

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Approval of Resolution Annexing Land to the City of Eugene (Jane J. Daniels Lathen Trust - A 14-3)

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Meeting Date: July 28, 2014  
Department: Planning and Development  
[www.eugene-or.gov](http://www.eugene-or.gov)

Agenda Item Number: 2E  
Staff Contact: Becky Taylor  
Contact Telephone Number: 541/682-5437

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#### **ISSUE STATEMENT**

This item is a request to annex four tax lots, totaling 10.15 acres. The property is bordered by Gilham Road to the west, City limits to the south, the urban growth boundary to the east and northeast, and un-annexed land to the north. The property is zoned AG/UL Agricultural with the Urbanizable Land overlay. The Metro Plan and Willakenzie Area Refinement Plan designate the subject property for residential uses. The property is currently developed with an existing house and accessory building. Following annexation, the applicant proposes to rezone the property to R-1 Low-Density Residential, and to subdivide the property for future single-family residential development.

#### **BACKGROUND**

In December 2007, the City Council adopted an ordinance establishing the procedures for annexation requests and amending Chapter 9 of the Eugene Code (EC) to include these procedures. These annexation procedures provide for the council to adopt a resolution approving, modifying and approving, or denying an application for annexation; or provide for the council to hold a public hearing before consideration of the annexation request.

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

Public notice for this annexation request was provided in accordance with Eugene Code requirements, and no written testimony has been received. Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board (EWEB). These referral comments confirm that the property can be provided with the minimum

level of key urban services consistent with the approval criteria. Given the findings of compliance and lack of testimony received, a public hearing is not recommended in this instance. Additional background information regarding this request, including relevant application materials, is included for reference as Attachment C. A full copy of all materials in the record is also available at the Permit and Information Center located at 99 West 10th Avenue.

### **RELATED CITY POLICIES**

The Metro Plan contains the policies that are related to this annexation request. The Willakenzie Area Refinement Plan is the refinement plan applicable to the subject properties. 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 draft resolution by finding that the request complies with all applicable approval criteria, and that the annexation is approved.

### **SUGGESTED MOTION**

Move to adopt Resolution 5113, which approves the proposed annexation request consistent with the applicable approval criteria.

### **ATTACHMENTS**

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

### **FOR MORE INFORMATION**

Staff Contact: Becky Taylor, Associate Planner  
Telephone: 541/682-5437  
Staff E-Mail: [Becky.g.taylor@ci.eugene.or.us](mailto:Becky.g.taylor@ci.eugene.or.us)

