



COUNCIL RESOLUTION NO. 5087

**A RESOLUTION ANNEXING LAND TO THE CITY OF
EUGENE (PROPERTY IDENTIFIED AS ASSESSOR’S
MAP 17-04-23-11 TAX LOT 5301).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: June 24, 2013

RESOLUTION NO. 5087

**A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(PROPERTY IDENTIFIED AS ASSESSOR'S MAP 17-04-23-11 TAX LOT
5301).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted by Emily Reiman on May 3, 2013, in accordance with the provisions of Section 9.7810(2) of the Eugene Code, 1971, ("EC") for annexation to the City of Eugene of the property identified as Assessor's Map 17-04-23-11, Tax Lot 5301.

B. The territory proposed to be annexed is depicted on the map attached as Exhibit A to this Resolution. The legal description of the property described 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 Recommendation is attached as Exhibit C.

D. On May 23, 2013, a notice containing the assessor's map and tax lot number, a description of the land proposed to be annexed, and the Planning Director's preliminary recommendation was mailed to the applicants, owners and occupants of property within 500 feet of the subject property, and the River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on June 24, 2013.

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 Recommendation and Findings attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-23-11, Tax Lot 5301 on the map attached as Exhibit A, and described in the attached Exhibit B, is annexed to the City of Eugene.

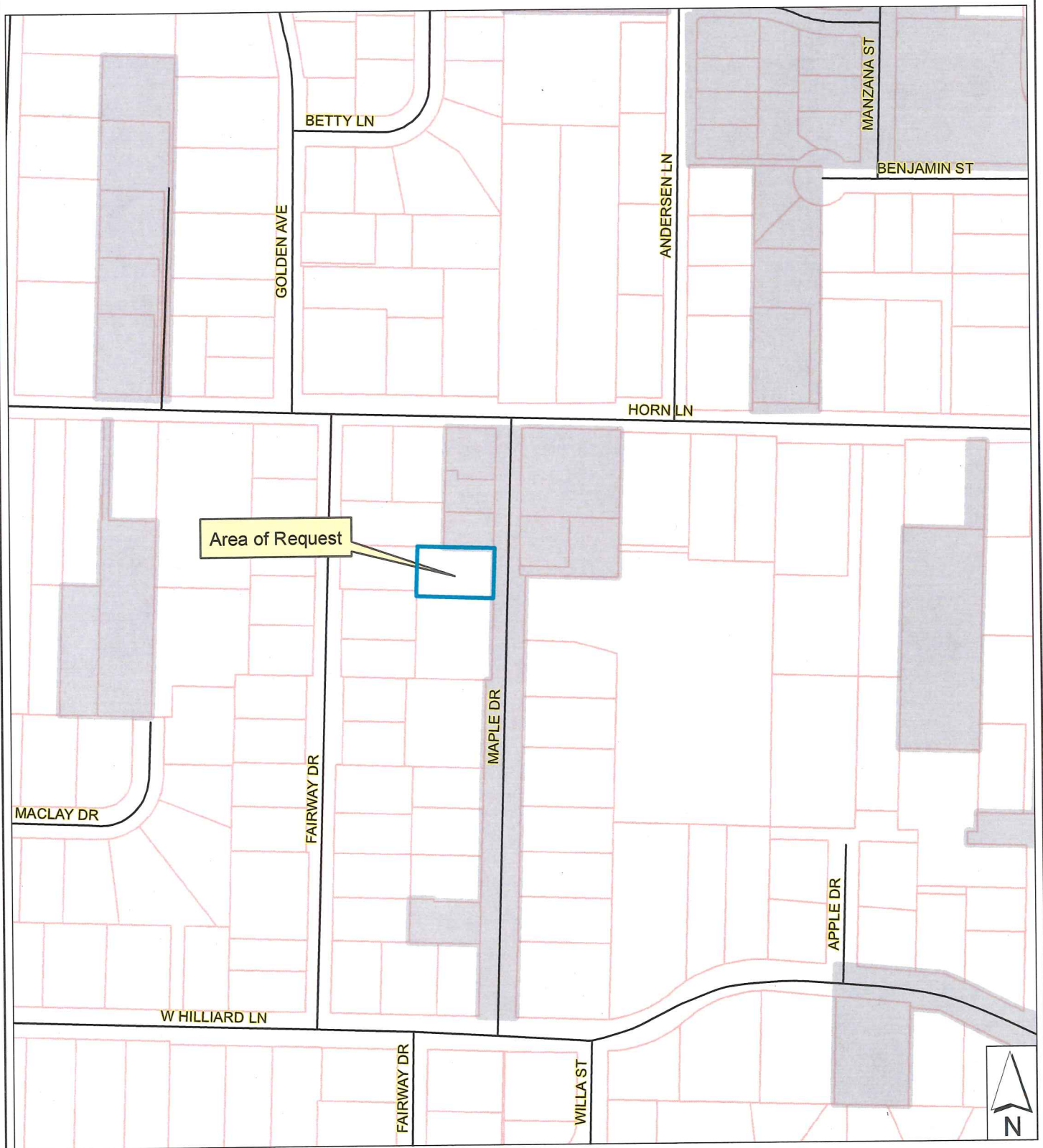
Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation and automatic rezoning of the land from R-1/UL to R-1 pursuant to EC

9.7820(3) shall be effective upon the date a copy of this Resolution is filed with the Secretary of the State of Oregon.

The foregoing Resolution adopted the 24th day of June, 2013.

Beth Lonest
City Recorder

Exhibit A - Vicinity Map (A 13-2) Reiman



Legend

- EUG
- Taxlots

0 75 150 300 Ft

Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.

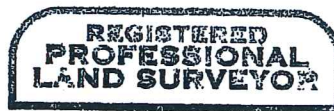
June 07, 2013



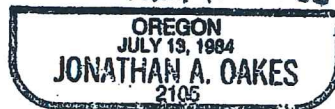
April 9, 2013

**Legal Description
of
Assessors' Map No. 17-04-23-11 TL No. 5301
to be
Annexed to the City of Eugene**

Beginning at a point on the centerline of Maple Drive, said point being North 00°11' East 693.7 feet of a point South 89°47' East 1982.0 feet from a point on the West line of the Benjamin Davis Donation Land Claim No. 45 Notification No. 2244 in Township 17 South, Range 4 West of the Willamette Meridian, which is NORTH 1205.82 feet from the southwest corner of said D.L.C. No. 45; thence North 89°47' West 20.00 feet to a point on the west margin of Maple Drive, said point being the True Point of Beginning; thence leaving said west margin and running North 89°47' West 123.90 feet; thence North 00°11' East 80.00 feet; thence South 89°47' East 123.90 feet to a point on the west margin of Maple Drive, said point being 20 feet westerly of, when measured at right angles to the centerline of Maple Drive; thence along the west margin of Maple Drive South 00°11' West 80.00 feet to the True Point of Beginning, all in Lane County Oregon.



Jonathan A. Oakes



Expires: Dec 31 2014



**Planning Director's Recommendations and Findings:
Reiman (A 13-2)**

Application Submitted: May 3, 2013	
Applicant: Emily Reiman	
Map/Lot(s): 17-04-23-11 Lot 5301	
Zoning: R-1/UL	
Location: 1160 Maple Drive	
Representative: Will Dixon	
Lead City Staff:	Becky Taylor, Associate Planner, (541) 682-5437

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 annexation area is within the City's urban growth boundary (UGB), and is contiguous to the City limits, consistent with subsection (a). The abutting street, Maple Drive, and adjacent lands to the north are in City limits.
<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: The proposed annexation area is within the UGB. Several policies from the <u>Metro Plan</u> generally support this annexation by encouraging compact urban growth to achieve efficient use of land and urban service provisions within the UGB, including the following: C. Growth Management, Goals, Findings and Policies: <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</i>
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

		<p><i>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-4)</i></p> <p><i>Policy 16. 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 <u>Metro Plan</u> designates the annexation area as appropriate for residential use. The <u>River Road/Santa Clara Urban Facilities Plan (RR/SC UFP)</u> is the adopted refinement plan for the subject properties and also designates the area for residential uses. If the annexation is approved, per EC 9.7820(3), the annexation area will remain zoned R-1, and the /UL overlay will be automatically removed from the annexation area.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is not within a subarea; of the general "Residential Land Use Policies" at Section 2.2, none appear to be directly applicable to the subject 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 the properties 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>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><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p>		<p>Findings: 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>Wastewater Public wastewater is provided by the existing 8-inch mainline located within Maple Drive, which serves the existing dwelling on the subject property.</p> <p>Stormwater Public stormwater facilities are not available, but on-site management of stormwater runoff from future development of the site appears to be feasible. Soil infiltration testing</p>

	<p>will likely be required during the building permit review process.</p> <p>Streets The segment of Maple Lane abutting the subject property is an improved street in the City's jurisdiction.</p> <p>Solid Waste Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.</p> <p>Water & Electric Eugene Water and Electric Board (EWEB) staff states no objection to serving the proposed annexation, but clarifies that water service is currently provided by the River Road Water District.</p> <p>Public Safety Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection services and ambulance services are currently provided to the subject property by the City of Eugene. 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> <p>Parks and Recreation A minimum level of park service can be provided to the proposal area by the city as prescribed in the <u>Metro Plan</u>. The subject property is currently within the River Road Park and Recreation District.</p> <p>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.</p> <p>Communications Qwest communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p>Public Schools The subject property is within the Eugene 4J School district and is served by River Road Elementary School, Kelly Middle School and North Eugene High School.</p>
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CONCLUSION:

Based on the above findings, the proposed annexation is found to be consistent with the applicable approval criteria. The Planning Director recommends that City Council approve this annexation proposal. The effective date is set in accordance with State law.