



COUNCIL RESOLUTION NO. 5223

**APPROVAL OF A RESOLUTION ANNEXING LAND TO
THE CITY OF EUGENE (ASSESSOR'S MAP 17-04-10-14,
TAX LOT 800—LOCATED ON HYACINTH STREET
SOUTH OF TRAVIS AVENUE).**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: February 26, 2018



RESOLUTION NO. 5223

APPROVAL OF A RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE (ASSESSOR'S MAP 17-04-10-14, TAX LOT 800—LOCATED ON HYACINTH STREET SOUTH OF TRAVIS AVENUE).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on December 6, 2017, by Matt Steinberg in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-10-14, Tax Lot 800, 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 is attached as Exhibit C.

D. On January 26, 2018, a notice containing the street address and 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 applicant, owners and occupants of property 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 February 26, 2018.

E. After considering the Planning Director's recommendation, the City Council finds that the application should be approved.

NOW, THEREFORE,

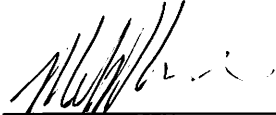
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based on the above findings and the Planning Director's Findings and Recommendation attached as Exhibit C which are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-10-14, Tax Lot 800, 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 automatic rezoning of the land from R-1 Low Density Residential with /CAS

Commercial Airport Safety Overlay and /UL Urbanizable Lands Overlay to R-1 Low Density Residential with /CAS Commercial Airport Safety Overlay pursuant to EC 9.7820(3) shall become effective in accordance with State law.

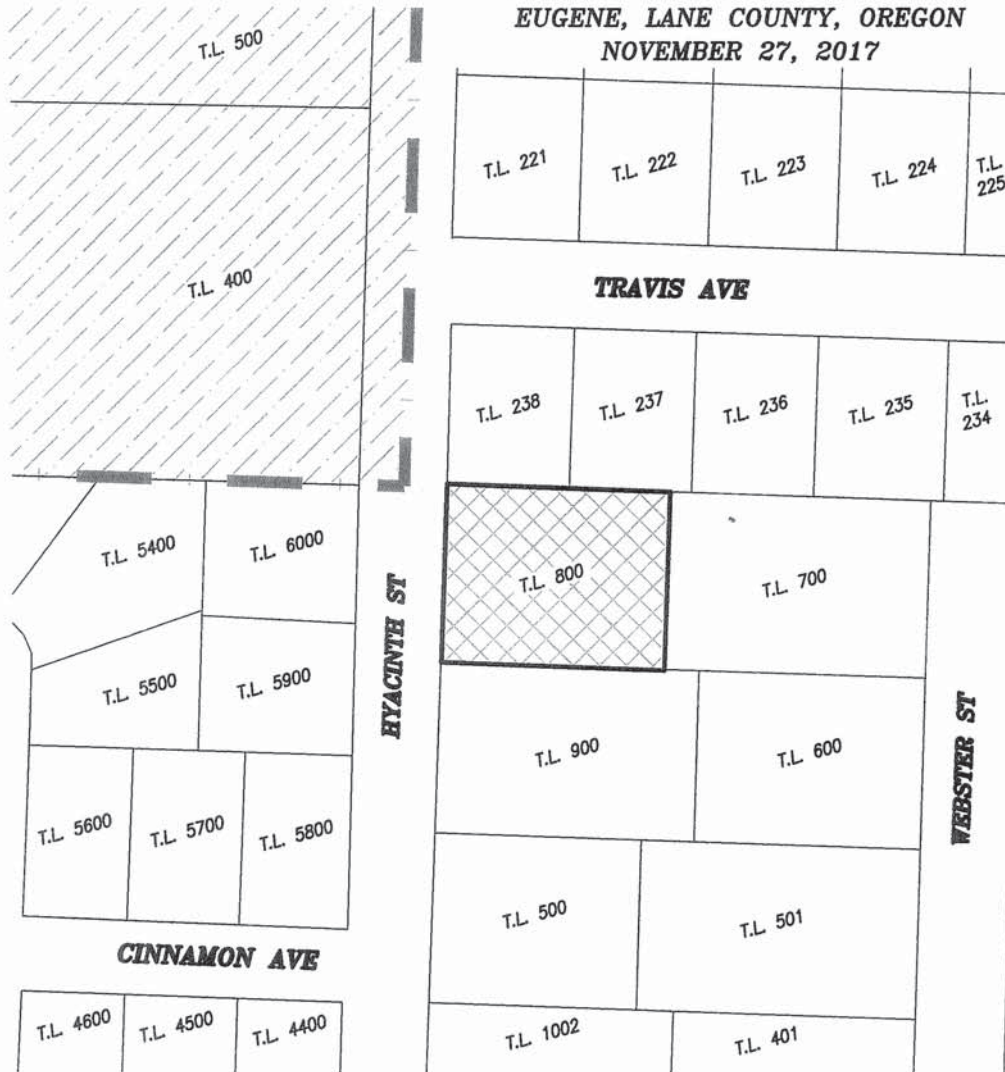
The foregoing Resolution adopted the 26th day of February, 2018.





Deputy City Recorder (A/C)

**LAND ANNEXATION FOR
STEINBERG**

**NE 1/4, SEC 10, T17S, R4W, WM
EUGENE, LANE COUNTY, OREGON
NOVEMBER 27, 2017**



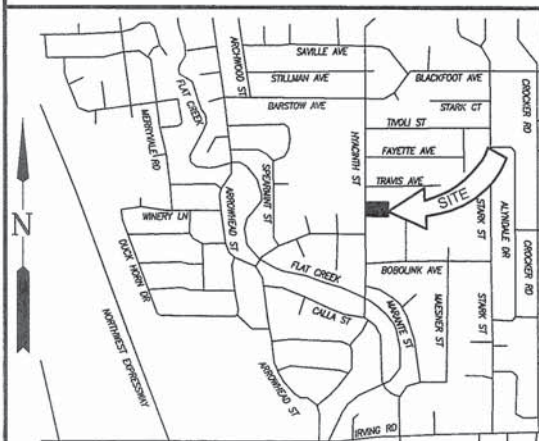
LEGEND

-  CITY LIMITS
-  LANDS TO BE ANNEXED

NOTES

1. CITY LIMITS BOUNDARIES SHOWN PER THE CITY OF EUGENE ON-LINE INTERACTIVE ZONING MAP ON JULY 28, 2017.
2. SITE IS CURRENTLY VACANT.
3. NO EASEMENT OR OTHER RECORDED RESTRICTIONS ARE KNOWN TO EXIST ON THE SITE.

ASSESSOR'S MAP(S) TAX MAP 17-04-10-14, T.L. 800



VICINITY MAP

NOT TO SCALE



SCALE: 1"=100'



310 5th Street
Springfield, OR 97477
p: 541.746.0637
www.BranchEngineering.com

Exhibit B



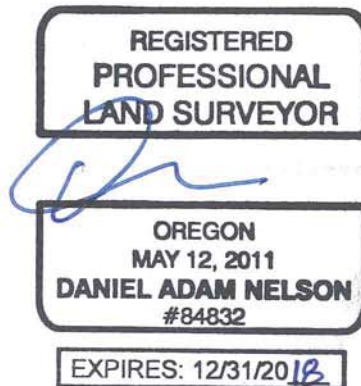
December 5, 2017

LEGAL DESCRIPTION

TM 17-04-10-14, TM 800, EUGENE, OR

Branch Engineering Inc. Project No. 17-422

BEGINNING at the Southwest corner of the Abraham Peek Donation Land Claim No. 51, Township 17 South, Range 4 West of the Willamette Meridian; **THENCE** North 0°04'30" East 2029.96 feet along the West line of said Claim to a point; **THENCE** South 89°56' East 30.00 feet to a point which is the **TRUE POINT OF BEGINNING**; **THENCE** North 0°04'30" East 232.68 feet along a line parallel with and 30.00 feet East of West line of said claim; **THENCE** South 89°56' East 147.95 feet; **THENCE** South 0°12' East 232.68 feet; **THENCE** North 89°56' West 149.15 feet to the **TRUE POINT OF BEGINNING**, in Lane County Oregon; **EXCEPT** the South 115 feet thereof.





**Planning Director’s Findings and Recommendation
Annexation Request for Steinberg, Matt
(City File: A 17-11)**

Application Submitted: December 6, 2017
Applicant: Matt Steinberg
Property Included in Annexation Request: Tax Lot 800 of Assessor’s Map 17-04-10-14
Zoning: R-1 Low Density Residential with /CAS Commercial Airport Safety Overlay and /UL Urbanizable Lands Overlay
Location: Hyacinth Street, south of Travis Avenue
Representative: Daniel Nelson, Branch Engineering, 541-746-0637
Lead City Staff: Nicholas Gioello, City of Eugene Planning Division, 541-682-5453

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 align="center">(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 annexation area is within the City’s urban growth boundary (UGB), and is separated from the City only by the right of way of Hyacinth Street, consistent with subsection (b).
<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</i> text):
<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> <ul style="list-style-type: none"> <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> <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 <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 use. The property is currently zoned R-1 Low Density Residential with /CAS Commercial Airport Safety Overlay and /UL Urbanizable Lands Overlay. The /UL overlay will be automatically removed from the zoning following annexation approval.</p> <p>With regard to applicable policies of the <u>RR/SC UFP</u>, the subject property is not located within any of the described subareas. Further, none of the general “Residential Land Use Policies” at Section 2.2 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>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the <u>Metro Plan</u> and refinement plan.</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>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><u>Wastewater</u> An 8-inch public wastewater line exists within Hyacinth Street, just west of the property. According to the as-constructed drawings, a 6-inch wastewater line was stubbed to the subject property when the 8-inch mainline in Hyacinth Street was constructed. If this is not the case, the mainline has sufficient depth to serve the subject property. There is an on-hold equivalent wastewater assessment that will become payable at the time of development.</p> <p><u>Stormwater</u> Public stormwater systems are not available to serve this property. Records show that</p>
<p>Complies</p> <p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	

the soils are mapped as a Type C. Infiltration testing may be required at the time of development to demonstrate adequate percolation rates; however, there are options for complying with stormwater standards which will be further evaluated at the time of future development.

Transportation

The subject property has frontage on Hyacinth Street, which is within Lane County jurisdiction. The City classifies this section of Hyacinth Street as a neighborhood collector. Access management and street standards will be evaluated at the time of future development.

Solid Waste

Collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Water and Electric

EWEB Water staff state no objection to the annexation. EWEB Electric staff also state no objection to the annexation request. Water and electric services can be extended in accordance with EWEB policies and procedures.

Public Safety

Police protection can be extended to this site upon annexation consistent with service provision through the City. Fire protection will be provided by the City of Eugene Fire Department. 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.

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 Eugene School District 4J and is within the district boundary of Spring Creek 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.
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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.