



COUNCIL RESOLUTION NO. 5356

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-08-00, TAX LOT 01000 LOCATED SOUTH
OF AIRPORT ROAD AND WEST OF HWY 99N).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: May 9, 2022



RESOLUTION NO. 5356

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-08-00, TAX LOT 01000 LOCATED SOUTH OF
AIRPORT ROAD AND WEST OF HWY 99N).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on February 2, 2022, by Golden Emerald LLC, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-08-00, Tax Lot 01000, to the City of Eugene.

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

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 B.

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, and owners and occupants of properties located within 500 feet of the perimeter of the subject property. Notice could not be sent to the applicable neighborhood group or community organization officially recognized by the City Council as required by EC 9.7820 because the property proposed to be annexed is not located within an officially recognized neighborhood group or community organization. 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 B and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-08-00, Tax Lot 01000, which is more particularly described in the attached Exhibit A, 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 9.4610, EC 9.7820(3)(c), and Figure 9.7820(3)(c) from AG Agricultural with /UL Urbanizable Land, /CAS Commercial Airport Safety, and /CL Clear Lake overlays to I-2 Light-Medium Industrial with /CAS Commercial Airport Safety and /CL Clear Lake overlays shall become effective in accordance with State law.

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

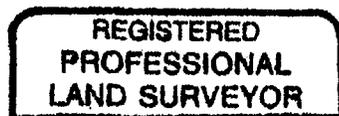


City Recorder

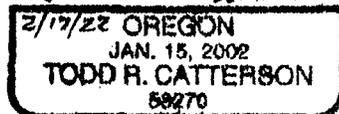
LEGAL DESCRIPTION FOR A TRACT OF LAND LOCATED IN THE E1/2 OF
SECTION 8, T.17S., R.4W., W.M., LANE COUNTY, OREGON
W.O. 21-5700

LEGAL DESCRIPTION

Legal description for a tract of land conveyed to Golden Emerald, LLC in MF 2012-017777, records of Lane County, Oregon, located in the East one-half (E1/2) of Section 8, Township 17 South, Range 4 West, W.M., Lane County, Oregon, more particularly described as follows: Beginning at the North one-quarter corner of said Section 8, thence South 80°07'52" East a distance of 1173.67 feet to the TRUE POINT OF BEGINNING of this legal description; thence South 01°47'44" West a distance of 173.84 feet to the Northwest corner of Parcel 1 of Partition Plat No. 2002-P1526; thence South 01°47'44" West along the West line of said Parcel 1 a distance of 311.19 feet to the Northwest corner of Parcel 2 of Partition Plat No. 2002-P1526; thence South 01°49'07" West along the West line of said Parcel 2 a distance of 311.17 feet to the Northwest corner of Parcel 3 of Partition Plat No. 2002-P1526; thence South 01°49'33" West along the West line of said Parcel 3 a distance of 568.16 feet to the Southwest corner of said Parcel 3; thence South 01°48'42" West a distance of 1787.36 feet; thence North 87°23'56" West a distance of 329.88 feet; thence South 01°49'02" West a distance of 634.94 feet to the North right-of-way line of Clear Lake Road; thence North 88°05'26" West along said North right-of-way line of Clear Lake Road a distance of 834.63 feet to the North - South centerline of said Section 8; thence North 01°50'52" East along said North - South centerline of Section 8 a distance of 1304.15 feet to the Center one-quarter of said Section 8; thence North 01°50'52" East along said North - South centerline of said Section 8 a distance of 1320.53 feet to the Center North one-sixteenth corner of said Section 8; thence North 01°50'52" East along said North - South centerline Section 8 a distance of 208.72 feet to the South line of a tract of land conveyed to the City of Eugene in deeds MF 2005-083799; thence along said South line of City of Eugene tract, around a 930.00 feet radius curve to the left a distance of 619.02 feet, long chord bears North 54°13'56" East, 607.66 feet; thence North 35°09'50" East along said South line of City of Eugene tract a distance of 300.00 feet; thence along said South line of City of Eugene tract around a 740.00 feet radius curve to the right a distance of 629.46 feet, long chord bears North 59°31'59" East, 610.65 feet to the TRUE POINT OF BEGINNING, containing 84.29 acres, more or less.



Todd R. Catterson



RENEWS 12/31/23



**Planning Director’s Findings and Recommendation:
Annexation Request for GOLDEN EMERALD, LLC
(City File: A 22-3)**

Application Submitted: February 2, 2022
Applicant: Golden Emerald, LLC
Property Included in Annexation Request: Tax Lots 01000 of Assessor’s Map 17-04-08-00
Zoning: AG Agricultural with /CAS Commercial Airport Safety, /CL Clear Lake and /UL Urbanizable Land overlays
Location: South of Airport Road and west of HWY 99N
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:	
<p>(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.</p>	
Complies	Findings: The subject property is within the Urban Growth Boundary and is contiguous to City limits on its eastern border, consistent with subsection (a).
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies	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>):
<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><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><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 subject property is within the area that was added to Eugene’s Urban Growth Boundary and designated for Light Medium Industrial 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. The subject property is currently zoned AG Agricultural with /UL Urbanizable Land, /CAS Commercial Airport Safety, and /CL Clear Lake overlays. See Sections 7 and 8 of Ordinance No. 20584 and Exhibits F and G to that ordinance. In accordance with EC 9.7820(3)(c), upon annexation the subject property will be automatically rezoned to I-2 Light-Medium Industrial with /CAS Commercial Airport Safety and /CL Clear Lake overlays. The /UL overlay will be automatically removed from the property upon approval of the annexation.</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>Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u>.</p>
<p>EC 9.7825(3) The proposed annexation will result in a boundary in which the minimum level of key urban facilities and services, as defined in the Metro Plan, can be provided in an orderly, efficient, and timely manner.</p>		
<p>Complies</p>		<p>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><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p><u>Wastewater</u> Wastewater service is available at the northeast corner of the subject property. At the time of development access to the system can be provided through extension of the system or easements. Based on the proximity to the service, service is available to the subject property.</p> <p><u>Stormwater</u> At the time of further 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></p>

The property has frontage on Clear Lake Road which is classified as a major collector and is a public street that connects to other streets allowing access to the greater public street system. It is noted that Clear Lake Road is under the jurisdiction of Lane County, and any future access will need to comply with Lane County's permitting requirements. To the north of the property is Airport Road, however, the property does not have frontage on it due to a strip of land that lies between the property and Airport Road.

Solid Waste

Collection service is provided by private firms. Regional disposal sites are operated by Lane County.

Water and Electric

Eugene Water and Electric Board (EWEB) staff confirm that water and electric services are available to the property.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision throughout 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.

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 Bethel 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.

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 legal description describing 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 approval of the annexation the zoning of the property will be I-2 Light-Medium Industrial with /CAS Commercial Airport Safety and / CL Clear Lake overlays in accordance with EC 9.7820(3)(c). The /UL Urbanizable Lands overlay will be automatically removed from the property. 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.