
COUNCIL RESOLUTION NO. 5363

**RESOLUTION ANNEXING LAND TO THE CITY OF
EUGENE (ASSESSOR'S MAP 17-04-01-31, TAX LOTS 00400,
00500, 00501, 00600 and ASSESSOR'S MAP 17-04-01-00 TAX
LOT 02900 LOCATED AT 972, 980, 984, 990, 1046, 1050 RIVER
LOOP 2 and 1215 RIVER LOOP 1).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: July 11, 2022



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**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-01-31, TAX LOTS 00400, 00500, 00501, 00600 and
ASSESSOR'S MAP 17-04-01-00 TAX LOT 02900 LOCATED AT 972, 980,
984, 990, 1046, 1050 RIVER LOOP 2 and 1215 RIVER LOOP 1).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on April 27, 2022, by City of Eugene Parks and Open Space, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-01-31, Tax Lots 00400, 00500, 00501, 00600 and Assessor's Map 17-04-01-00, Tax Lot 02900, to the City of Eugene.

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 are attached as Exhibit C.

D. On June 9, 2022, a notice containing the street address, the assessor's map and tax lot number for the property, 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 properties located within 500 feet of the perimeter 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 July 11, 2022.

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 which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-01-31, Tax Lots 00400, 00500, 00501, 00600 and Assessor's Map 17-04-01-00, Tax Lot 02900, all of which is more particularly 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 the automatic rezoning pursuant to EC 9.4610, EC 9.7820(3)(d), and Figure 9.7820(3)(d) from AG Agricultural with an /UL Urbanizable Land Overlay, and a /WR Water Resources Conservation Overlay to the zoning shown in the table below as well as application of the /WQ Water Quality Overlay pursuant to EC 9.7820(3)(b) and Ordinance No. 20584 as shown in the table below, shall become effective in accordance with State law.

Assessor's Map/ Tax Lot	Zoning Prior to Annexation	Zoning Upon Annexation
17-04-01-31/00400	AG/UL/WR	PL/WR
17-04-01-31/00500	AG/UL	PL
17-04-01-31/00501	AG/UL	PL
17-04-01-31/00600	AG/UL	PL
17-04-01-00/02900	AG/UL/WR	PL/WR/WQ

The foregoing Resolution adopted the 11th day of July, 2022.



 City Recorder

North Parcel

Commencing at the Northeast corner of the B. W. Poindexter Donation Land Claim No. 57 in Township 17 South, Range 4 West of the Willamette Meridian in Lane County, Oregon; thence along the North line of said DLC No. 57, North 88°13'54" West a distance of 747.20 feet; thence South 2°18'21" West a distance of 30.00 feet to a point on the Southerly right-of-way line of River Loop No. 2, said point also .being the TRUE POINT OF BEGINNING; thence leaving said Southerly right-of-way, South 2°18'21" West a distance of 768.45 feet; thence North 88°14'16" West a distance of 1,065.71 feet; thence North 2°16'22" East a distance of 86.29 feet; thence North 23°54'08" East a distance of 168.90 feet; thence North 13°43'52" West a distance of 232.00 feet; thence North 33°47'10" West a distance of 130.28 feet; thence North 3°06'32" East a distance of 101.10 feet; thence North 54°31'08" East a distance of 129.00 feet; thence North 7°28'52" West a distance of 17.31 feet to said Southerly right-of-way; thence along said Southerly right-of-way, South 88°13'54" East a distance of 1,044.00 feet to the true point of beginning, all in Lane County, Oregon.

Containing 18.85± acres

South Parcel

Commencing at the Southeast corner of the B. W. Poindexter Donation Land Claim No. 57 in Township 17 South, Range 4 West of the Willamette Meridian in Lane County, Oregon; thence along the East line of said DLC No. 57, North 1°30'43" East a distance of 992.80 feet; thence North 88°29'17" West a distance of 30.00 feet to a point on the Westerly right-of-way of River Loop No. 1; thence along said Westerly right-of-way of River Loop No. 1, South 1°30'43" West a distance of 744.66 feet; thence along a 208.73 foot radius curve to the right (the long chord of which bears South 46°12'47" West 293.64 feet) 325.70 feet to a point on the Northerly right-of-way of River Loop No. 1; thence along said Northerly right-of-way, North 89°05'09" West a distance of 411.10 feet to a point on the Northerly right-of-way of Wilkes Drive; thence along said Northerly right-of-way of Wilkes Drive, North 88°14'01" West a distance of 207.79 feet; thence leaving said Northerly right-of-way, North 3°40'29" East a distance of 126.20 feet; thence North 3°27'29" East a distance of 152.51 feet; thence North 6°51'9" East a distance of 220.20 feet; thence North 22°20'20" East a distance of 270.34 feet; thence North 38°13'20" East a distance of 220.46 feet; thence North 48°29'29" East a distance of 46.72 feet; thence South 88°14'18" East a distance of 532.93 feet to the true point of beginning, all in Lane County, Oregon.

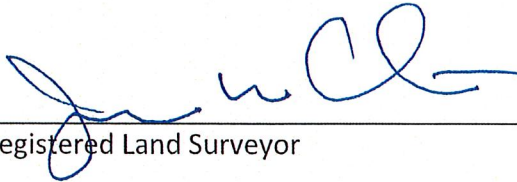
Containing 16.35± acres

Bearings are based on NAD83/91 Oregon State Plane – South Zone.

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

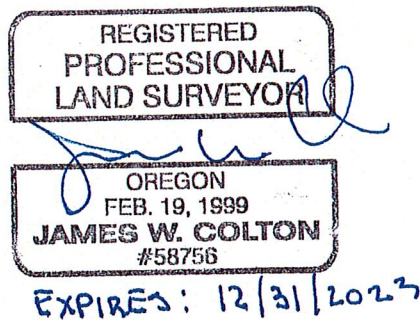
Print Name:

James W. Colton

Date:

March 25, 2022

Seal:





**Planning Director’s Findings and Recommendation:
Annexation Request for SANTA CLARA COMMUNITY PARK
(City File: A 22-8)**

Application Submitted: April 27, 2022
Applicant: City of Eugene Parks and Open Space
Property Included in Annexation Request: Tax Lots 00400, 00500, 00501, 00600 of Assessor’s Map 17-04-01-31, and Tax Lot 02900 of Assessor’s Map 17-04-01-00.
Zoning: 17-04-01-31/00400 – Agricultural Land with /UL Urbanizable Land and / WR Water Resources Conservation Overlays 17-04-01-31/00500 – Agricultural Land with an /UL Urbanizable Land Overlay 17-04-01-31/00501 – Agricultural Land with an /UL Urbanizable Land Overlay 17-04-01-31/00600 – Agricultural Land with an /UL Urbanizable Land Overlay 17-04-01-00/02900 – Agricultural Land with /UL Urbanizable Land and / WR Water Resources Conservation Overlays
Location: 972, 980, 984, 990, 1046 and 1050 River Loop 2, and 1215 River Loop 1
Lead City Staff: Althea Sullivan, Senior Planner, City of Eugene Planning Division, 541-682-5485

EVALUATION:

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

EC 9.7825(1) The land proposed to be annexed is within the city’s urban growth boundary and is: (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.	
Complies <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Findings: The subject property is within the Urban Growth Boundary and is contiguous to City limits on its southern and eastern borders; consistent with subsection (a).
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Findings: 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> <i>a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.</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)

Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).

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)

The subject property is within the area that was added to Eugene’s Urban Growth Boundary and designated for Parks and Open Space use by City of Eugene Ordinance No. 20584. See Section 1 of Ordinance No. 20584 and Exhibits A-3 and A-4 to that ordinance. As discussed in Sections 7 and 8 of Ordinance No. 20584 the subject property is currently zoned AG Agricultural with an /UL Urbanizable Land Overlay, and some tax lots which are identified above also have the /WR Water Resources Conservation Overlay. In accordance with Ordinance No. 20584 Exhibit A-3 and EC 9.7820(3)(b) and (d) upon annexation the subject property will automatically be rezoned to the zoning listed in the table below and the /WQ Water Quality Overlay Zone will be applied as shown in the table below:

Assessor’s Map/ Tax Lot	Zoning Upon Annexation
17-04-01-31/00400	PL/WR
17-04-01-31/00500	PL
17-04-01-31/00501	PL
17-04-01-31/00600	PL
17-04-01-00/02900	PL/WR/WQ

The /UL overlay will be automatically removed from the property upon approval of the annexation.

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. 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.

Based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan.

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.

Complies

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<p>Findings: 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 is available from an 8-inch line within the River Loop 2 right-of-way, and an 8-inch line that terminates near the property in Wilkes Drive right-of-way. At the time of future development of the property, a specific plan for connection to the public system will be developed.</p> <p><u>Stormwater</u> At the time of future development of the property, treatment of stormwater will be further evaluated for consistency with City of Eugene policies and plans for treatment. With a variety of options available to provide stormwater treatment, service can be provided in an orderly, efficient, and timely manner.</p> <p><u>Transportation</u> The property has frontage on River Loop 2 and River Loop 1 which are public streets that connect to other streets allowing access to the greater public street system. In the event further development occurs, additional evaluation of access to the public street system will take place.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites are operated by Lane County.</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. Water and electric services can be extended to the subject property in accordance with EWEB policies and procedures.</p> <p><u>Public Safety</u> Police protection can be extended to this site 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 and will continue in the same manner upon annexation.</p> <p><u>Parks and Recreation</u> 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.</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. The Eugene Code, Chapter 9, will provide the required land use controls for future development of the subject property upon annexation.</p>
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		<p><u>Communications</u> A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u> The subject property is within Eugene School District 4J and is within the district boundary of Awbrey Park 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.</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 of the annexation will be set in accordance with State law.

INFORMATIONAL ITEMS:

- Upon annexation, the the property will be automatically rezoned as listed in the table below:

Assessor's Map/ Tax Lot	Zoning Upon Annexation
17-04-01-31/00400	PL/WR
17-04-01-31/00500	PL
17-04-01-31/00501	PL
17-04-01-31/00600	PL
17-04-01-00/02900	PL/WR/WQ

- Please contact the Permit Information Center, Planner-on-Duty at 541-682-5377 for more information.
- Approval of this annexation does not relieve the applicant from complying with applicable codes and statutory requirements.