendment does not change available opportunities for economic activities. Therefore, Statewide Planning Goal 9 does not apply.

*Goal 10 - Housing.* *To provide for the housing needs of citizens of the state.*

The amendment does not impact provision of housing. Therefore, Statewide Planning Goal 10 does not apply.

*Goal 11- Public Facilities and Services.* *To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.*

## Exhibit A

The amendment does not affect the City's provision of public facilities and services. Therefore, Statewide Planning Goal 11 does not apply.

*Goal 12- Transportation. To provide and encourage a safe, convenient and economic transportation system.*

The amendment does not impact transportation. Therefore, Statewide Planning Goal 12 does not apply.

*Goal 13 - Energy Conservation. To conserve energy.*

The amendment does not impact energy conservation. Therefore, Statewide Planning Goal 13 does not apply.

*Goal 14 - Urbanization. To provide for an orderly and efficient transition from rural to urban land use.*

The amendment does not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

*Goal 15 - Willamette River Greenway. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

The amendment does not contain any changes that affect the Willamette River Greenway regulations, Therefore, Statewide Planning Goal 15 does not apply.

*Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.*

There are no coastal, ocean, estuarine, or beach and dune resources within the jurisdiction of the Metro Plan. Therefore, these goals are not relevant and the amendments will not affect compliance with Statewide Planning Goals 16 through 19.

### **(2) *The proposed amendment does not make the Metro Plan internally inconsistent.***

The Metro Plan text amendment to allow Eugene to adopt a parks and recreation plan that is aspirational will not create an internal conflict with the remainder of the Metro Plan. No other text changes and no diagram changes are necessary to ensure internal consistency with the proposed text amendment; adoption of this amendment will not make the Metro Plan internally consistent.

The following policy from the *Metro Plan* (identified below in *italics*) is potentially applicable to this amendment.

## Exhibit A

### Park and Recreation Facilities Element

#### **Policies**

*H.1 Develop a system of regional-metropolitan recreational activity areas based on a facilities plan for the metropolitan area that includes acquisition, development, and management programs. The Metro Plan and system should include reservoir and hill parks, the Willamette River Greenway, and other river corridors.*

The amendment does not impact the facilities plan for the metropolitan area. The amendment does not change the allowance for park and recreation plans to include acquisition, development and management programs, or to include reservoir and hill parks, the Willamette Greenway and other river corridors. Therefore, this policy does not apply to the amendment.

The following policies related to park and recreation facilities do not apply to the amendment but are addressed here for context:

*H.3 Accelerate the acquisition of park land in projected growth areas by establishing guidelines determining where and when developers will be required to dedicate land for park and recreation facilities, or money in lieu thereof, to serve their developments.*

The amendment does not address guidelines for dedication of land for park and recreation facilities or funds in lieu of dedication. Therefore, this policy does not apply to the amendment.

*H.4 Encourage the development of private recreational facilities.*

The amendment does not address development of private recreational facilities. Therefore, this policy does not apply to the amendment.

*H.5 Develop mechanisms and processes by which residents of an area to be served by a neighborhood park, neighborhood center, or play lot can participate in the design, development, and maintenance of the facility.*

The amendment does not address processes for public and community involvement in design, development or maintenance of park and recreation facilities. Therefore, this policy does not apply to the amendment.

*H.6 All metropolitan area parks and recreation programs and districts shall cooperate to the greatest possible extent in the acquisition of public and private funds to support their operations.*

The amendment does not change the regional coordination between park and recreation agencies and programs related to acquiring public and private funds. Therefore, this policy does not apply to the amendment.

## Exhibit A

*H.7 The City of Eugene shall cooperate with the University of Oregon in the resolution of any loss of recreational facilities associated with development in the Riverfront Park.*

The amendment does not address the Riverfront Park or any other specific sites. Therefore, this policy does not apply to the amendment.

**(3) *When the city-specific local comprehensive plan also applies, the proposed amendment is consistent with the city-specific local comprehensive plan.***

The City of Eugene does not have a city-specific comprehensive plan.

### **Applicable Refinement Plans**

The amendment is a legislative text amendment and does not address any specific sites. Further, it only addresses the adoption process for the park and recreation plan and analysis, allowing an aspirational plan to be adopted. Therefore, it does not affect or conflict with any policy within the City's refinement plans, none of which address that process.

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Action: An Ordinance Concerning Utility Service to Support Economic Development in the Industrial Corridor Community Organization and Amending Section 9.8117 of the Eugene Code, 1971

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Meeting Date: May 22, 2017

Agenda Item: 5

Department: Planning and Development Department

Staff Contact: Denny Braud

[www.eugene-or.gov](http://www.eugene-or.gov)

Contact Telephone Number: 541-682-5536

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## ISSUE STATEMENT

Council is scheduled to take action on this land use code amendment intended to help facilitate economic development opportunities within an area known as the “Industrial Corridor” in northwest Eugene (see vicinity map included as Attachment A).

To allow industrial development to proceed efficiently in the area where annexation is not currently possible, the proposed land use code amendment would require binding annexation agreements, and enable extension of sanitary sewer and water service outside the City limits where necessary.

## BACKGROUND

Council’s public hearing on this item was held on May 15, 2017. One person, Joshua D. Monge on behalf of the Eugene Area Chamber of Commerce, testified in support of the proposed amendment. This policy question was initially posed to the Council in November of 2016, with unanimous approval to bring the proposal forward for consideration. Since that time, staff has developed the proposed ordinance and findings addressing all applicable approval criteria (see Attachment B). The Planning Commission also held an initial public hearing and voted unanimously on April 11, 2017 to recommend that Council approve the proposed land use code amendment.

The subject area is represented by the Industrial Corridor Community Organization (“ICCO”), which is a non-profit, formally recognized community organization. The ICCO boundary is generally the large triangle of land lying between the Northwest Expressway on the east and the Urban Growth Boundary (UGB) to the west and north.

Much of the subject area is currently outside the City limits but within the UGB. The lack of certain urban services like sanitary sewer, and the lack of contiguity with City limits, has hindered the ability for a number of properties to annex and pursue development plans in the near term. This is a barrier to our community’s high-priority goal of supporting jobs and economic development on lands already planned for industrial development. If left unaddressed, development proposals

and job creation will continue to be constrained in this area. The proposed land use code amendment is designed to address the issue while making sure City services are adequately and fairly funded. Consistent with the goals and objectives of Envision Eugene, the Regional Economic Prosperity Plan, and the Metro Plan, encouraging development and redevelopment within the ICCO area has the potential to create highly-desirable manufacturing jobs within local key industries.

Property outside the City but inside the UGB (as is the majority of the ICCO area) was previously able to annex even if the property was not contiguous to City limits, provided that the Lane County Boundary Commission approved the request. However, with the abolishment of the Boundary Commission by the Legislature in 2008, annexations must now be contiguous to City limits. In addition to making it difficult to develop unless property first annexed, these changes also have the effect of precluding non-contiguous annexations, which in turn prevents the annexation of individual properties in the majority of the ICCO area. These changes occurred prior to the beginning of the recent recession. With development activity picking up again over the last several years, the policy question about whether to allow annexation agreements, rather than immediate annexation, warrants consideration by Council.

In several cases, property owners have been unable to proceed with development plans due to lack of contiguity with City limits or the availability of urban services (which means they cannot annex). The alternative of allowing annexation agreements, along with enabling extension of sanitary sewer service outside the City limits, would be an efficient way to allow industrial development to proceed in the area with binding agreements to annex in the future when possible.

## **RELATED CITY POLICIES**

Encouraging development and redevelopment within the ICCO area supports a variety of adopted planning and policy goals and objectives. Examples include:

### Envision Eugene Pillars

- *Provide ample economic opportunities for all community members*
  - 1(a). Plan for an employment growth rate of 1.4 percent. This growth rate translates into an increase of 35,800 jobs over 20 years.
  
  - 1(c). Work with property owners of current vacant or developed industrial lands, especially those larger than 25 acres, to reduce the financial and regulatory obstacles to development, with a goal of making these sites ready for development.

### Regional Prosperity Economic Development Plan

- *By 2020, create 20,000 net new jobs in the chosen economic opportunity areas; reduce the local unemployment rate to, or below the state average; and increase the average wage to or above the state average.*
  
- *Strengthen Key Industries*
  - Identify strategies to address unique and logistical needs of existing and emerging industries



- Develop associations or networks among targeted cluster businesses for innovative networking, information-sharing and provide opportunities for business growth
- Pursue opportunities to expand and recruit businesses, ideas, and entrepreneurs into our region
- Enhance our existing business and community

The attached findings (see Exhibit B to Attachment B) also address consistency with applicable Metro Plan policies and relevant Statewide Planning Goals, as is required for approval of the proposed land use code amendment.

### **COUNCIL OPTIONS**

The City Council may consider the following options:

1. Approve the ordinance;
2. Approve the ordinance with specific modifications as determined by the City Council;
3. Deny the ordinance.

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

Based on the supportive testimony received to date, and the unanimous recommendation for approval from the Eugene Planning Commission, the City Manager recommends that Council take action to adopt the ordinance as drafted.

### **SUGGESTED MOTION**

Move to adopt Council Bill 5174, an ordinance concerning utility service to support economic development in the industrial corridor.

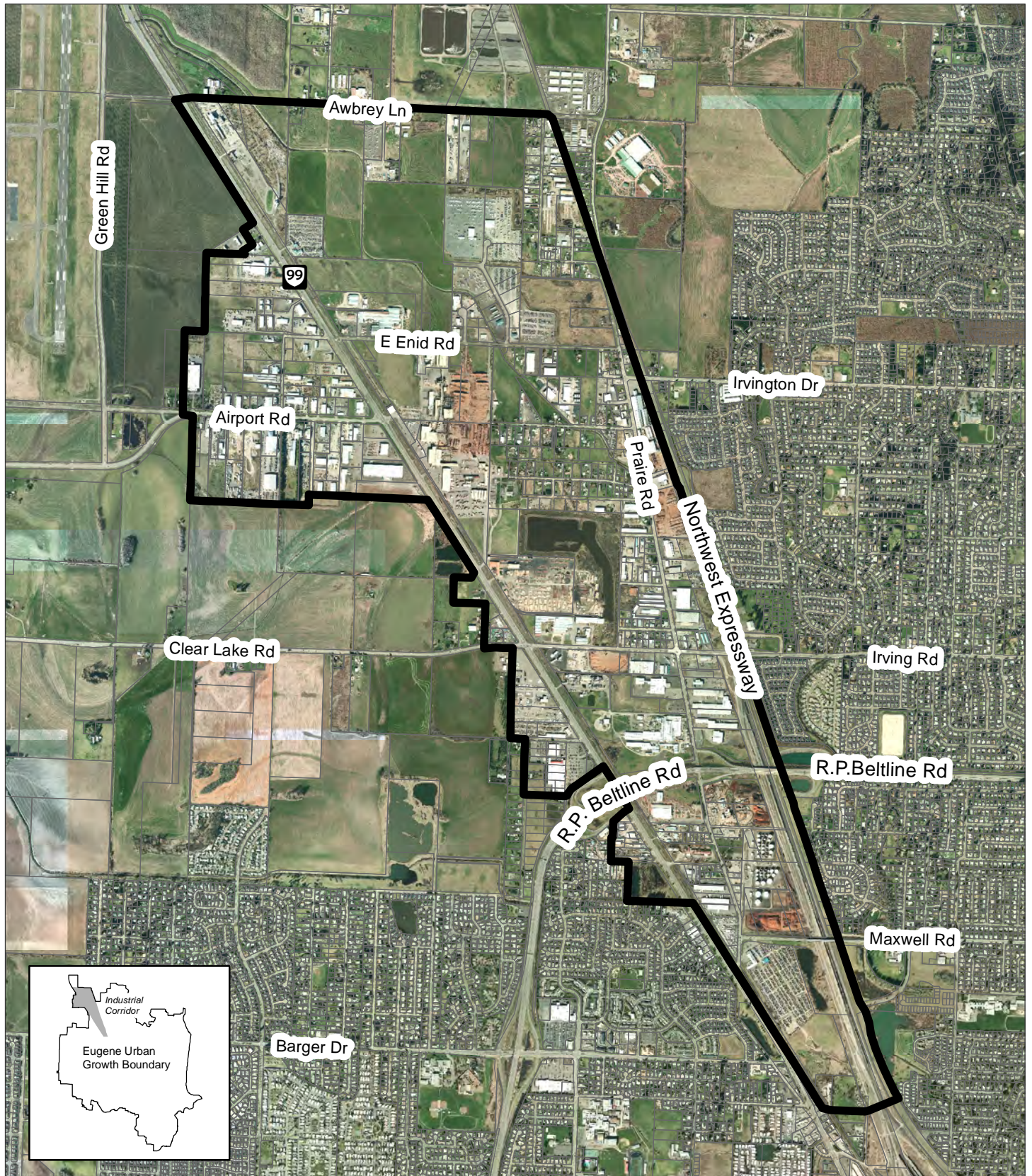
### **ATTACHMENTS**



- A. Vicinity Map
- B. Draft Ordinance
  - Exhibit A: Industrial Corridor Boundary Map
  - Exhibit B: Findings
- C. Letter of Support from Eugene Area Chamber of Commerce

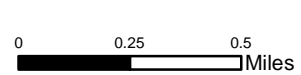
### **FOR MORE INFORMATION**

Staff Contact: Denny Braud, PDD Director  
Telephone: 541-682-5536  
Staff E-Mail: Denny.Braud@ci.eugene.or.us

# Vicinity Map

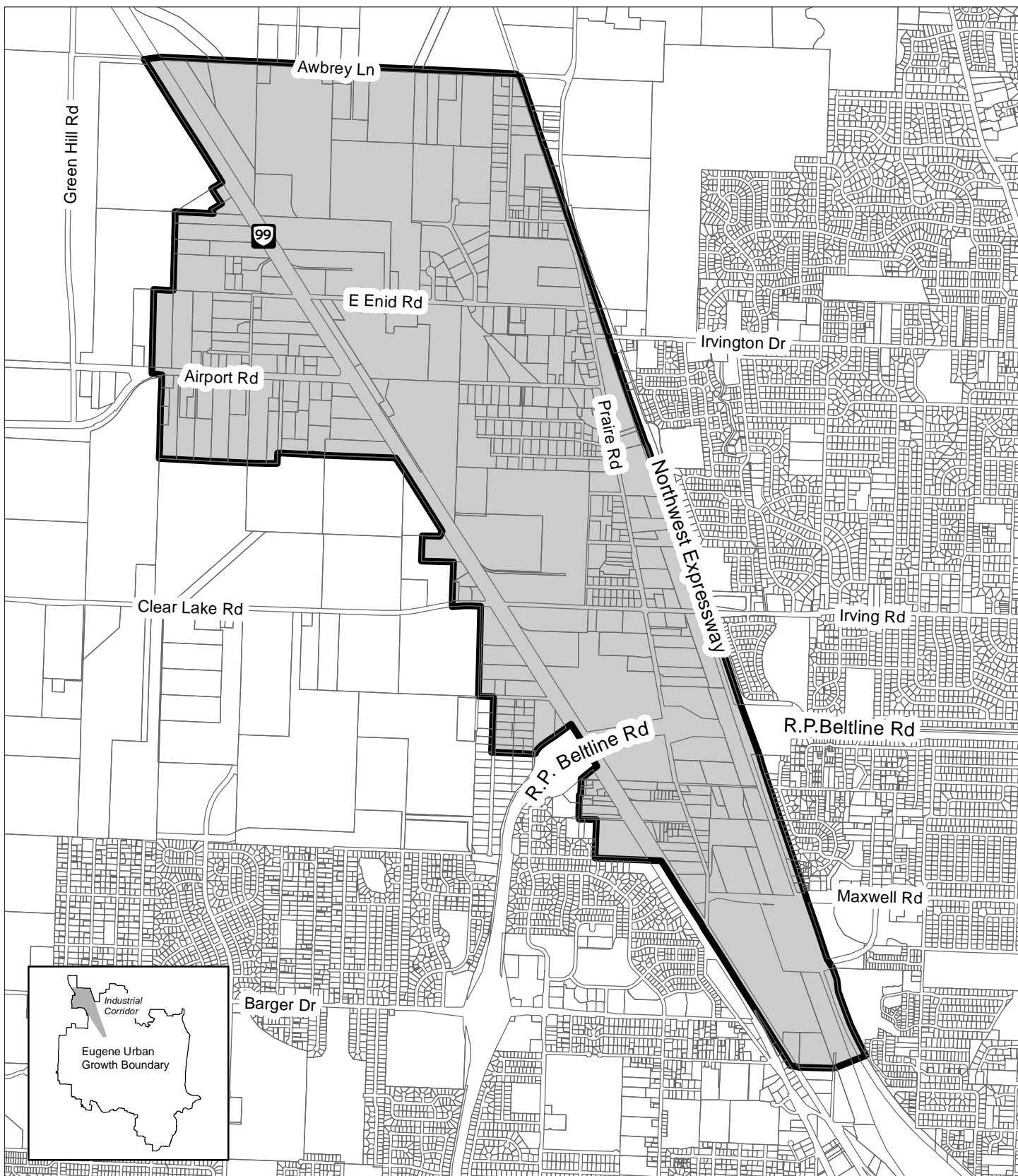


-  Industrial Corridor Boundary
-  Taxlots

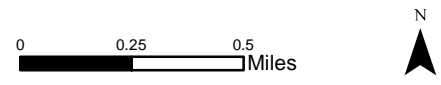


# Figure 9.8117 Industrial Corridor

Exhibit A



- Industrial Corridor Boundary
- Taxlots



**Legislative Findings:  
Economic Development in the Industrial Corridor  
(City File CA 17-2)**

**Overview**

The goal of this City-initiated land use code amendment is to help facilitate economic development opportunities within an area known as the “Industrial Corridor” in northwest Eugene.

The area is represented by the Industrial Corridor Community Organization (“ICCO”), which is a non-profit, formally recognized community organization. The ICCO boundary is generally the large triangle of land lying between the Northwest Expressway on the east and the Urban Growth Boundary (UGB) on the west (see map included as Exhibit A to the ordinance).

Most of the property within the ICCO area is zoned and designated for industrial uses. The ICCO area includes many large parcels, some developed by local legacy industries, some undeveloped, and some under-developed. The ICCO area includes about 1,652 acres, approximately 96% of which is zoned industrial (38% Heavy Industrial/I-3, and 59% Light-Medium Industrial/I-2). Proximity to highways, railroad, and airport make the area highly-conducive to industrial uses. At the same time, there are development challenges associated with current policies and land use code requirements, availability of urban services such as sanitary sewer, and lack of contiguity with City limits for a large portion of the area. Consistent with the goals and objectives of the *Metro Plan* and *Regional Economic Prosperity Plan*, encouraging development and redevelopment within the ICCO area has the potential to create highly-desirable manufacturing jobs within local key industries.

Most of the area is outside the City limits of Eugene and does not have access to the full range of urban services such as sanitary sewer, stormwater drainage, police, and fire protection. Much of the area receives its necessary services through special districts, and may need on-site sewage disposal systems, until such time as individual properties are annexed to the City. In accordance with state and federal laws, as well as the *Metro Plan* and land use code, properties seeking development on these lands in most cases require connection to the City’s sewer system and provision of other urban services by the City of Eugene. The *Metro Plan* anticipates that all lands within the UGB will eventually be annexed and served by the City. However, the lack of certain urban services like sanitary sewer, and the lack of contiguity with City limits, has hindered the ability for many properties to annex in the near term.

Property outside the City but inside the UGB (as is the majority of the ICCO area) was previously able to annex even if the property was not contiguous to City limits, provided that the Lane County Boundary Commission approved the request. However, with the abolishment of the Boundary Commission by the Legislature in 2008, annexations must now be contiguous to city limits. In addition to making it difficult to develop unless property first annexed, these changes also have the effect of precluding non-contiguous annexations, which in turn prevents the annexation of individual properties in the majority of the ICCO area. These changes occurred prior to the beginning of the recent recession. With development activity picking up again over the last several years, the policy question about whether to allow annexation agreements, rather than immediate annexation, warrants consideration by Council. In several cases, property owners have been unable to proceed

with development plans due to lack of contiguity with City limits or the availability of urban services (which means they cannot annex).

The alternative of allowing annexation agreements, along with enabling extension of sanitary sewer services outside the City limits, would be an efficient way to allow industrial development to proceed in the area, with a binding agreement to annex in the future when possible

This policy question was posed to the Council in November of 2016, with a recommendation from the City Manager and unanimous approval by the Council of a motion directing the City Manager to schedule a public hearing to allow property in the ICCO area to develop either by annexing or, if non-contiguous, signing an irrevocable consent to annex.

To that end, these legislative findings have been prepared in support of an ordinance which includes a land use code amendment and related provisions. The land use code amendment will create an exception to the requirements for Extra-Territorial Extension of Water or Sewer Service in Chapter 9 of the Eugene Code (see EC 9.8115-9.8121), which is a necessary component to enable development for some properties not already served with water and sewer facilities.

#### **Findings of Compliance with Applicable Approval Criteria**

Below are legislative findings addressing the land use code amendment, which is the only aspect of the ordinance subject to the approval criteria for code amendments at EC 9.8065 (listed below in **bold**, with findings addressing each).

***EC 9.8065(1): [The amendment] is consistent with applicable statewide planning goals as adopted by the Land Conservation and Development Commission.***

***Goal 1 - Citizen Involvement. To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.***

The City has acknowledged provisions for citizen involvement which ensure the opportunity for community members to be involved in all phases of the planning process and set out requirements for such involvement. The amendment does not amend the citizen involvement program. The process for adopting these amendments complies with Goal 1 because it is consistent with the citizen involvement provisions.

A Notice of Proposed Amendment was filed with the Oregon Department of Land Conservation and Development on March 7, 2017. The formal public hearings on the proposal will be duly noticed to all neighborhood organizations, community groups and individuals who have requested notice, as well as to the City of Springfield and Lane County. In addition, notice of the public hearing was published in the Register Guard. Following action by the Eugene Planning Commission (to make a recommendation on the ordinance and code amendment), the Eugene City Council will hold a duly noticed public hearing to consider approval, modification, or denial of the proposal. These processes afford ample opportunity for citizen involvement consistent with Goal 1. Therefore, the code amendment is consistent with the requirements of Statewide Planning Goal 1.

**Goal 2 - Land Use Planning.** *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual basis for such decisions and actions.*

The Eugene Code (Land Use, Chapter 9) specifies the procedures and criteria that are to be used in considering this code amendment. The record shows that there is an adequate factual basis for the ordinance and code amendment, including findings and evidence demonstrating compliance with all applicable approval criteria.

The Goal 2 coordination requirement is met when the City engages in an exchange, or invites such an exchange, between the City and any affected governmental unit and when the City uses the information obtained in the exchange to balance the needs of the citizens. To comply with the Goal 2 coordination requirement, the City will engage in an exchange about the subject of these plan amendments with all of the affected governmental units. Specifically, the City provided notice of the action and opportunity to comment to Lane County, Springfield and the Oregon Department of Land Conservation and Development. There are no exceptions to Statewide Planning Goal 2 required for this code amendment. The code amendment is therefore consistent with Statewide Planning Goal 2.

**Goal 3 - Agricultural Lands.** *To preserve agricultural lands.*

The amendment is for property located within the UGB and does not affect any land designated for agricultural use. Therefore, Statewide Planning Goal 3 does not apply.

**Goal 4 - Forest Lands.** *To conserve forest lands.*

The amendment is for property located within the UGB and does not affect any land designated for forest use. Therefore, Statewide Planning Goal 4 does not apply.

**Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources.** *To conserve open space and protect natural and scenic resources.*

*OAR 660-023-0250(3) provides: Local governments are not required to apply Goal 5 in consideration of a PAPA unless the PAPA affects a Goal 5 resource. For purposes of this section, a PAPA would affect a Goal 5 resource only if:*

- (a) The PAPA creates or amends a resource list or a portion of an acknowledged plan or land use regulation adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5;*
- (b) The PAPA allows new uses that could be conflicting uses with a particular significant Goal 5 resource site on an acknowledged resource list; or*
- (c) The PAPA amends an acknowledged UGB and factual information is submitted demonstrating that a resource site, or the impact areas of such a site, is included in the amended UGB area.*

The amendment does not create or amend the City's adopted inventory of Goal 5 resources, does not amend a code provision adopted in order to protect a significant Goal 5 resource or to address specific requirements of Goal 5. It does not allow new uses that could be conflicting uses with a

significant Goal 5 resource site, and does not amend the acknowledged UGB. Therefore, Statewide Planning Goal 5 does not apply.

**Goal 6 - Air, Water and Land Resources Quality. To maintain and improve the quality of the air, water and land resources of the state.**

Goal 6 addresses waste and process discharges from development, aimed at protecting air, water and land from impacts from those discharges. To the extent the code amendment will enable extra-territorial extension of sanitary sewer service to some ICCO properties, it will generally reduce the likelihood or need for new on-site sewage disposal systems and thereby reduce the potential for groundwater contamination. It will not change any policies or regulations with regard to Eugene Water and Electric Board's role as the provider of water service for the City, other than to enable extension of water service for ICCO properties that may not already be connected. The amendment does not otherwise change any of the City's regulations with regard to stormwater treatment or air quality. The amendment is therefore consistent with Statewide Planning Goal 6, to the extent it might be considered applicable.

**Goal 7 - Areas Subject to Natural Disasters and Hazards. To protect life and property from natural disasters and hazards.**

Goal 7 requires that local government planning programs include provisions to protect people and property from natural hazards such as floods, landslides, earthquakes and related hazards, tsunamis and wildfires. The goal prohibits a development in natural hazard areas without appropriate safeguards. The amendment does not directly affect the City's existing regulatory restrictions or other adopted plan provisions for development in areas subject to natural disasters and hazards, or otherwise require further analysis as part of the amendment. Therefore, Statewide Planning Goal 7 does not apply.

**Goal 8 - Recreational Needs. To satisfy the recreational needs of the citizens of the state and visitors, and where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.**

Goal 8 ensures the provision of recreational facilities to Oregon citizens and is primarily concerned with the provision of those facilities in non-urban areas of the state. The amendment does not affect the City's provisions for or access to recreation areas, facilities or recreational opportunities. Therefore, Statewide Planning Goal 8 does not apply.

**Goal 9 - Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

The amendment will not impact any industrial or commercial use designations, nor amend the City's required inventory for industrial and commercial lands. Nonetheless, it will help to facilitate economic development and redevelopment opportunities in the ICCO area as previously discussed, and further addressed below with regard to relevant policies of the Metro Plan. In general, it will help to enable development of industrial land in the ICCO area that is already included as part of the

City's previously adopted inventory. The amendment is therefore consistent with Statewide Planning Goal 9, to extent that it might be considered applicable.

**Goal 10 - Housing. To provide for the housing needs of citizens of the state.**

Goal 10 requires communities to provide an adequate supply of residential buildable land to accommodate estimated housing needs for a 20-year planning period. The amendment does not impact the supply of residential buildable land. No land is being re-designated from residential use to a non-residential use, and the amendments do not otherwise diminish the lands available for residential use. Therefore, the amendments are consistent with Statewide Planning Goal 10.

**Goal 11- Public Facilities and Services. To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

The amendment will not impact or amend the Public Facilities and Services Plan, which is adopted as a refinement of the Metro Plan. It will be consistent with relevant policies from the Public Facilities and Services Element of the Metro Plan, as addressed below in the findings addressing consistency with its applicable provisions. The amendment also does not include any capital public infrastructure projects to extend facilities and services to the area.

As previously discussed, the amendment will help to facilitate economic development opportunities in the ICCO area, where annexation may not be possible in the near term due to a lack of contiguity or availability of public services and facilities such as sanitary sewer. Specifically, the code amendment will enable extra-territorial extension of water or sewer service where needed, in combination with irrevocable annexation agreements that will thereby facilitate future annexation. As relevant here, the amendment will enable the extension of water or sanitary sewer service, as the need may arise to accommodate development in the ICCO area. The amendment is therefore consistent with Statewide Planning Goal 11, to extent that it might be considered applicable.

**Goal 12- Transportation. To provide and encourage a safe, convenient and economic transportation system.**

Goal 12 is implemented by the Transportation Planning Rule (TPR) as defined in Oregon Administrative Rule OAR 660-012-0060. TPR contains the following requirement:

- (1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:
  - (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
  - (b) *Change standards implementing a functional classification system; or**



- (c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*
- (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
- (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
- (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

The amendment does not change the functional classification of a transportation facility, change the standards implementing a functional classification system or degrade the performance of a facility otherwise projected to not meet performance standards. Therefore, the amendment does not have a significant effect under (a), (b) or (c). As such, the amendment does not significantly affect any existing or future transportation facilities and is consistent with Statewide Planning Goal 12.

**Goal 13 - Energy Conservation. To conserve energy.**

The amendment does not impact energy conservation in a manner that would require further analysis under Goal 13. Therefore, Statewide Planning Goal 13 does not apply.

**Goal 14 - Urbanization. To provide for an orderly and efficient transition from rural to urban land use.**

The amendment does not affect the City's provisions regarding the transition of land from rural to urban uses. Therefore, Statewide Planning Goal 14 does not apply.

**Goal 15 - Willamette River Greenway. To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.**

The amendment does not contain any changes that affect the Willamette River Greenway regulations. Therefore, Statewide Planning Goal 15 does not apply.

**Goal 16 through 19 - Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.**

There are no estuarine resources, coastal shore lands, beaches and dunes, or other ocean resources involved or otherwise affected by the amendment. Therefore, Statewide Planning Goals 16 through

19 do not apply.

***EC 9.8065(2): [The amendment] is consistent with applicable provisions of the Metro Plan and applicable adopted refinement plans.***

The code amendment does not include any amendment of the Metro Plan text or land use designations. The findings below confirm that the code amendment is otherwise consistent with, and supported by, a number of relevant Metro Plan policies. There is no adopted refinement plan for the ICCO area, thus no further analysis is required related to applicable adopted refinement plan provisions.

**Growth Management Policies**

15. *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 annexation may vary, annexation should occur as land transitions from urbanizable to urban.*

The intent of the amendment is to facilitate annexation agreements and extra-territorial extension of water and sanitary sewer services as necessary to support development activity in the ICCO area. As noted previously, the majority of properties in the ICCO area are currently unable to annex or obtain necessary urban services (particularly sanitary sewer). The allowance of binding annexation agreements and service extension to accommodate near-term development activity in the area, will ultimately facilitate future annexation of ICCO properties.

20. *When unincorporated territory within the UGB is provided with any new urban service, that service shall be provided by the following method (in priority order).*
- a. *Annexation to a city;*
  - b. *Contractual annexation agreements with a city;*
  - c. *Annexation to an existing district (under conditions described previously in Policy #19); or*
  - d. *Creation of a new service district (under conditions described previously in Policy #14).*

As previously discussed, the majority of unincorporated territory in the ICCO area is unable to annex to the City as a result of several factors. The code amendment will grant automatic approval for extra-territorial extension of wastewater and water service for ICCO properties, subject to a binding agreement to annex in the future when possible. The amendment is therefore consistent with the above policy by requiring a contractual agreement for future annexation as a condition of service extension, where immediate annexation is not currently possible.

21. *Cities shall not extend water or wastewater service outside city limits to serve a residence or business without first obtaining a valid annexation petition, a consent to annex agreement, or when a health hazard annexation is required.*

Consistent with the above policy, the code amendment will require a consent to annex agreement as a condition of wastewater or water service extension outside the City limits but within the ICCO (and within the UGB).

**Economic Element**

- B.10 Encourage opportunities for a variety of heavy industrial development in Oregon’s second largest metropolitan area.*
- B.11 Encourage economic activities, which strengthen the metropolitan area’s position as a regional distribution, trade, health, and service center.*
- B.17 Improve land availability for industries dependent on rail access.*
- B.25 Pursue an aggressive annexation program and servicing of designated industrial lands in order to have a sufficient supply of “development ready” land.*

The code amendment is consistent with the above policies by facilitating economic development opportunities within the ICCO area, where many industrial properties are currently unable to annex or obtain urban services within the UGB. While immediate annexation of non-contiguous properties wishing to move forward with development plans in the near term cannot be allowed under current state law, any extra-territorial wastewater or water service extension will require a binding annexation agreement. In combination, annexation agreements and service extensions will encourage economic activities and opportunities for a variety of heavy industrial development with good rail access, facilitate future annexation when it becomes possible, and improve the overall “development ready” status for ICCO properties.

**Public Facilities and Services Element**

- G.9 Wastewater conveyance and treatment shall be provided to meet the needs of projected growth inside the UGB that are capable of complying with regulatory requirements governing beneficial reuse or discharge of effluent and beneficial reuse or disposal of residuals.*

The code amendment will facilitate wastewater service to ICCO properties that may not already be served, but where service is necessary to accommodate industrial development. The ICCO area is ultimately planned for future annexation to the City and is part of the projected growth and land area needed for industrial development within the UGB. To the extent this policy is relevant, service extension to the ICCO area will facilitate wastewater treatment at the regional treatment facility prior to effluent discharge or beneficial reuse/disposal of residuals.

Based on these findings, the code amendment is consistent with applicable provisions of the Metro Plan as required.

**EC 9.8065(3): In the case of establishment of a special area zone, [the amendment] is consistent with EC 9.3020 Criteria for Establishment of an S Special Area Zone.**

The code amendment does not include the establishment of any special area zone. As such, the above criterion does not apply.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CONCERNING UTILITY SERVICE TO SUPPORT ECONOMIC DEVELOPMENT IN THE INDUSTRIAL CORRIDOR COMMUNITY ORGANIZATION AND AMENDING SECTION 9.8117 OF THE EUGENE CODE, 1971.**

**THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:**

**Section 1.** Section 9.8117 of the Eugene Code, 1971, is amended to provide as follows:

- 9.8117     Extra-Territorial Extension of Water or Sewer Service – Applicability.**
- (1)** The provisions of EC 9.8115 through 9.8121 apply to applications requesting the extension of water service or sewer service from inside the city limits to serve property located outside of the city limits, ***except as provided in subsection (2) below.***
  - (2)** ***Approval for extra-territorial extension of water or sewer service to property located within the boundary of the Industrial Corridor Community Organization as shown on Map 9.8117 Industrial Corridor, is automatic upon approval of a building or development permit so long as the property owner executes an irrevocable consent to annexation form approved by the city attorney, authorizing the city council to annex the property whenever the annexation is authorized by state law. This subsection (2) shall not apply to property that is eligible for annexation.***

**Section 2.** Map 9.8117 Industrial Corridor, depicting the Industrial Corridor Community Organization boundary is adopted as shown on Exhibit A to this Ordinance.

**Section 3.** The findings set forth in Exhibit B to this Ordinance are adopted as findings in support of this Ordinance.

**Section 4.** The City Recorder, at the request of, or with the concurrence of the City Attorney, is authorized to administratively correct any reference errors contained herein or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

**Section 5.** This Ordinance shall take effect pursuant to Section 32 of the Eugene Charter 2002, or on the date of its acknowledgement as provided in ORS 197.625, whichever is later.

**Passed by the City Council this**

**\_\_\_ day of \_\_\_\_\_, 2017**

\_\_\_\_\_  
**City Recorder**

**Approved by the Mayor this**

**\_\_\_ day of \_\_\_\_\_, 2017**

\_\_\_\_\_  
**Mayor**



Good afternoon Planning Commissioners,

I am writing regarding the land use code amendments being proposed within the "Industrial Corridor" area in northwest Eugene. The Eugene Area Chamber of Commerce strongly supports the proposed amendments. We have followed closely and assisted companies as they attempted to navigate the obstacles to growth and development within that corridor and we believe this amendment will begin to address some of these issues.

As we continue to plan for increased population and work to grow jobs and wages in our community, it is more important than ever that we analyze the current barriers to business growth and understand how our community can become more accommodating. It is appropriate that we consider the impact on our services but when we can make common sense updates to current codes to enable critical economic development opportunities, we should strive to do so.

The property within the ICCO area is primarily zoned and designated for industrial uses. Many of the current businesses within the area are large, legacy companies that provide jobs with livable wages to our community members. The area is conveniently located near highways, railroads and the airport providing ideal accommodations for many of these companies.

Due to procedural issues like the abolishment of the Lane County Boundary Commission, there are unnecessary barriers to additional development on these lands. We have already seen great companies like PakTech choose to expand elsewhere because of the uncertainty associated with the development requirements within this area. The Eugene Chamber urges you to support this important amendment to help facilitate future economic development opportunities for our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Brittany Quick-Warner", written over a circular flourish.

Brittany Quick-Warner  
Interim President & CEO  
Eugene Area Chamber of Commerce

# EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



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Action: A Resolution Granting a Measure 49 Claim and Waiving a Provision of Chapter 9 of the Eugene Code, 1971 for Property Located at 1777 E. 30<sup>th</sup> Avenue, Eugene, Oregon (Assessor's Map 18-03-08-11, Tax Lot 602)

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Meeting Date: May 22, 2017  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 6  
Staff Contact: Alissa Hansen  
Contact Telephone Number: 541-682-5508

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## ISSUE STATEMENT

The Eugene City Council is asked to set a date to close the record on a Measure 49 claim submitted by Chad and Katie Wilson for the alleged reduction in fair market value to their property located at 1777 E. 30<sup>th</sup> Avenue, Eugene, Oregon. A map of the property is provided as Attachment A.

## BACKGROUND

The Measure 49 claim filed by Chad and Katie Wilson seeks a waiver of a City land use regulation, adopted in 2014, that limits the height of a detached secondary dwelling unit on the Wilsons' property.

A public hearing on the Wilsons' Measure 49 claim was held on January 17, 2017. At that January 17<sup>th</sup> meeting, the Council voted to keep the record open for submission of written testimony until January 27, 2017, and to allow the claimant to submit rebuttal argument and evidence until February 3, 2017, so that the Council could adopt a resolution approving or denying the claim on or before April 1, 2017.

On January 24, 2017, the City received an email from the claimants' attorney extending the deadline for a decision on the claim for an additional 60 days, and requesting that the City hold off on processing the claim in the interim, to allow the claimants and neighborhood stakeholders to discuss a possible alternative resolution to the claim. The 60 day extension moved the City's decision deadline to May 31, 2017.

On May 10, 2017, the City received a second email from the claimants' attorney, requesting an additional 30-day extension to allow the claimant to continue discussions with neighborhood stakeholders. This additional 30-day extension moves the City's decision deadline to June 30, 2017. To facilitate that decision, staff is recommending the following schedule:

- **Open-Record Period:** Anyone may submit written evidence or arguments related to the Wilson's Measure 49 claim until 5:00 p.m. on June 5, 2017.
- **Claimants' Rebuttal Period:** State law requires the City to allow the claimants "the final word." Therefore, only the claimant (including the claimant's representative) may submit



written evidence and arguments between 5:01 p.m. on June 5, 2017, and 5:00 p.m. on June 12, 2017. The evidence and arguments submitted during the claimants' rebuttal period must respond to testimony or submittals received during the open record period.

This will allow the Council to hold a work session and make a final decision on the Wilsons' Measure 49 claim by June 30, 2017.

If the Council approves the open record schedule above, staff will mail notice of the open record deadlines on May 23, 2017, to anyone who received notice of the January 17 public hearing on the Wilson Measure 49 claim, as well as anyone who submitted written testimony on the claim, anyone who testified at the public hearing on the claim, and anyone who asked to be notified about the claim.

### **RELATED CITY POLICIES**

None.

### **COUNCIL OPTIONS**

The Council is asked to take action to approve a schedule for closing the record for the Measure 49 claim submitted by Chad and Katie Wilson.

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

The City Manager recommends that the Council adopt the open record schedule outlined in this AIS.

### **SUGGESTED MOTION**

I move to close the record for the Wilson Measure 49 claim at 5:00 p.m. on June 5, 2017. I further move to close the claimants' rebuttal period at 5:00 p.m. on June 12, 2017.

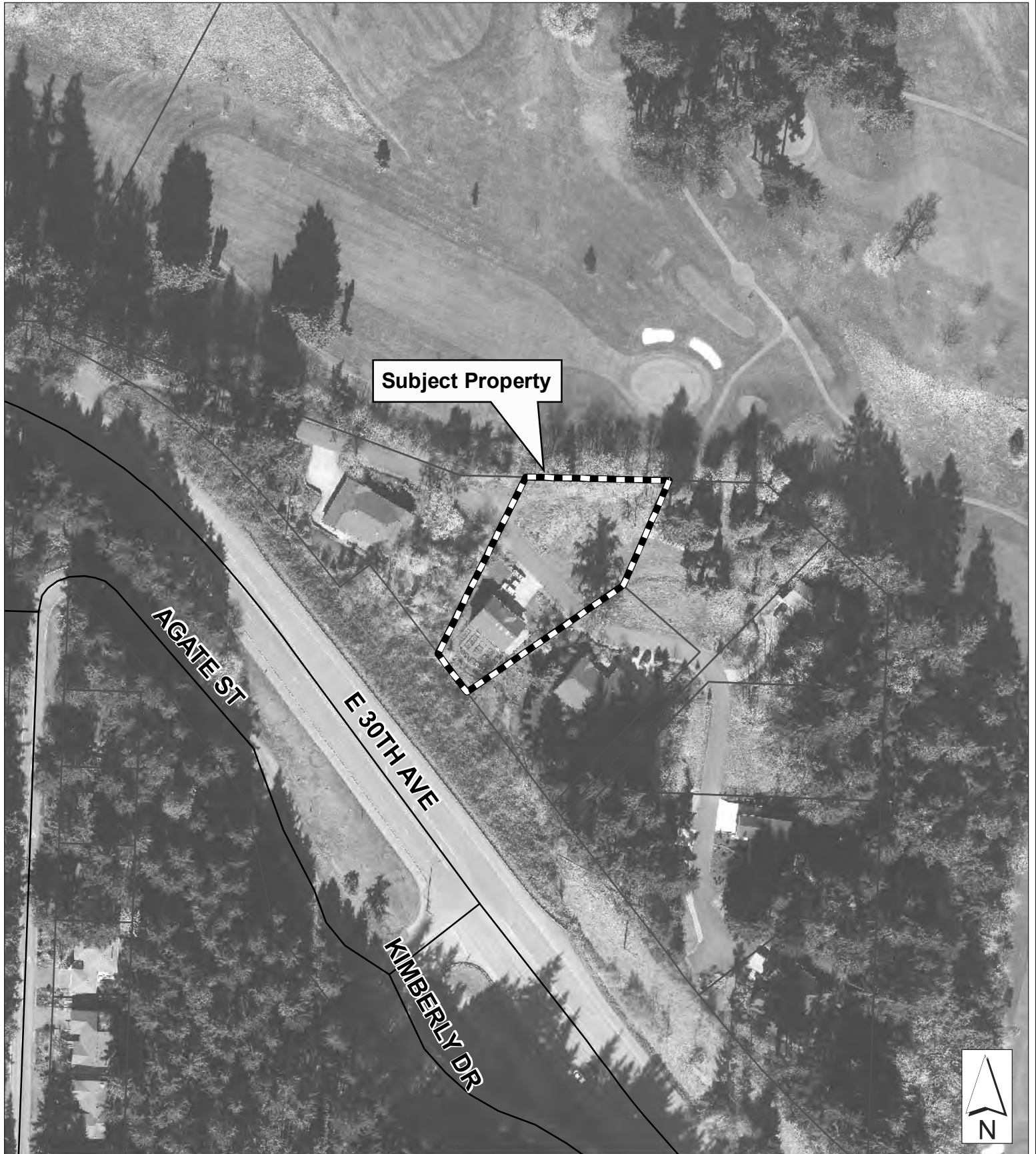
### **FOR MORE INFORMATION**

Staff Contact: Alissa Hansen, Principal Planner  
Telephone: 541-682-5508  
Staff E-Mail: [alissa.h.hansen@ci.eugene.or.us](mailto:alissa.h.hansen@ci.eugene.or.us)

# Attachment A - Vicinity Map

## 1777 East 30th Avenue

ATTACHMENT A






Subject Property

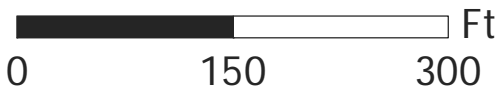
AGATE ST

E 30TH AVE

KIMBERLY DR



-  Subject Property
-  Streets
-  Taxlots



Caution:  
This map is based on imprecise  
source data, subject to change,  
and for general reference only.

September 2016

