



**COUNCIL RESOLUTION NO. 5354**

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 18-03-03-20, TAX LOT 1308 LOCATED ON  
EAST 25TH AVENUE, WEST OF HENDERSON AVENUE)**

**PASSED: 8:0**

**REJECTED:**

**OPPOSED:**

**ABSENT:**

**CONSIDERED: May 9, 2022**



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**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE  
(ASSESSOR'S MAP 18-03-03-20, TAX LOT 1308 LOCATED ON EAST  
25TH AVENUE, WEST OF HENDERSON AVENUE).**

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

**A.** An annexation application was submitted on December 3, 2021, by Jasper Mountain, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 18-03-03-20, Tax Lot 1308, 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 April 8, 2022, a notice containing a geographical reference to the property, 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 Laurel Hill Valley Citizens. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on May 9, 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 18-03-03-20, Tax Lot 1308 which is depicted on the map attached as Exhibit A, and 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 of the land pursuant to EC 9.7820(3) from AG

Agricultural with /UL Urbanizable Land Overlay to AG Agricultural shall become effective in accordance with State law.

**The foregoing Resolution adopted the 9th day of May, 2022.**

  
\_\_\_\_\_  
City Recorder

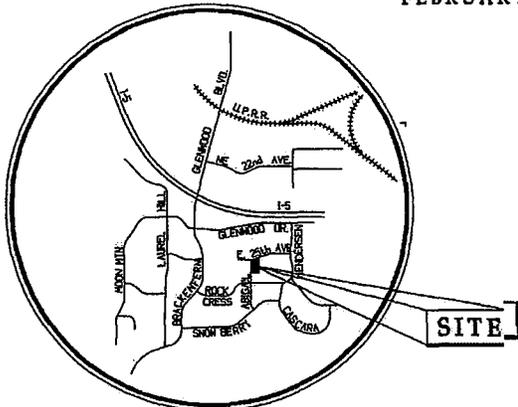
ANNEXATION APPLICATION SITE PLAN

FOR

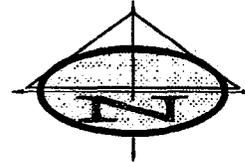
JASPER MOUNTAIN

NW 1/4, SEC. 3 T 18 S, R 3 W W.M.  
 ASSESSOR'S MAP 18-03-03-20 TL No. 1308  
 EUGENE, LANE COUNTY, OREGON  
 FEBRUARY 15, 2021

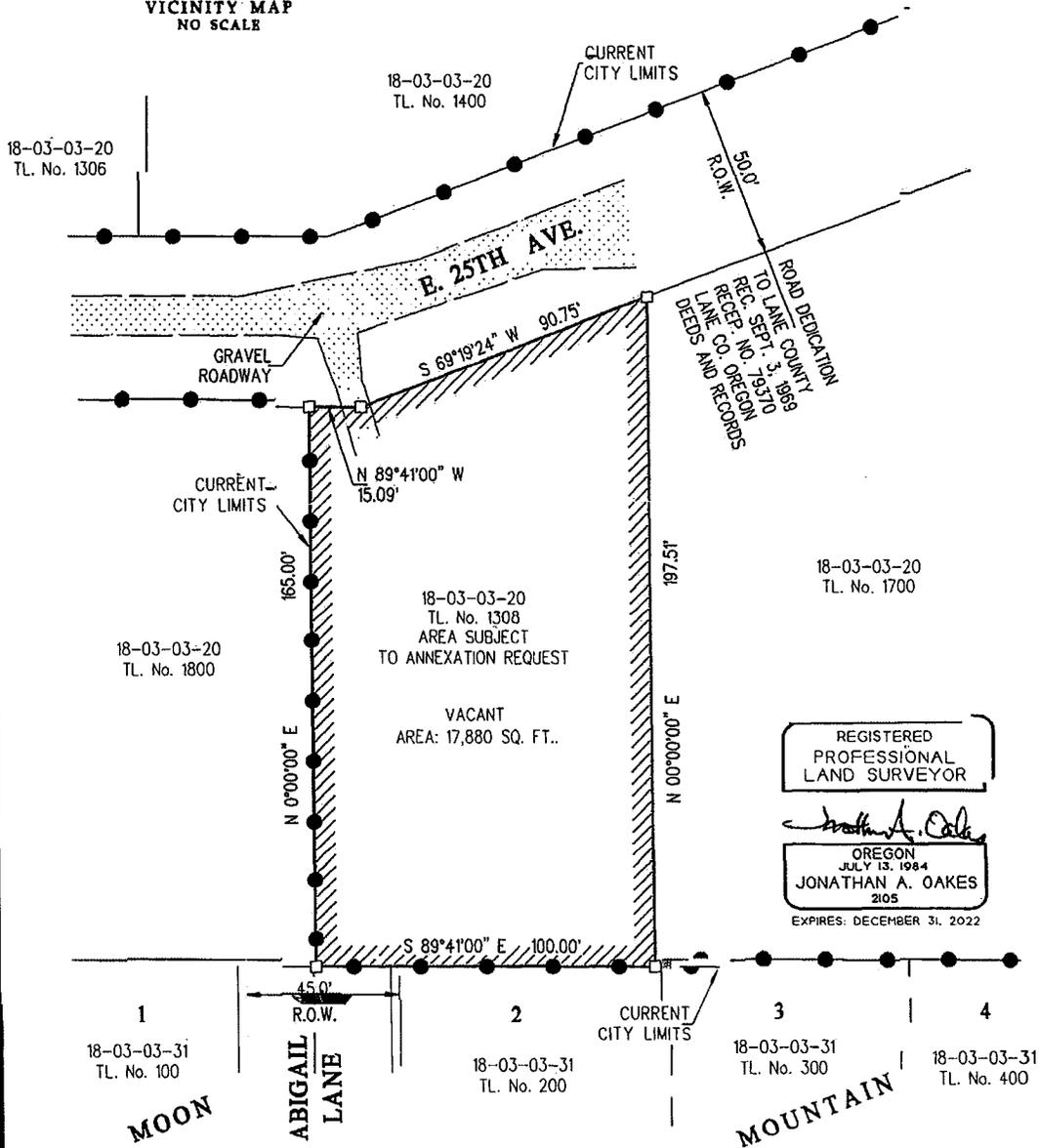
Exhibit A



VICINITY MAP  
NO SCALE



SCALE: 1" = 40'



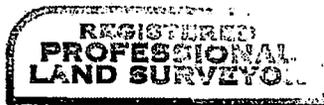
REGISTERED PROFESSIONAL LAND SURVEYOR

*Jonathan A. Oakes*  
 OREGON  
 JULY 13, 1984  
 JONATHAN A. OAKES  
 2105  
 EXPIRES: DECEMBER 31, 2022

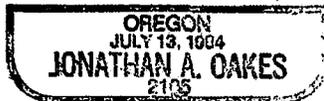
Annexation Legal Description  
For  
Assessor's Map No. 18-03-03-20 TL No. 1308  
NW ¼ Sec. 3 T 18 S, R 3 W W.M.  
Eugene, Lane County, Oregon  
February 15, 2022

**Exhibit B**

**Parcel 1 of Land Partition Plat No. 2021-P3010** as platted and recorded May 26, 2021  
Reception No. 2021-035489 Lane County Oregon Deeds and Records, all in Lane County  
Oregon.



*Jonathan A. Oakes*



*DE 31, 2022*



**Planning Director’s Findings and Recommendation  
Annexation Request for Cornerstone Community Housing  
(City File: A 21-16)**

<b>Application Submitted:</b> December 3, 2021
<b>Applicant:</b> Jasper Mountain
<b>Property Included in Annexation Request:</b> Tax Lot 1308 of Assessor’s Map 18-03-03-20
<b>Zoning:</b> AG Agricultural with /UL Urbanizable Land Overlay
<b>Location:</b> East 25 <sup>th</sup> Avenue, west of Henderson Avenue
<b>Representative:</b> Bill Kloos, PC, Oregon Land Use Law
<b>Lead City Staff:</b> Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

**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>					
<table border="1"> <tr> <td align="center" colspan="2"><b>Complies</b></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/> <b>YES</b></td> <td align="center"><input type="checkbox"/> <b>NO</b></td> </tr> </table>	<b>Complies</b>		<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</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). As shown in the application materials and confirmed by City staff, the City limits are contiguous to the subject property along the north, west and south property lines.
<b>Complies</b>					
<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>				
<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"> <tr> <td align="center" colspan="2"><b>Complies</b></td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/> <b>YES</b></td> <td align="center"><input type="checkbox"/> <b>NO</b></td> </tr> </table>	<b>Complies</b>		<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	<b>Findings:</b> Several policies from the Metro Plan 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> <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>
<b>Complies</b>					
<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>				

*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 following policy from the Residential Element of the Metro Plan is also applicable:

*Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and UGB until rezoned for urban uses.*

The Metro Plan designates the property to be annexed as appropriate for low-density residential use. The Laurel Hill Plan and the South Hills Study are the adopted refinement plans for the subject property. The Laurel Hill Plan identifies the area as appropriate for low-density residential; however, neither plan includes policies that would serve as mandatory approval criteria for the proposed annexation.

The property is currently zoned AG Agricultural with /UL Urbanizable Land overlay. In accordance with EC 9.7820(3), the /UL overlay will be automatically removed from the property upon annexation of a property. It is noted that prior to new R-1 Low-density Residential development on the site, the property will need to be rezoned consistent with the Metro Plan and applicable refinement plan designations.

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.

Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan, the Laurel Hill Plan refinement plan, and the South Hills Study.

<b>EC 9.7825(3)</b>		<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>
<b>Complies</b>		<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 Works notes that wastewater is available to be extended to the subject property. There is an 8-inch public wastewater line located to the south of the subject property within Abigail Lane which abuts the property. Extension and connection to the public wastewater system will be further reviewed at the time of future development.</p> <p><u>Stormwater</u> A public storm system exists near the south end of the property within Abigail Lane, which abuts the subject property. There are no public stormwater facilities within the East 25th Avenue right-of-way. Future development proposals must demonstrate compliance with Eugene’s stormwater standards. Any proposed stormwater plan will be reviewed for compliance with the Stormwater Management Manual and City of Eugene development code at the time of future development.</p> <p><u>Transportation</u> The subject property has frontage on East 25th Avenue, which is an undeveloped local street. It lacks paving, sidewalks, curb and gutter, street trees and streetlights. Abigail Lane is a fully developed local street that terminates at the southwest property line. Further review of applicable access connection and street connectivity standards will be reviewed at the time of future land use applications or development.</p> <p><u>Solid Waste</u> Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill operated by Lane County are available.</p> <p><u>Water and Electric</u> EWEB Water staff and Electric staff state no objection to the annexation. 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 by the cities of Eugene and Springfield to central Lane County and will continue in the same manner upon annexation.</p>
<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	

	<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> <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 Edison Elementary School, Roosevelt Middle School, and South 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 is set in accordance with State law.

**INFORMATIONAL ITEMS:**

- Upon approval of the annexation, the base zoning of AG Agricultural will remain; however, the /UL Urbanizable Lands overlay will be automatically removed from the annexation area. 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.