



COUNCIL RESOLUTION NO. 5388

**RESOLUTION ANNEXING LAND TO THE CITY OF
EUGENE (ASSESSOR'S MAP 17-04-12-20, TAX LOT 01900
LOCATED AT 594 RIVER LOOP 1).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: November 27, 2023



RESOLUTION NO. 5388

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-12-20, TAX LOT 01900 LOCATED AT 594
RIVER LOOP 1).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on May 31, 2023, by Compeau Family Trust, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-12-20, Tax Lot 01900, to the City of Eugene.

B. The legal description of the property proposed to be annexed is attached to this Resolution as Exhibit A. A map depicting the annexation area 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 September 22, 2023, 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 October 23, 2023.

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 17-04-12-20, Tax Lot 01900, 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 9.7820(3) from Agricultural (AG) with /UL Urbanizable Land Overlay to Agricultural (AG) shall become effective in accordance with State law.

The foregoing Resolution adopted the 27th day of November, 2023.

A handwritten signature in blue ink, appearing to read "Kathy Lash", is written above a solid black horizontal line.

City Recorder

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2022-017779, LANE COUNTY DEED RECORDS, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 17 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, EUGENE, LANE COUNTY, OREGON

THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19 OF THE PLAT "FIRST ADDITION TO GRIZZLY PARK", LANE COUNTY PLAT RECORDS;

THENCE ALONG NORTH LINE OF SAID LOT 19 AND ITS WESTERLY EXTENSION SOUTH 89°35'30" WEST, 413.20 FEET TO THE EAST LINE OF LOT 10 OF THE PLAT "ROBERT MOORE SUBDIVISION", LANE COUNTY PLAT RECORDS;

THENCE ALONG THE EAST LINE OF SAID LOT 10 AND ITS NORTHERLY EXTENSION NORTH 00°30'00" WEST, 495.88 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF RIVER LOOP 1;

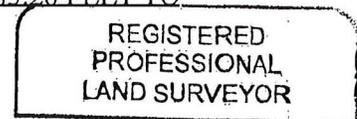
THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 89°41'17" EAST, 136.49 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2013-014546, LANE COUNTY DEED RECORDS;

THENCE ALONG WEST LINE OF SAID TRACT SOUTH 00°30'00" EAST, 209.92 FEET TO THE SOUTHWEST CORNER OF SAID TRACT;

THENCE ALONG THE SOUTH LINE OF SAID TRACT AND ITS EASTERLY EXTENSION NORTH 89°41'40" EAST, 281.62 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF THE PLAT "STORYBOOK SUBDIVISION", LANE COUNTY PLAT RECORDS, SAID SOUTHEAST CORNER ALSO BEING ON THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2019-054119, LANE COUNTY DEED RECORDS;

THENCE ALONG SAID WEST LINE SOUTH 00°29'11" WEST, 285.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.383 ACRES MORE OR LESS.



Justin M Recore
OREGON
MAY 09, 2017
JUSTIN M RECORE
84971PLS

RENEWED: 12/12/14



**Planning Director’s Findings and Recommendation:
Annexation Request for 594 RIVER LOOP 1
(City File: A 23-4)**

Application Submitted: May 31, 2023
Applicant: Compeau Family Trust
Property Included in Annexation Request: Tax Lot 01900 of Assessor’s Map 17-04-12-20
Zoning: Agricultural (AG) with an /UL Urbanizable Land Overlay
Location: 594 River Loop 1
Lead City Staff: Shawn Burgett, Associate 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	Findings: The subject property is within the Urban Growth Boundary and is contiguous to City limits on its Southern, northern, and eastern borders, 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>): <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> <i>Policy 10. Annexation to a city through normal processes shall continue to be the highest priority. (page II-C-5).</i>
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

	<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 following policy from the Residential Element of the <u>Metro Plan</u> is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the <u>Metro Plan</u>, 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.</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, and also designates the area for low density residential use. The property is currently zoned AG Agricultural with a /UL Urbanizable Land overlay. The /UL overlay will be automatically removed from the property upon approval of the annexation. If the owner wishes to pursue low density residential use in the future, the applicant will need to file a zone change application with the City to request R-1 Low Density Residential zoning, which is consistent with both the <u>Metro Plan</u> and <u>RR/SC UFP</u> plan designations.</p> <p>Regarding applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a defined subarea. Further, none of the general “Residential Land Use Policies” in Section 2.2 of the <u>RR/SC UFP</u> appear to be directly applicable to the annexation 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 property 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>Based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and <u>RR/SC UFP</u> refinement plan.</p>
<p>EC 9.7825(3)</p>	<p>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><input checked="" type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</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>

Wastewater

The subject property is currently served by the public wastewater system as verified by the City’s Public Works Department.

Stormwater

At the time of further development of the property, treatment of stormwater will be 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.

Transportation

The property has frontage on Wedgewood Drive, Banton Avenue and River Loop 1, all of which are public streets. In the event further development occurs, additional evaluation of access to the public street system will take place.

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) 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.

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.

		<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 approval of the annexation, the base zoning AG (Agricultural) zoning will remain. However, the /UL Urbanizable Land 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.