



Eugene City Council

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www.eugene-or.gov

EUGENE CITY COUNCIL AGENDA

September 9, 2019

7:30 p.m. CITY COUNCIL MEETING
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

Meeting of September 9, 2019;
Her Honor Mayor Lucy Vinis Presiding

Councilors

Betty Taylor, President
Greg Evans
Mike Clark
Jennifer Yeh

Emily Semple, Vice President
Chris Pryor
Claire Syrett
Alan Zelenka

7:30 p.m. CITY COUNCIL MEETING

1. PUBLIC FORUM

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- o July 8, 2019, Work Session
- o July 8, 2019, Meeting
- o July 10, 2019, Work Session
- o July 15, 2019, Joint Work Session
- o July 15, 2019, Public Hearing
- o July 17, 2019, Work Session
- o July 22, 2019, Work Session
- o July 22, 2019, Meeting
- o July 24, 2019, Work Session

B. Approval of Tentative Working Agenda

C. Adoption of a Resolution Annexing Land to the City of Eugene
(Assessor's Map 17-04-25-21, Tax Lot 3200, Located at 112 and 114
Hansen Lane)(City File: Craig and Holly Kohler; A 19-3)

D. Adoption of a Resolution Annexing Land to the City of Eugene
(Assessor's Map 17-04-02-42, Tax Lot 402; Located 187 Swain Lane)
(City File: Therrell, Mathew; A 19-2)

**E. Adoption of a Resolution Annexing Rights-of-Way to the City of Eugene
(Sections of: Harvey Avenue; Maynard Avenue from River Road West:
Hatton Avenue West to Parnell Drive: Manzana Street from Howard
South: and Evergreen Drive from Howard Avenue South to Rosetta
Avenue.) (Hatton Annexation; A 19-4)**

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El consejo de la Ciudad de Eugene agradece su interés en estos asuntos de la agenda. El lugar de la reunión tiene acceso para sillas de ruedas. Se puede proveer a un intérprete para las personas con discapacidad auditiva si avisa con 48 horas de anticipación. También se puede proveer interpretación para español si avisa con 48 horas de anticipación. Para reservar estos servicios llame al 541-682-5010. Las reuniones del consejo de la ciudad se transmiten en vivo por Metro Television, Canal 21 de Comcast y son retransmitidas durante la semana.

For more information, contact the Council Coordinator at 541-682-5010,
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EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Public Forum

Meeting Date: September 9, 2019
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 1
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This segment allows citizens the opportunity to express opinions and provide information to the council. Testimony presented during the Public Forum should be on city-related issues and should not address items which have already been heard by a Hearings Official or are on the present agenda as a public hearing item.

SUGGESTED MOTION

No action is required; this is an informational item only.

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of City Council Minutes

Meeting Date: September 9, 2019
Department: Central Services
www.eugene-or.gov

Agenda Item Number: 2A
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve City Council minutes.

SUGGESTED MOTION

Move to approve the minutes for the work sessions on July 8, July 10, July 15, July 17, July 22, and July 24, 2019; the meetings on July 8 and July 22, 2019; and the public hearing on July 15, 2019.

ATTACHMENTS

- A. July 8, 2019, Work Session
- B. July 8, 2019, Meeting
- C. July 10, 2019, Work Session
- D. July 15, 2019, Joint Work Session
- E. July 15, 2019, Public Hearing
- F. July 17, 2019, Work Session
- G. July 22, 2019, Work Session
- H. July 22, 2019, Meeting
- I. July 24, 2019, Work Session

FOR MORE INFORMATION

Staff Contact: Beth Forrest
Telephone: 541-682-5882
Staff E-Mail: bforrest@eugene-or.gov

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 8, 2019
5:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Jennifer Yeh, Chris Pryor, Mike Clark, Greg Evans, Claire Syrett (*via conference phone*), Alan Zelenka

Councilor Taylor opened the July 8, 2019, work session of the Eugene City Council in Mayor Vinis' absence.

1. Committee Reports and Items of Interest

Council Discussion:

- o Councilor Evans - shared information about his recent experience at the National League of Cities' summer meeting and the group's upcoming report on affordable housing.
- o Councilor Semple: announced that there are two new bathrooms coming soon thanks to the recent budget allocation, noting the Overpark garage bathrooms have new signage and will be monitored hourly.
- o Councilor Taylor - shared complaints she's received about the speed bumps in the Overpark garage; attended the National League of Cities' summer meeting and learned about a food recycling program in Indianapolis; attended the recent Livable Cities Conference where she learned about a day center for homeless residents in Madison, Wisconsin; wanted to know what could be done to fight implementation of House Bill 2001.
- o Councilor Clark - requested a work session to talk about HB 2001 in detail.

Councilor Zelenka joined the meeting at 5:46 p.m.

2. WORK SESSION: Parks and Recreation System Development Charge Methodology Update

Parks Natural Resource Planner Carolyn Burke and Consultant Deb Galardi of the Galardi Rothstein Group gave background on the topic including the overall vision for how funding would be used, how transportation and parks SDCs are currently calculated, a possible new rate structure that would be more progressive for housing; a new possible rate structure for commercial SDCs, and a timeline for continuing the conversation on the topic with council.

Council Discussion:

- o Councilor Clark – expressed concern about the corresponding increase in housing costs; suggested that demand management strategies may be needed; asked what percent of '07 projects were on the list distributed at the meeting.
- o Councilor Pryor – appreciated the work to make less expensive, smaller housing types more affordable.
- o Councilor Zelenka – asked for clarification of the SDC project list; appreciated that the progressive scale accounted for affordability based on square footage.
- o Councilor Evans – expressed concern that the City wouldn't be able to afford the parks development residents were asking for; asked about circumstances under which fees could

be waived; pointed out that some of the cities used for comparison in the presentation slides were cities with much higher average incomes than Eugene.

- o Councilor Syrett – appreciated the progressive approach, which resulted in a reduction for accessory dwelling units and smaller homes; preferred not to drop any of the projects on the list distributed; asked staff to follow up with her on what percentage increases were used in 2007.
- o Councilor Clark – preferred not to increase the cost of housing through SDCs while also increasing the capacity of the parks by \$58 million; felt it was not the time—given the housing crisis—to do more projects; requested list of projects that were still on the list from 2007.
- o Councilor Zelenka – requested data on Springfield, Albany and Portland; noted that it had been 12 years since council had last increased the SDCs; said that the city’s parks increase livability; noted another option in which the smallest homes had a zero or negative increase in rate and larger increases for homes with more square footage.
- o Councilor Pryor – said that even if the current rate didn’t change, the scale should be adjusted so that it is progressive and, therefore, more affordable for smaller homes.
- o Councilor Evans – asked how many developers were working on smaller homes (under 1600 square feet) within the city.
- o Councilor Semple – said it was important to encourage development; increasing fees may discourage housing development.

3. **WORK SESSION: Municipal Court Presiding Judge**

City Manager’s Office Interim Division Manager Becky DeWitt introduced the item Judge Gill spoke about his professional background, his involvement in the local Community Court; the key values he thinks the municipal court should uphold; and his vision for the future of the municipal court.

MOTION AND VOTE: Councilor Clark, seconded by Councilor Zelenka, moved to extend the work session by 10 minutes. **PASSED 7:0.**

Council Discussion:

- o Councilor Clark – asked Judge Gill how effective the court was in reducing recidivism; stated preference for a municipal court that is firmer in holding people accountable than the previous Presiding Judge’s court.
- o Councilor Zelenka – asked Judge Gill how he knows the Community Court works and when the evaluation by National Center for State Courts will be available; asked how the Judge would handle his role as a partner in his current firm if he were to be hired by the City as the presiding judge.

The meeting adjourned at 7:07 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Cas Casados)

Link to the webcast of this City Council meeting [here](#).

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

July 8, 2019
7:30 p.m.

Councilors Present: Betty Taylor, Emily Semple, Mike Clark, Greg Evans, Chris Pryor, Jennifer Yeh, Alan Zelenka, Claire Syrett

Councilor Taylor opened the July 8, 2019, meeting of the Eugene City Council in Mayor Vinis' absence.

1. Pledge of Allegiance to the Flag and Reading of the Declaration of Independence

Candace Shorak of the Eugene-Jinju Sister City Committee, Galina Groza of the Eugene-Irkutsk Sister City Committee, and Larry Yamoaka of the Eugene-Kakegawa Sister City Committee led the Pledge of Allegiance and read the Declaration of Independence in honor of Independence Day.

2. PUBLIC FORUM

1. David Piccioni – shared his ideas for making sure courthouse toilets do not get clogged.
2. Peter Dragovich – read an excerpt from Moody's Investors report on climate change.
3. Deb McGee – requested the council sunset the city's use of methane gas.
4. Todd Boyle – suggested ways to reduce the cost of housing.
5. Joshua Korn – spoke about electro-sensitivity; asked council for a moratorium on 5G.
6. Linda Heyl – spoke about reducing natural gas to meet climate goals.
7. Victor Oddivak – spoke about federal legislation regarding 5G technology.
8. Eric Jackson – said community court is ineffective and needs to be a court of record.
9. Eliza Kashinsky – spoke of House Bill 2001 being an opportunity for Eugene.
10. Sue Sierralupé – requested more sharps containers around the city and in new bathrooms.
11. Jamie Porter – felt the handling of her stalking case by the police department was lacking.

Discussion

- o Councilor Evans – asked whether there had been an agreement made with Northwest Natural Gas to extend for a year.
- o Councilor Clark – asked for clarification about what would happen if council did not renew its franchise agreement with Northwest Natural Gas; said the end of the franchise agreement wouldn't necessarily end the use of natural gas in the city.
- o Councilor Taylor – thanked David Piccione and Sue Sierralupé for their comments.
- o Councilor Semple – thanked Sue Sierralupé for her work.

3. CONSENT CALENDAR

A. Approval of City Council Minutes

January 23, 2019, Work Session
May 13, 2019, Joint Work Session
May 20, 2019, Public Hearing

B. Approval of Tentative Working Agenda

MOTION AND VOTE: Councilor Semple, seconded by Councilor Pryor, moved to approve the items on the Consent Calendar. **PASSED 8:0.**

4. ACTION: Appointments to the Human Rights Commission

MOTION AND VOTE: Councilor Semple, seconded by Councilor Zelenka, moved to reappoint Joel Iboa to the Human Rights Commission for a three-year term beginning July 9, 2019, and ending on June 30, 2022. **PASSED 8:0.**

MOTION AND VOTE: Councilor Semple, seconded by Councilor Pryor, moved to appoint Daniel Borson to the Human Rights Commission for a three-year term beginning July 9, 2019, and ending on June 30, 2022. **PASSED 6:2,** Councilors Evans and Clark opposed.

MOTION AND VOTE: Councilor Semple, seconded by Councilor Pryor, moved to appoint Kirstin London to the Human Rights Commission for a three-year term beginning July 9, 2019, and ending on June 30, 2022. **PASSED 8:0.**

MOTION: Councilor Semple, seconded by Councilor Pryor, moved to appoint Heather Sielicki to the Human Rights Commission for a three-year term beginning July 9, 2019, and ending on June 30, 2022.

Councilor Zelenka - pointed out that Amanda McCluskey had received the most votes of any candidate for the nomination and asked for clarification about whether she could still be appointed if she lived outside of the urban growth boundary.

MOTION TO SUBSTITUTE AND VOTE: Councilor Zelenka, seconded by Councilor Clark, moved to substitute Amanda McCluskey for Heather Sielicki. **PASSED 5:3,** Councilors Taylor, Semple and Yeh opposed.

Councilor Semple - felt strongly that council should not appoint candidates outside of the city limits if there were qualified candidates within.

VOTE ON AMENDED MOTION: PASSED 5:3, Councilors Taylor, Semple and Yeh opposed.

The meeting adjourned at 8:38 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Cas Casados)
Link to the webcast of this City Council meeting [here](#).

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

July 10, 2019
12:00 p.m.

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Chris Pryor, Greg Evans

Councilors Absent: Claire Syrett

Councilor Taylor opened the July 10, 2019, work session of the Eugene City Council in Mayor Vinis' absence.

1. EXECUTIVE SESSION: Pursuant to ORS 192.660(2)(a)

The City Council met in executive session pursuant to Oregon Revised Statute 192.660(2)(a).

Following the executive session, Councilor Taylor led a discussion of a salary range for the presiding judge of the municipal court.

Council Discussion:

- o Councilor Semple – expressed support for hiring Judge Gill as a presiding judge and making him an employee of the City rather than a contractor; supported providing a salary commensurate with his corresponding level of skill and experience within the City.
- o Councilor Clark – agreed that the presiding judge position should be an employee of the City; supported the salary range to be set at the division manager range.
- o Councilor Zelenka – supported hiring the position as an employee with similar contract and communication requirements as the independent police auditor position; asked for clarification about the proposed salary range and compensation package.
- o Councilor Pryor – expressed interest in negotiating a salary at the high end of the range.
- o Councilor Semple – supported a salary range beginning at a higher number.
- o Councilor Clark – asked for clarification about how the salary range might change over time.

MOTION AND VOTE (*including friendly amendments*): Councilor Semple, seconded by Councilor Evans, moved to hire Greg Gill as a municipal employee for the presiding judge position and authorize the council president to negotiate and execute an employment contract with Judge Gill that includes a salary range starting at \$130,000 and going to the top of the range for division managers within the City. **VOTE: PASSED 7:0.**

2. EXECUTIVE SESSION: Pursuant to ORS 192.660(2)(i)

The City Council met in executive session pursuant to Oregon Revised Statute 192.660(2)(i).

3. WORK SESSION: Police Auditor Annual Performance Review

Council Discussion

- o Councilor Zelenka – lauded the Police Auditor’s work, especially as it related to the onboarding of the new Police Chief in the past year.
- o Councilor Yeh – appreciated that the Police Auditor and his office are constantly trying to improve their work and their communication efforts; praised the work to work positively with the Police Department.
- o Councilor Pryor – thought the increase of the internally submitted complaints were a testament to the Police Department’s trust in his office; rated his work as excellent.
- o Councilor Clark – recalled more divisive times between the community and the police department; said the creation of the Office of the Police Auditor was done with hope for more cooperation and positive relationships and the current Police Auditor made that hope a reality.
- o Councilor Taylor – pointed out that the creation of the office was borne out of a citizen initiative; said that the current Auditor is benefiting from the hard work of those who previously held the position; noted that the role was especially challenging for the first Auditor - a woman - noting that such a role is still more difficult for a woman today.
- o Councilor Clark – disagreed with Councilor Taylor, noting that it diminished the current Auditor’s work; said he felt the current Auditor was simply better at the job; asked for clarification about merit increases being tied to the score and supported aligning them with the process used for the City Manager.
- o Councilor Zelenka – supported having the same contract requirements for all three council employees (the city manager, police auditor and municipal court presiding judge); asked for clarification on how the point system for performance reviews was tied to the merit increases; said he would prefer the Mayor’s score not be included in any merit increases.
- o Councilor Clark – did not want to see practices develop that were not supported by the Charter.
- o Councilor Semple – felt strongly that the Mayor’s score should not be included in the merit increases; did not feel that scoring for the Police Auditor should be translated into a corresponding compensation range during the meeting without councilors knowing that was the case when they chose their scores.
- o Councilor Pryor – wanted to create a structure for a more reliable system with fewer surprises; wanted to implement the changes for the coming evaluation rather than the current one.
- o Councilor Clark – shared his intention to offer an amendment to give the Auditor a five percent merit pay increase rather than three percent raise.

MOTION: Councilor Semple, seconded by Councilor Zelenka, moved that council award the Police Auditor a three percent merit salary increase effective July 7, 2019, and authorize the Council President to execute a contract consistent with this motion.

- o Councilor Zelenka – asked staff for language to amend that indicates future pay increases would be linked to a score by council and that the mayor’s score would not be included.
- o Councilor Clark – spoke to the Police Auditor’s excellence; felt additional merit pay was warranted.
- o Councilor Zelenka – asked for clarification about what the Police Auditor originally asked for in terms of his merit increase.

MOTION TO AMEND: Councilor Clark, seconded by Councilor Yeh, moved to amend to change three percent to five percent plus an additional five days of vacation.

- o Councilor Taylor – felt complex motions should always be split into parts so that councilors can individually vote for the parts they wanted.
- o Councilor Clark – said he planned to vote against the motion to divide because he felt there was enough of a consensus at the table that the main motion would pass as amended.

MOTION TO AMEND AND VOTE: Councilor Semple, seconded by Councilor Taylor, moved to divide the motion into three parts: (1) five percent merit increase, (2) the additional five vacation days, and (3) changing the contract so that merit pay was linked to the average performance score of councilors.

FAILED: 2:5, Councilors Pryor, Evans, Zelenka, Yeh, and Clark opposed.

- o Councilor Taylor – disapproved of tying the merit increase to the performance evaluation.
- o Councilor Semple – reiterated that changing the contract regarding the merit pay was a surprise and would have liked more time to hear from constituents about it; preferred to give the Police Auditor what he asked for and not any more than that.
- o Councilor Taylor – said she would have preferred a work session to discuss any changes to the contract.

VOTE ON MOTION TO AMEND: PASSED: 5:2, Councilors Semple and Taylor opposed.

VOTE ON MAIN MOTION AS AMENDED (*including friendly amendments*): Councilor Semple, seconded by Councilor Zelenka, moved that council award the Police Auditor a five percent merit salary increase as well as five additional vacation days effective July 7, 2019, and authorize the Council President to execute a contract consistent with this motion, and that amends the contract to establish a merit increase structure identical to the city manager's moving forward and that explicitly excludes the mayor's ranking in the average score.

PASSED: 5:2, Councilors Taylor and Semple opposed.

The meeting adjourned at 1:26 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(*Recorded by Cas Casados*)

Link to the webcast of this City Council meeting [here](#).

MINUTES

**Joint Meeting of the
Eugene City Council and Lane Transit District Board of Directors
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 15, 2019
5:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Chris Pryor, Mike Clark, Greg Evans, Claire Syrett

LTD Board Members Present: Carl Yeh, Don Nordin, Kate Reid, Joshua Skov, Emily Secord, Steven Caitlin Vargas

Mayor Vinis and Board President Carl Yeh opened the July 15, 2019, Joint Meeting of the Eugene City Council and Lane Transit District Board of Directors.

1. JOINT WORK SESSION: MovingAhead Project Update

City Engineer Chris Henry, Principal Planner Terri Harding, and LTD staff Andrew Martin presented information about proposed corridor investment packages. The Eugene City Council and LTD Board of Directors were asked to affirm the proposed corridor investment packages in advance of a Public Hearing in the fall of 2019.

[Councilor Zelenka arrived at 5:42]

Discussion

- o Councilor Semple – Expressed concern that information was confusing as presented; discussed preferences for EmX locations; discussed choices and associated costs and needs; expressed desire for “no build option”; inquired why River Road or Coburg Road was chosen over other options; discussed cost of EmX on River Road.
- o Mr. Nordin – Discussed concerns around polarization of community due to cost of packages; inquired about who is opposing capitol costs and how informed community members are.
- o Councilor Syrett – Discussed role as decision makers with regard to future transportation planning and alternatives to single car use; discussed rationale behind high cost of packages.
- o Mr. Skov – Expressed appreciation for the work already completed; emphasized purpose of packages; discussed purpose of large capital costs; discussed need for funding strategy discussion including redevelopment potential.
- o Councilor Clark – Inquired about how many people who live near Coburg Road versus those that do not live on Coburg Road participated in discussion about Coburg Road Corridor; discussed potential for development along Highway 99 and Coburg Road, as well as challenges for transit development on Coburg Road.
- o Mr. Yeh – Expressed support for transportation improvements on Coburg Road; discussed need to focus on vision of projects rather than logistics.
- o Councilor Evans – Expressed opinion that a no-build option is not a viable option and discussed need for some level of enhanced services; discussed types of enhancements and associated factors like cost and where money would come from; expressed desire to build out River Road and Highway 99 enhancements; discussed experiences with transit, needs for enhancements, and livability issues in various corridors.

- o Mr. Skov – Expressed confusion as to why it would be hard to develop on Coburg Road noting that transit is needed to accommodate redevelopment; discussed desire for analysis in the context of current transportation costs and types of transportation; discussed cost savings in effective transportation systems.
- o Councilor Yeh – Discussed role as decision maker in the current conversation around transportation planning; discussed package options; reminded community that board and council are not committing dollars but are discussing current work in planning and vision planning; inquired about reaching out to transit riders.
- o Ms. Reid – Asked why Coburg Road was chosen over the Highway 99 to add into the modified package and discussed desire to include Highway 99; discussed similarities between goals of Transit Tomorrow and MovingAhead and the need for community involvement.
- o Councilor Pryor – Discussed process of change in a community and the need for decision makers to articulate net gain instead of loss from process; requested that the conversation be centered around this articulation.
- o Ms. Vargas – Asked staff what information community members are given about projection of growth within an associated corridor related to the development.
- o Councilor Zelenka – Discussed cost of projects and other considerations; discussed historical planning efforts for other projects; expressed support for transit investments.
- o Mr. Yeh – Reiterated and explained reasons for support of Coburg Road development; discussed similar support for River Road development; expressed desire not to compare development of Coburg Road versus Highway 99.
- o Councilor Taylor – Discussed support for development of EmX on Highway 99 and related benefits; discussed desire for more frequent bus service; voiced support for various packages.
- o Ms. Reid – Discussed climate change and bus service considerations; discussed LTD's role to provide service to all areas of Eugene; noted LTD's efforts around tree planting and preservation.
- o Mayor Vinis – Discussed the different packages and their effect on local community areas and paradigms associated with each corridor; expressed support for adding a package that includes EmX on Highway 99.
- o Councilor Syrett – Noted net gains in trees during development of West Eugene EmX development; expressed support for Highway 99 package; discussed timelines of investments of housing alongside investments in transportation, expressed desire to put forth an additional package for EmX on Highway 99 and River Road, enhanced corridor for 30th, EmX for Coburg, and enhanced corridor for Martin Luther King, BLVD.; reiterated Mr. Yeh's comments about not pitting options against one another.
- o Councilor Clark – Discussed difference in community goals among corridors and transportation investments; expressed desire to learn from and analyze data from community who live along corridors to decrease car use in exchange for public transportation.
- o Mr. Yeh – Discussed reasons for taking a system-wide approach to analysis versus focusing on those who live along the corridor; reiterated support for Coburg developments; expressed support for additional package to include Highway 99.
- o Councilor Zelenka – Expressed support for forwarding packages other than no-build; discussed east-west commuting challenges; expressed support for moving these packages to public hearing; reiterated what current decisions are intended to accomplish.
- o Councilor Pryor – Discussed transportation planning methods for the future; discussed difference between village and city infrastructure needs.

- o Councilor Evans – Supported consideration of alternative transit options besides those that go through downtown when trying to access different sides of Eugene and surrounding communities; expressed desire for more information about what those options might be.
- o Mr. Secord – Asked staff to expand on thoughts about developing enhanced corridors with future development in mind rather than immediate needs and related opportunity costs.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Pryor, moved to amend the package and include a fifth package adding EmX on Highway 99, River Road and Coburg Road. **PASSED 7:1**, Councilor Clark opposed.

MOTION AND VOTE: Councilor Zelenka, seconded by Councilor Syrett, moved to direct staff to present the MovingAhead Proposed Investment Packages as amended for a Public Hearing. **PASSED 6:2**, Councilors Clark and Taylor opposed.

LTD Board members approved the same motions.

The meeting adjourned at 6:43 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Samantha Roberts)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 15, 2019
7:30 p.m.**

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor, Greg Evans

Mayor Vinis opened the July 15, 2019, meeting of the Eugene City Council.

1. PUBLIC HEARING: An Ordinance Extending the Term of Ordinance No. 20170 Granting to Northwest Natural Gas Company, a Corporation, a Twenty-Year Non-Exclusive Right and Franchise to Lay, Maintain and Operate Facilities in the Public Way Within the City of Eugene, Oregon; and Providing for the Payment of Compensation to the City.

Mayor Vinis opened the public hearing.

1. Rouanna Garden – Spoke about use of natural gas and associated municipal revenue.
2. Jim Ball – Spoke about demands of NWN and whether EWEB could meet community needs.
3. Linda Heyl – Requested council use agreement to regulate NWN carbon emissions.
4. Betzi Hitz – Reiterated need for agreement to meet CRO goals to reduce carbon emissions.
5. Sara Burant – Spoke to climate change concerns and opposition of using natural gas.
6. Jim Neu – Spoke to carbonization concerns, NWN, and opposition to agreement.
7. Christa Knittle – Spoke in opposition to the franchise agreement.
8. Tim Morris – Spoke about the failure of HB 2020 and need for immediate action.
9. Ryan Moore – Spoke to considerations of climate change and use of natural gas.
10. Michael Gannon – Addressed a variety of concerns related to climate change.

Council Discussion

- o Councilor Zelenka – Spoke to advocacy in partnering with NWN through a legally binding agreement versus a franchise fee agreement; spoke to failure of HB 2020 and the challenges imposed on this agreement as a result; spoke to SB 98 and how it can incentivize NWN to act on renewable resources; spoke to the process of creating a binding legal agreement.
- o Councilor Syrett – Inquired about NWN's plans during the time it would take to create a legally binding agreement; expressed support for binding agreement rather than franchise fee contract given it includes requirements towards real reductions in emissions; supported using the agreement to leverage these types of reductions.
- o Councilor Clark – Discussed capacity of EWEB to meet future capacity growth if gas becomes unavailable and as demand for electricity increases; inquired of staff to have better information from EWEB about capacity to provide electricity as demand grows.
- o Councilor Zelenka – Discussed presentation from EWEB and capacity for growth including EV and ability to meet demands, as well as incoming information from EWEB towards this topic.

Mayor Vinis closed the public hearing.

2. PUBLIC HEARING: An Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971.

Assistant City Manager Kristie Hammitt introduced the public hearing topic.

Mayor Vinis opened the public hearing.

1. Donna Riddle – Spoke in support of the ordinance and other public hearing topics.
2. David Ivan Piccioni - Spoke to a variety of unrelated topics.
3. Tracy Joscelyn – Spoke in support of rest stops, noting success of Nightingale facility.
4. Michael Gannon – Spoke to letter provided to Council in November 2018.
5. Eric Jackson – Spoke in support of rest stops and related programs.
6. Heather Sielicki – Spoke in support of ordinance and rest stops.

Mayor Vinis closed the public hearing.

Council Discussion

- o Councilor Syrett – Addressed concerns brought by Michael Gannon; communicated support for involving those who are homeless in the implementation of strategies.

3. PUBLIC HEARING: Proposal to Rename Washington-Jefferson Park as Edwin R. Smith Park in Honor of Ed Smith

Assistant City Manager Kristie Hammitt introduced the public hearing topic.

Mayor Vinis opened the public hearing.

John Etter – Spoke in support of renaming the park.
Terry Smith – Spoke in support of renaming the park.
Marjorie Smith – Thanked council for considering the renaming proposal.

Mayor Vinis closed the public hearing.

Council Discussion

- o Councilor Taylor – Expressed support for Edwin Smith’s contributions, renaming the park, and adding a monument to provide context for his contributions; expressed appreciation for those opposing the change.
- o Councilor Yeh – Discussed the importance of place naming; discussed need to address diversity in legacy building and for greater community input; expressed support for monument to recognize Edwin Smith’s contributions.
- o Councilor Syrett – Expressed appreciation for Edwin Smith’s contribution to create a park in her ward and associated cost; expressed agreement with Councilor Yeh about need for more diverse community input for this topic.
- o Councilor Clark – Spoke about past initiatives to name local landmarks.
- o Mayor Vinis – Expressed agreement with Councilor Yeh and Syrett’s comments about the need for broader and more inclusive means for public feedback.

The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Samantha Roberts)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

July 17, 2019
12:00 p.m.

Councilors Present: Emily Semple, Betty Taylor, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor, Greg Evans

Mayor Vinis opened the July 17, 2019, Work Session of the Eugene City Council.

1. WORK SESSION: Homeless Systems Implementation Plan

Systems Policy Analyst Jason Dedrick and Homelessness Policy Analyst Peter Chavannes presented recommendations to move forward with implementation of the Technical Assistance Collaborative's Shelter Feasibility Study.

Council Discussion:

- o Councilor Taylor – Expressed concern about the \$1 million set aside for a shelter not being used for that intent, and asked where money is coming from; suggested state match contributions; spoke to individuals moving to Eugene to engage with improved homeless services systems; inquired of staff what was meant by “building out to the perimeter”; stated that prevention of homelessness should be priority; inquired about proposed incentives to landlords; inquired if proposed motion included expanding rest stops.
- o Councilor Clark - Inquired about capacity and location of proposed shelter and purpose of related funding under discussion; discussed what information is needed to approve shelter; expressed discomfort with decision-making without first knowing the location of the facility; asked whether a municipal judge can compel someone to stay in a given location (i.e., public shelter) or require drug treatment as a condition of sentencing; discussed concerns about individuals that are perceived to not want help.
- o Councilor Syrett – Expressed appreciation for topic; requested follow-up information on Lane County's budget allocation for this initiative; discussed previous efforts to arrive at these recommendations as well as comparisons between a sprung structure and a concrete and steel structure; discussed purpose and perceived benefits of sprung structures; noted conversation with City Manager about organizing visits to other communities with similar structures and previous conversations about shelter needs in Eugene.
- o Councilor Pryor – Expressed agreement with Councilor Syrett and shared thoughts on sprung structure shelter; recounted previous conversations about shelter and the overriding need for siting a shelter rather than discussing costs; discussed the landlord incentives concept and making current housing more accessible to more people; expressed support for recommendations.
- o Councilor Yeh – Reiterated need for information about the County's budget allocation and proposed actions; appreciated sprung structures given current resources and timeline; inquired about operations for shelter; reiterated Councilor Taylor's comments about homelessness prevention and asked if funding would come from reserve contingency fund allocations; requested the information be made clearer to this end.
- o Councilor Zelenka – Appreciated presentation and its alignment with the TAC Report; discussed recommendations and information from TAC Report; discussed budgetary and timeline disadvantages of a “brick and mortar” shelter and expressed appreciation for

sprung shelter model; discussed Strategic Initiatives Manager concept; discussed mobile outreach concepts; discussed landlord engagement strategies.

- o Councilor Semple – Discussed and expressed reasons for hesitancy around sprung structure shelter and asked what those experiencing homelessness think about the idea; discussed and inquired about the costs included in estimates and where the additional funding will come from; listed various questions and concerns about shelter building; asked if the Navigation Center is a part of this shelter proposal; expressed frustration about the lack of progress.
- o Mayor Vinis – Reiterated comments about previous commitments to building a structure, and current issues requiring council’s attention.
- o Councilor Syrett – Requested information from sprung structure manufacturer provided during Budget Committee meetings; discussed previous conversations about potential location of Navigation Center; asked how mobile outreach teams would function and through what agency; discussed work of Strategic Initiatives Manager; discussed landlord engagement considerations; asked who will manage this recommendation; reiterated Councilor Clark’s request for information about municipal court judge sentencing options; spoke about prevention services for homelessness including diversion.
- o Councilor Zelenka – Discussed considerations of landlord incentives concept; spoke about table of current services provided to address homelessness in Eugene.
- o Councilor Semple – Provided information about movie “Tony” in Park Blocks; asked staff about difference between “temporary shelter”, “durable shelter”, “sprung structure shelter”, etc.; discussed cost and funding considerations; inquired about how logistics are being planned; inquired about specifics of Strategic Initiatives Manager role and function; discussed landlord engagement efforts; expressed appreciation for contingency fund and discussed thoughts on action timeline.
- o Councilor Clark – Inquired why it is important to vote on the motion proposed at this meeting; discussed considerations for low-barrier shelter; expressed concerns about voting without more information.
- o Councilor Taylor – Expressed agreement with Councilor Clark; would like to see \$1 million restricted to use of shelter; discussed siting considerations for shelter and potential locations; discussed role of Strategic Initiative Manager; expressed concern for overlapping services and sprung structure shelter concept.
- o Mayor Vinis – Encouraged council vote, noting what the vote entails and potential for future council discussion.

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt the staff recommendations as outlined in Attachment A.

- o Councilor Zelenka – Voiced support for motion, noting budget considerations.
- o Councilor Clark – Expressed desire to move forward but needs information not provided during presentation in order to vote on motion.

MOTION TO SUBSTITUTE: Councilor Clark, seconded by Councilor Taylor, moved to substitute for approving the Strategic Initiative Manager and pilot landlord engagement program portions of Attachment A.

- o Councilor Clark - Voiced concern there is too little information to vote on the section of the recommendation regarding the purchase of a structure; expressed support for voting on items once costs are better understood.

VOTE ON SUBSTITUTE MOTION: FAILED: 2:6, Councilors Pryor, Syrett, Evans, Zelenka, Semple, and Yeh opposed.

- o Councilor Taylor - Discussed TAC Report recommendations; discussed desire for first considering location; expressed disapproval of motion.
- o Councilor Semple – Inquired about logistics of planning, citing concerns about shelter location; discussed thoughts about and inquired of the City Manager how money allocations will be spent.

VOTE ON MAIN MOTION: PASSED 6:2, Councilors Clark and Taylor opposed

2. **WORK SESSION AND POSSIBLE ACTION: An Ordinance Concerning the Downtown Riverfront Land Use Adoption Package (An Ordinance Amending the Whiteaker Plan; Repealing the EWEB Downtown Riverfront Specific Area Plan; Amending Chapter 9 of the Eugene Code; Amending the Eugene Zoning Map and Overlay Zone Map; Rescinding the Willamette Greenway Permit Approved by Ordinance No. 20513 and Approving a New Willamette Greenway Permit; Approving a Tentative Subdivision; Approving a /WR Water Resources Overlay Zone Standards Review; and Providing an Effective Date.)** Community Development Director Michael Kinnison, Senior Planner Gabriel Flock, and Senior Planner Will Dowdy presented on the set of land use applications for mixed-use redevelopment of the Downtown Riverfront site, including a new park, housing and commercial uses.

MOTION AND VOTE: Councilor Semple, seconded by Councilor Evans, moved to extend the meeting by 10 minutes. **PASSED 7:1**, Councilor Clark opposed.

Council Discussion

- o Councilor Zelenka – Raised previous questions about concerns with eliminating minimum setbacks and parking requirements; requested a staff memo explaining how the current setback proposal will not result in development shortfalls; cited concerns about the eventual need to construct a multimillion-dollar parking structure; requested staff memo addressing parking concerns.
- o Councilor Syrett – Asked about railroad quiet zone implications with the adoption of the land use package.
- o Councilor Taylor – Inquired if railroad quiet zone is included in land use package motion; expressed opposition to spending on railroad quiet zone.
- o Councilor Zelenka – Expressed opposition to motion if voted on before receiving staff responses to concerns about parking and setbacks; noted general support for the proposal.
- o Councilor Semple – Expressed support for waiting for answers to Councilor Zelenka's questions.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to postpone motion until Monday, July 22, 2019. **PASSED 7:1**, Councilor Clark opposed.

- o Mayor Vinis – Expressed appreciation to staff for presentation; announced vote would be taken at the following meeting.

The meeting adjourned at 1:33 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Samantha Roberts)

Link to the webcast of this City Council meeting: [here](#)

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

July 22, 2019
5:30 p.m.

Councilors Present: Betty Taylor, Emily Semple, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Greg Evans

Mayor Vinis opened the July 22, 2019, work session of the Eugene City Council.

1. **EXECUTIVE SESSION: Pursuant to Oregon Revised Statute 192.660(2)(e)**
City Council met in executive session pursuant to Oregon Revised Statute 192.660(2)(e).

2. **Committee Reports and Items of Interest**

MOTION: Councilor Semple, seconded by Councilor Syrett, moved to adopt a resolution condemning white nationalism and alt-right activities and groups.

Council Discussion:

- o Councilor Semple – read parts of the proposed resolution brought forth on behalf of the Human Rights Commission.
- o Councilor Clark – expressed frustration with some of the wording of the resolution because he believes white nationalism and white supremacy are abhorrent and it is appropriate to enact laws that address actions that stem from those beliefs; explained his discomfort with language condemning people’s beliefs; shared concerns that the government should only concern themselves with actions and not beliefs; said he has a proposed amendment that will allow him to vote for the resolution.
- o Councilor Zelenka – asked why the motion didn’t specifically reference the resolution brought forward by the Human Rights Commission.
- o Councilor Syrett – thanked members of the Human Rights Commission for bringing this resolution forward; talked about the challenges of supporting free speech while also taking a strong stance against the views represented in the resolution, because the City Council does not have to agree with and support that speech; said that passage of the resolution is important to help ensure members of the community feel safe because these views lead to physical and psychological harm directed at members of the community.
- o Councilor Pryor – said that over the last few years the thoughts and beliefs of a certain group of people have become more the actions of their belief structure; said they have to be mindful of the fact that our thoughts become our words and our words become our actions; said that while the City Council should not oppose religion, opinions, or beliefs, the resolution addresses a form of hatred and bigotry and suppression of other people; said that it was important and appropriate to use the format of a resolution to say what City Council believes in.
- o Councilor Clark - said that if this were a statement of intolerance or violent actions, he would agree with Councilor Pryor; said actions or intimidation or violence are

repugnant and have no place in our community, but the resolution talks about what people believe and he does not want to officially condemn people for their beliefs.

- **MOTION TO AMEND:** Councilor Clark, seconded by Councilor Taylor, moved to remove reference to people's beliefs in this resolution.
- Council Discussion:
- Councilor Clark – clarified that he would like to remove anything that talks about a group or individual's beliefs and the City Council condemning them for those beliefs; addressed factual mistakes in the resolution.
- Councilor Zelenka – thanked the Human Rights Commission for writing the resolution; addressed Section H, which highlights Oregon's ugly history on race and the importance of including that in the resolution; talked about the reason for this conversation and the current climate in our country where people are openly presenting themselves as white nationalists and the City Council needs to stand against this hatred, bigotry, and discrimination.
- Councilor Syrett – talked about the important distinction that the resolution language is not condemning the people who hold these beliefs, but taking a stand against these beliefs that claim that white people are better than other people; said she wants to make a statement affirming that all people in the community deserve to be safe and welcome without fearing violent or harassing action against them.
- Councilor Yeh – said that Section C seems to be a definition of white nationalism and she wouldn't be in favor of removing it; shared appreciation for those who wrote the resolution and included next steps and reference to Oregon's history.
- Councilor Semple – said she understood some of Councilor Clark's concerns because she wouldn't want to say someone couldn't believe or think something; discussed what the definition of condemn means and said a person can believe whatever they want but can't do bad things because of it.
- Councilor Pryor – said it was an interesting point to think about where belief ends and action begins and this resolution is intended to show City Council's belief and policy is around this issue.
- Councilor Taylor – said she didn't see the need for the resolution because there are already laws that prevent people from doing bad things.
- Mayor Vinis – talked about the Civil Rights movement and how this resolution doesn't break any new ground by making a statement about the kinds of behavior that are considered unacceptable as a community.
- Councilor Clark – said that the resolution isn't saying that someone's beliefs are illegal, but that City Council is condemning those beliefs; said the problem with condemning people with certain beliefs is that there may be a future City Council made up of people with different beliefs; expressed discomfort with naming the official belief of the City of Eugene.
- Councilor Syrett – talked about how protectors of free speech say that the best way to combat speech is with more speech; said they should both defend people's right to express their views and, in the right circumstance, condemn views they find dangerous and unacceptable.
- Councilor Semple – asked for Councilor Clark to restate the motion to make it clear.
- Councilor Clark – restated the motion to remove all references to any person or group's belief; said he would support a motion if the references to beliefs were changed to actions.
- Councilor Zelenka – asked Councilor Taylor if she would support the resolution if the changes referenced in the motion were made.

VOTE ON MOTION TO AMEND: FAILED 3:4, Councilors Semple, Taylor, and Clark in favor.

MOTION TO AMEND TITLE OF RESOLUTION: Councilor Semple, seconded by Councilor Taylor, moved to amend the title of the resolution by removing the last two words of the title of the resolution, “and groups.”

Council Discussion:

- o Councilor Pryor – supported a unambiguous statement by the City Council that it condemns white nationalism.
- o Councilor Clark – said he believed the change was a good one but would still not vote in favor of the resolution because the council majority is defining who gets condemned and it’s wrong to condemn people as opposed to actions.

MOTION TO AMEND TITLE OF RESOLUTION WITHDRAWN: Councilor Semple, with permission from Councilor Taylor, withdrew her motion to amend the title of the resolution.

VOTE ON ORIGINAL MOTION: PASSED 4:3, Councilors Semple, Taylor, and Clark opposed.

3. WORK SESSION AND POSSIBLE ACTION: An Ordinance Concerning the Downtown Riverfront Land Use Adoption Package (An Ordinance Amending the Whiteaker Plan; Repealing the EWEB Downtown Riverfront Specific Area Plan; Amending Chapter 9 of the Eugene Code; Amending the Eugene Zoning Map and Overlay Zone Map; Rescinding the Willamette Greenway Permit Approved by Ordinance No. 20513 and Approving a New Willamette Greenway Permit; Approving a Tentative Subdivision; Approving a /WR Water Resources Overlay Zone Standards Review; and Providing an Effective Date.)

Community Development Director Mike Kinnison, Urban Development Manager Will Dowdy, and Senior Planner Gabe Flock answered questions about the Downtown Riverfront Land Use Adoption Package from a previous work session.

Council Discussion:

- o Councilor Zelenka – expressed concerns he had related to setbacks and lessons learned from the Capstone project, including design oversight; addressed parking concerns for future development.

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt an Ordinance Concerning the Downtown Riverfront Land Use Adoption Package (An Ordinance Amending the Whiteaker Plan; Repealing the EWEB Downtown Riverfront Specific Area Plan; Amending Chapter 9 of the Eugene Code; Amending the Eugene Zoning Map and Overlay Zone Map; Rescinding the Willamette Greenway Permit Approved by Ordinance No. 20513 and Approving a New Willamette Greenway Permit; Approving a Tentative Subdivision; Approving a /WR Water Resources Overlay Zone Standards Review; and Providing an Effective Date.)
PASSED 7:0,

4. WORK SESSION: Protections for Individuals Ordinance Update

This item was postponed until Wednesday, July 24, 2019.

The meeting adjourned at 7:02 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Elena Domingo)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

**Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401**

**July 22, 2019
7:30 p.m.**

Councilors Present: Betty Taylor, Emily Semple, Alan Zelenka, Jennifer Yeh, Mike Clark, Claire Syrett, Chris Pryor

Councilors Absent: Greg Evans

Mayor Vinis opened the July 22, 2019, meeting of the Eugene City Council.

1. PUBLIC FORUM

1. Joel Iboa – thanked council for passing the resolution condemning white nationalism.
2. Hope Vaccher – spoke against 5G installation in Eugene.
3. Colin Farnsworth – spoke against 5G installation in Eugene.
4. Abraham Likwornik – spoke against 5G installation in Eugene.
5. Bekki Bruckner - spoke against 5G installation in Eugene.
6. Victor Odilivak – spoke against 5G installation in Eugene.
7. Sabrina Siegel - spoke against 5G installation in Eugene.
8. Susanne Beaman – spoke against 5G installation in Eugene.
9. Joshua Korn- spoke against 5G installation in Eugene.
10. Roberly Hearsch – spoke against 5G installation in Eugene.
11. Barbara Wade – spoke against 5G installation in Eugene.
12. Robin Bloomgarden – spoke against 5G installation in Eugene.
13. Kathy Ging – spoke against 5G installation in Eugene.
14. Tom Brandt– shared concerns about selling the riverfront property to developers.
15. Sara Burant – invited council to join in 350 Eugene bicycle rides.
16. David Igl – shared concerns about the renaming of Dunn Hall.
17. Pamela Krause- shared an example of hate in our community.
18. Deborah McGee – spoke in support of climate change policy.
19. Patty Hine – spoke in support of climate change policy.
20. Linda Perrine – spoke against renewing the NWN franchise agreement for another year.
21. Linda Heyl – spoke against renewing the NWN franchise agreement for another year.
22. Drix – talked about Eugene being a great city.
23. Steve Kines – spoke in support of more rest stops and the proposed changes to rest stop siting.
24. Stefan Strek – talked about homelessness in Eugene.
25. Michael Carrigan – spoke in favor of the proposed rest stop siting changes.
26. Michael Gannon – shared concerns about crosswalks and pedestrian safety.

Council Discussion

- o Councilor Semple – addressed voting against the resolution against white nationalism; said she’s horrified by white nationalism but concerned by the suggestion that the council would be regulating people’s thoughts.
- o Councilor Clark – asked the City Attorney if City Council has a legal obligation to implement a precautionary principle as it pertains to any issue particularly or the 5G issue specifically; discussed precautionary principle versus proof of harm principle; asked the City Attorney if

City Council is under a legal obligation to act in the manner discussed in some of the public forum testimony or if lack of action puts the City in legal jeopardy as it pertains to the 5G issues raised.

- o Councilor Taylor – said she agreed with Councilor Semple’s statement and she’s been told there isn’t anything to City can do about 5G.
- o Mayor Vinis – reported that she had scheduled a meeting with representatives of the group opposing 5G; said that she made a speech at the U.S. Conference of Mayors about 5G, strongly advocating for fellow mayors to join in litigation against 5G providers overriding local control to rights-of-way.
- o Councilor Clark - said that the City Council not acting with the speed that is hoped for is not the same as not acting; said that the council has taken action through their normal process and have scheduled a work session on the topic.

2. CONSENT CALENDAR

A. Approval of City Council Minutes

- o June 10, 2019, Work Session
- o June 10, 2019, Meeting
- o June 12, 2019, Work Session
- o June 17, 2019, Work Session
- o June 17, 2019 Public Hearing
- o June 19, 2019, Work Session
- o June 24, 2019, Work Session
- o June 24, 2019, Meeting

B. Approval of Tentative Working Agenda

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to adopt the items on the Consent Calendar. **PASSED 7:0.**

3. ACTION: An Ordinance Extending the Term of Ordinance No. 20170 Granting to Northwest Natural Gas Company, a Corporation, a Twenty-Year Non-Exclusive Right and Franchise to Lay, Maintain and Operate Facilities in the Public Way Within the City of Eugene, Oregon; and Providing For the Payment of Compensation to the City

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt an Ordinance Extending the Term of Ordinance No. 20170 for four months.

Council Discussion

- o Councilor Clark – said he wasn’t in favor of a four-month extension when the staff recommendation was for a year; said he spoke with EWEB Board members about their capacity to handle the demand if everyone moved away from natural gas.
- o Councilor Taylor – said that the reason she proposed four months was because it gives time to think about and learn more about what actions City Council can take.
- o Councilor Syrett – shared her intention to amend the original motion to six months, but supported the four month motion; said she was leaning towards Councilor Zelenka’s proposal that the City come to a binding agreement with Northwest Natural to reduce carbon emissions; said she had concerns about Northwest Natural’s commitment to partnering on reductions; asked for answers from Northwest Natural about how many new customers and how many new homes they plan to connect within a potential one-year extension; said she wants to develop a robust and binding agreement with Northwest Natural, creating a partnership with targets to reduce emissions and accountability.

- o Councilor Zelenka – shared concerns that it may be unrealistic to respond with a four-month extension and asked staff to share thoughts on a timeline; noted that the agreement is very complicated because it is unprecedented and there's no template to move forward on.
- o Councilor Pryor – said he was sensitive to overloading staff and even though there might be a desire to move quicker, staff's workload must be considered.

MOTION TO AMEND: Councilor Pryor, seconded by Councilor Clark, moved to extend the term of Ordinance No. 20170 for one year.

Council Discussion

- o Councilor Yeh – said she doesn't want to keep waiting on state action and wants to move forward on making decisions; said she would support a four- or six-month extension, but a year seems like more time than is needed.
- o Councilor Semple – said she thinks six months is a good compromise and is comfortable with that extension.
- o Councilor Clark – said that if this motion fails, he will move to amend to six months.

VOTE ON MOTION TO AMEND: FAILED 3:4, Councilors Semple, Taylor, Yeh, and Syrett opposed.

MOTION TO AMEND AND VOTE: Councilor Clark, seconded by Councilor Semple, moved to extend the term of Ordinance No. 20170 for six months. **PASSED 6:1**, Councilor Taylor opposed.

VOTE ON MAIN MOTION AS AMENDED: PASSED 6:1, Councilor Clark opposed.

Council Discussion

- o Councilor Clark – asked about the consequences if Northwest Natural does not agree to a six-month contract extension.
- o Councilor Syrett – said she feels a sense of urgency around this issue but, if needed, the City Council has the ability to make another extension on the agreement; said that a six-month extension will allow City Council to see what impacts there might be from the special legislative session in February.

4. ACTION: An Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to adopt an Ordinance Amending and Codifying Permitted Overnight Sleeping Rest Stop Program Provisions, and Amending Section 4.816 of the Eugene Code, 1971.

Council Discussion

- o Councilor Clark – said he would be voting against the motion because he doesn't agree with the change in placement issues and is representing his constituency who would not agree with the changes.
- o Councilor Semple – said she was in favor of the changes to the rest stop program.
- o Councilor Taylor – asked for clarification on the proposed changes being made; said she would not be voting for locating rest stops in residential areas.

VOTE ON MOTION: PASSED 5:2, Councilors Taylor and Clark opposed.

5. ACTION: Approval of Motions Relating to the November 5, 2019, Election

MOTION: Councilor Taylor, seconded by Councilor Semple, moved to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to produce the voters' pamphlet.

Council Discussion

- o Councilor Zelenka – said that he was not originally in favor of putting this on the ballot, but now that it is on the ballot, he thinks people need to be informed about it and supports this motion.

VOTE: PASSED 7:0.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to appoint Councilors Syrett and Pryor to the voters' pamphlet proponent committee for the Charter Amendment that caps the rate and limits the use of the City's Payroll Tax.
PASSED 7:0.

MOTION AND VOTE: Councilor Taylor, seconded by Councilor Semple, moved to direct the City Manager to include on a supplemental budget sufficient appropriation offset by General Fund contingency and the Reserve for Revenue Shortfall to pay the City's part of the cost for the November 5, 2019 election. **PASSED 7:0.**

The meeting adjourned at 9:18 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Elena Domingo)

Link to the webcast of this City Council meeting: [here](#).

MINUTES

Eugene City Council
Harris Hall, 125 East 8th Avenue
Eugene, Oregon 97401

July 24, 2019
12:00 p.m.

Councilors Present: Betty Taylor, Emily Semple, Alan Zelenka, Jennifer Yeh, Michael Clark, Claire Syrett, Chris Pryor

Councilors Absent: Greg Evans

Mayor Vinis opened the July 24, 2019, Work Session of the Eugene City Council.

1. Committee Reports and Items of Interest

Mayor Vinis proposed postponing the City Manager's Performance Rating Average motion to after summer break because of all the other items on the agenda.

MOTION: Councilor Pryor, seconded by Councilor Semple, moved to reconsider Monday night's Resolution Condemning White Nationalism and Alt-Right Activities and Groups.

Council Discussion

- o Councilor Pryor – explained that he wanted to reconsider the resolution because it would be nice if City Council provided greater and more forceful support for this particular resolution to demonstrate clearly that the City is opposed to the level of racism and activity going on.

VOTE ON MOTION: PASSED 7:0.

Council Discussion

- o Councilor Semple – said she was proud to have brought this resolution forward and had fully intended to vote in favor of the resolution on Monday night, but was concerned that they might be condemning thoughts; noted it was against her values of freedom of speech and civil rights and wanted more time to consider this unintended path; said she would like City Council to pass a unanimous resolution consistent with their commitment to creating a welcoming and safe community and is grateful for the opportunity to change her vote to yes.
- o Councilor Clark – said he wanted to vote in favor of this resolution; talked about the comments calling him a racist and wanted to be clear that he does not think any race is inferior to any other; said the problem with the resolution was that parts of it were incendiary and factually questionable and he made edits that he sent to City Council that would create a resolution he would be happy to vote in favor of.

MOTION TO SUBSTITUTE: Councilor Clark, seconded by Councilor Semple, moved to substitute the language that he emailed for those places in the resolution so that the council might have a unanimous vote.

Council Discussion

- o Councilor Clark – clarified language proposed because he had put forth multiple options, choosing Republic in the first instance and emphasizing in the second; said he thinks it's important to make this statement and wants to vote in favor of the resolution after removing areas that are condemning people's beliefs; read the proposed changes:
- o All mentions of us as a Democracy be changed to a Constitutional Republic. (or a Republic)
- o Item C - Replace "...the belief that..." with "...the promotion of the idea that..."
- o Item D - Strike "and alt-right" and "many of which have been emboldened by the national political dialogue."
- o Item E - Replace the word "maintaining" with the word "promoting" or "emphasizing".
- o Item H - Strike all that begins with "For example.....(begin again with).....The State of Oregon also has..."
- o Councilor Pryor – said it feels as if the council will be saying that they want to condemn racism and racist actions, but that it's okay to be a racist and that sits uncomfortably with him because there are certain things that it's not okay to be; said that in the current political climate being a racist is very difficult to hide because it comes out in words and if you are the group in power saying things about groups not in power, that in its nature is intimidating and needs to be condemned.
- o Councilor Syrett – said she could support the motion with all proposed changes except the striking of the word "maintaining" because she believes the purpose and scope of white supremacy is to maintain that regime; said that we should not make space in our community to accommodate or tolerate the robust expression of beliefs such as white supremacy and does not want to be silent or timid in the face of these beliefs.
- o Councilor Clark and Semple accepted Councilor Syrett's suggestion as a friendly amendment.
- o Councilor Clark – said he would be willing to give up changing all mentions of "Democracy" to help meet in the middle.
- o Councilor Taylor –said that when people have to hide something, it becomes more dangerous.
- o Councilor Zelenka – said he was bothered by two of the changed proposals, including striking "many of which have been emboldened by the national political dialogue" noting that this conversation is happening because of the national political dialogue; said he could see the problem with the wording in Item H implying that white supremacist groups called for the deportation of Japanese-Americans following Pearl Harbor.
- o Councilor Pryor proposed amending the substitute motion to read, "Extreme racial prejudice resulted in the deportation of Japanese-Americans following Pearl Harbor..." in Item H.
- o Councilor Clark and Councilor Semple accepted Councilor Pryor's proposal as a friendly amendment.
- o Councilor Zelenka – supported the friendly amendment but is still bothered by striking text about the national political dialogue.
- o Mayor Vinis proposed rewording the sentence in Item D to read, "We recognize that there has been a rise of white nationalist and white supremacist groups in the United States, and that the national dialogue reflects that racist tension."
- o Councilor Clark and Councilor Semple accepted Mayor Vinis' proposed rewording as a friendly amendment.
- o Councilor Yeh – said she was not comfortable striking the sentence, "Today, white supremacy groups, including militias, are advocating for the apprehension, detention and deportation of Central American refugees legally seeking asylum in the United States."
- o Councilor Clark – said he had a problem with the statement that anyone who believes in deportation of illegal immigrants is a racist.

- o Councilor Yeh – reiterated her opposition to striking this sentence or striking reference to “alt-right” groups; proposed rewording the sentence in Item H to read, “Today, groups are advocating for the apprehension, detention and deportation of Central American refugees legally seeking asylum in the United States.”
- o Councilor Clark and Councilor Semple accepted Councilor Yeh’s rewording as a friendly amendment.
- o Councilor Taylor – proposed postponing this item because she objected to re-writing the resolution language in this way at the table.
- o Councilor Zelenka – asked clarifying questions about postponing motions to reconsider; said it was important that if they’re spending time amending the resolution, they’re doing it to get to a unanimous decision; shared concerns that Councilor Taylor’s suggestion to postpone the item might mean she won’t vote in favor of the amended resolution.
- o Councilor Taylor – said she would prefer to consider the amendments thoroughly and vote on the resolution after break because this process was messy.

VOTE ON SUBSTITUTE MOTION (*with friendly amendments*): PASSED 7:0.

VOTE ON MAIN MOTION AS SUBSTITUTED: PASSED 7:0.

- o Mayor Vinis – said this was an important conversation to have but encouraged councilors IN the future to make edits to a proposed resolution in advance and not during a City Council meeting.

2. WORK SESSION: Implementation of Construction Excise Tax and Use of Affordable Housing Trust Funds

Community Development Director Michael Kinnison, Grants Manager Stephanie Jennings, and Building Permit Services Director Lydia Kaye provided an update on the Construction Excise Tax (CET), a timeline for its implementation, and the outcomes and potential focus areas for use of CET funds.

Council Discussion

- o Councilor Clark – asked staff about the pilot assistance program; talked about his challenges with the Construction Excise Tax because it makes housing more expensive and generates more rental housing instead of home ownership; said he would prefer to make it easier for low-income folks to buy homes and would support 15 percent or more of residential CET revenue set aside for down payment assistance.
- o Councilor Syrett – said she liked the makeup of the proposed committee; asked who the committee would be making recommendations to; said her priority focus areas are included on the proposed list, including both renter and homeowner assistance; asked if this funding could be used for permanent supportive housing; said she supported this fund because of its flexibility and will be looking for creativity in the recommendations from the advisory committee and staff to make the best use of CET dollars.
- o Councilor Zelenka – asked about the status of the renter protections task force and survey and how that gets integrated into this process; talked about the affordable housing task force group and their focus on more affordable housing, noting very few people in that group were renters so the focus was not on renter protections; said he thinks this money should be focused on people not losing their homes with assistance to renters and homebuyers, including help with down payments, rental deposits, housing navigators, and a single rental application process.
- o Councilor Yeh – agreed that the money should be focused on the three proposed potential focus areas and that the City should be looking at setting aside more than 15 percent of the

residential revenue for down payment assistance; asked what a housing consumer advocate is; said that it would be helpful if the recommendations were created within some context related to other programs.

- o Councilor Pryor – said his main interest in approving the CET was to provide flexibility and options for spending the money; however, more options means having to decide where that money is and isn't going; said he wanted the fact that housing needs in Eugene are not static or one-size fits all to be considered; said one of his intentions is that the CET funding could be leveraged with other sources of funds to create a bigger impact.
- o Councilor Taylor – pointed out that no additional money would be coming in for the first two years; said that helping with down payments and first and last month's rent is crucial.
- o Councilor Zelenka – clarified that the SDC offset with general fund money is only temporary for two years and additional money will come in the third year; talked about how many people are housing burdened in Eugene and the need to educate people about helpful housing programs; said he thinks this money should be a source for the renter protections committee recommendations.
- o Councilor Syrett – asked about additional outreach and engagement happening with rental housing fund money; agreed with Councilor Yeh that it would be helpful to have context for recommendations that are proposed, including existing programs and how they connect.
- o Mayor Vinis – said part of the pressure on renters is that the short supply of housing is driving prices up; said that remediation and protection for renters is critical, but so is the supply and the need to build more affordable housing.
- o Councilor Zelenka – asked if there was a method in place to track the number of housing units built since the implementation of the CET; said he wants to be able to point to the incremental changes made by implementing the CET; supported making it clear what the City Council priorities were.

MOTION: Councilor Zelenka, seconded by Councilor Clark, moved that the vast majority of the CET funds be used on direct assistance to renters and homebuyers with at least 15 percent of the residential CET revenue set aside for down payment assistance.

- o Councilor Syrett – shared concerns about precluding the advisory committee from coming back with recommendations that might not line up with this motion; asked if City Council could change the spending ratio with a future motion
- o Councilor Clark – talked about wanting to increase assistance for low-income individuals to help people buy homes rather than rent them; said the community is skewed towards a high number of rentals and HB 2001 will make it even more skewed; noted that prices won't go down as more units are created.
- o Councilor Pryor – said the flexibility of the CET funds is one of its strong suits and supported going thorough more of a process and getting more feedback before narrowing down the focus area for the money.
- o Councilor Zelenka – clarified that his motion directs a majority of the money in one direction but leaves flexibility for the rest of the funds; said he wants to give the committee that will be formed in August some clear direction from City Council.

VOTE ON MOTION: PASSED 4:3, Councilors Semple, Syrett, and Pryor opposed.

MOTION AND VOTE: Councilor Pryor, seconded by Councilor Yeh, moved to extend the meeting by 10 minutes. **PASSED 5:2**, Councilors Zelenka and Clark opposed.

3. **WORK SESSION: Protections for Individuals Ordinance Update**

Human Rights and Neighborhood Involvement Manager Jennifer Lleras Van Der Haeghen gave an overview of the Protections for Individuals Ordinance and proposed draft code changes.

Council Discussion

- o Councilor Syrett – thanked other councilors for reconsidering the resolution condemning white nationalism and hatred and coming to a unanimous vote; said she was proud of efforts the City Council, City Manager, and Police Chief have taken to ensure all residents feel secure doing business with the City and accessing City services without fear that their information will be turned over to another government agency without due process; said she thinks the additional proposed code changes would further strengthen these measures and give clear direction to City employees.

MOTION AND VOTE: Councilor Syrett, seconded by Councilor Semple, moved to direct the City Manager to schedule a public hearing on an ordinance substantially similar to the Attachment B from the City Council’s packet dated July 22, 2019. **PASSED 7:0.**

4. **Committee Reports and Items of Interest**

Council Discussion

- o Councilor Taylor – raised constituent concerns about tents along the bike path, the payroll tax, and questions about why the power lines aren’t being buried during the Willamette reconstruction; mentioned the free symphony in the park event as one of the best things the City does; said one of the worst things the City does is charge library fines, including putting a freeze on accounts that owe more than \$10 and referring fees to a collection agency at \$50.
- o Mayor Vinis – talked about participating in the international disabled women’s conference and two upcoming events Mobility International is having that are influential and inspiring; talked about participating in the U.S. Conference of Mayors and associated Climate Summit; said she has chosen to serve on the steering committee for Climate Mayors in hopes of finding opportunities.

The meeting adjourned at 1:32 p.m.

Respectfully submitted,

Beth Forrest
City Recorder

(Recorded by Elena Domingo)

Link to the webcast of this City Council meeting: [here](#).

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Approval of Tentative Working Agenda

Meeting Date: September 9, 2019
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 2B
Staff Contact: Beth Forrest
Contact Telephone Number: 541-682-5882

ISSUE STATEMENT

This is a routine item to approve the City Council Tentative Working Agenda.

BACKGROUND

On July 31, 2000, the City Council held a process session and discussed the Operating Agreements. Section 2, notes in part that "The City Manager shall recommend monthly to the council which items should be placed on the council agenda. This recommendation shall be placed on the consent calendar at the regular City Council meetings (regular meetings are those meetings held on the second and fourth Monday of each month in the Council Chamber). If the recommendation contained in the consent calendar is approved, the items shall be brought before the council on a future agenda. If there are concerns about an item, the item may be pulled from the consent calendar at the request of any councilor or the Mayor. A vote shall occur to determine if the item should be included as future council business." Scheduling of this item is in accordance with the Council Operating Agreements.

RELATED CITY POLICIES

There are no policy issues related to this item.

COUNCIL OPTIONS

The council may choose to approve, amend or not approve the tentative agenda.

CITY MANAGER'S RECOMMENDATION

The City Manager has no recommendation on this item.

SUGGESTED MOTION

Move to approve the items on the Tentative Working Agenda.

ATTACHMENTS

A. Tentative Working Agenda

FOR MORE INFORMATION

Staff Contact: Beth Forrest

Telephone: 541-682-5882

Staff E-Mail: bforrest@eugene-or.gov



City Council Tentative Agenda

Updated August 28, 2019

Meeting Location: Harris Hall, 125 East 8th Avenue, unless otherwise noted

Council Break: July 25 – September 9

September 2019						
Date	Day	Time	Title		Length	Dept. Contact
9-Sep	Monday	5:30 pm	 Committee Reports and Items of Interest	45 mins	Tim Doll, PW	
			 Airport Master Plan (Work Session)			
			 Sign Code/Digital Display Technology (Work Session)			
		7:30 pm	 Public Forum		Dan Halverson, PDD	
 Resolution Annexing Land to City (Kohler Annex; A19-3 Living Strong LLC) (Consent Calendar)						
 Resolution Annexing Land to City at 187 Swain Lane (Therrell, Matthew A 19-2) (Consent Calendar)						
 Resolution Annexing Land to City (Hatton; A 19-4) (Consent Calendar)						
Expected absences for 9/9: none						
11-Sep	Wednesday	12 pm	 Ferry Street Manor MUPTE Application (Work Session)	45 mins	Amanda D’Souza, PDD	
			 Rivers to Ridges Update (Work Session)	45 mins	Craig Carnagey, PW	
Expected absences for 9/11: none						
16-Sep	Monday	5:30 pm	 Ordinance Concerning Accessory Dwelling Units (LUBA Remand) (Work Session & Poss. Action)	90 mins	Alissa Hansen, PDD	
		7:30 pm	 Ordinance on Data Collection and Protection of Individuals (Public Hearing)		Jen Van Der Haeghen, CS	
Expected absences for 9/16: none						



Work Session



Action



Public Hearing



Public Forum



Consent Calendar



Committee Reports/Items of Interest



Ceremonial Matters



Pledge of Allegiance

September 9, 2019 Meeting - Open to the Public

18-Sep	Wednesday	12 pm	 Alley Access Rules (Work Session)	45 mins	Alissa Hansen, PDD
			 TBD (Work Session)	45 mins	
Expected absences for 9/18: Evans					
23-Sep	Monday	5:30 p.m.	 Committee Reports and Items of Interest	45 mins	Michael Kinnison, PDD
			 URA - Riverfront Update (Work Session)		
			 Short-Term Vacation Rentals (Work Session)		
		7:30 pm	 Public Forum		Kelly Shadwick, PW
 Proposal to Rename Washington Jefferson Park in Honor of Ed Smith (Action)					
Expected absences for 9/23: none					
25-Sep	Wednesday	12 pm	 City Manager Annual Evaluation (Work Session) Executive Session Pursuant to ORS 192.660(2)(i)	45 mins	Keri Beraldo, CS
			 Executive Session Pursuant to ORS 192.660(2)(e)	45 mins	
Expected absences for 9/25: none					

October 2019						
Date	Day	Time	Title		Length	Dept. Contact
9-Oct	Wednesday	12 pm	 Small Cell Technology (Work Session)	45 mins	Scott Milovich, PW	
			 Parks and Recreation SDC Methodology Update (Work Session)	45 mins	Carolyn Burke, PW	
Expected absences for 10/9: none						
14-Oct	Monday	5:30 pm	 Committee Reports and Items of Interest	45 mins	Jen Van Der Haeghen, CS	
			 Human Rights Commission Annual Report and Work Plan (Work Session)			
			 TBD (Work Session)	45 mins		
		7:30 pm	 Public Forum			
Expected absences for 10/14: none						

16-Oct	Wednesday	12 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
Expected absences for 10/16: none					
21-Oct	Monday	7:30 pm	 MovingAhead w/LTD Board (Joint Public Hearing)		Chris Henry, PW
Expected absences for 10/21: none					
23-Oct	Wednesday	12 pm	 Process Session (Work Session)	90 mins	
Expected absences for 10/23: none					
28-Oct	Monday	5:30 p.m.	 Committee Reports and Items of Interest		Chelsea Clinton, CS
			 Sustainability Commission Annual Report and Work Plan (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
		7:30 pm	 Public Forum		
Expected absences for 10/28: none					
30-Oct	Wednesday	12 pm	 Downtown Fiber Update (Work Session)	45 mins	Anne Fifield, PDD
			 Town Square Update (Work Session)	45 mins	Will Dowdy, PDD
Expected absences for 10/30: none					

November 2019					
Date	Day	Time	Title	Length	Dept. Contact
12-Nov	Tuesday	5:30 pm	 Committee Reports and Items of Interest		
			 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
		7:30 pm	 Pledge of Allegiance to the Flag		
 Public Forum					
Expected absences for 11/11: none					
13-Nov	Wednesday	12 pm	 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	
Expected absences for 11/13: none					

18-Nov	Monday	5:30 pm	 Bethel Urban Renewal District (Work Session)	45 mins	Anne Fifield, PDD	
			 TBD (Work Session)	45 mins		
		7:30 pm	 Ordinance on Polystyrene (Public Hearing)		Anna Reid, PDD	
Expected absences for 11/18: none						
20-Nov	Wednesday	12 pm	 URA – Steam Plant Deal Points (Work Session)	45 mins	Amanda D’Souza, PDD	
				 TBD (Work Session)		45 mins
			Expected absences for 11/20: Taylor, Evans, Semple			
25-Nov	Monday	5:30 p.m.	 Committee Reports and Items of Interest		Michael Kinnison, PDD	
			 Downtown Activity Zone (Work Session)	45 mins		
			 TBD (Work Session)	45 mins		
		7:30 pm	 Public Forum		Anna Reid, PDD	
			 Ordinance on Polystyrene (Action)			
Expected absences for 11/25: none						
27-Nov	Wednesday	12 pm	 TBD (Work Session)	45 mins		
				 TBD (Work Session)		45 mins
			Expected absences for 11/27: none			

December 2019					
Date	Day	Time	Title	Length	Dept. Contact
9-Dec	Monday	5:30 pm	 Committee Reports and Items of Interest		
			 TBD (Work Session)	45 mins	
			 TBD (Work Session)	45 mins	

9-Dec	Monday	7:30 pm	 Public Forum  Resolution Acknowledging Receipt of FY19 Comprehensive Annual Financial Report (Consent Calendar)  URA – Resolution Acknowledging Receipt of FY19 URA Annual Financial Report (Action)  Supplemental Budget #1 (Public Hearing and Action)  URA Supplemental Budget #1 (Public Hearing and Action)		Finn Cronin, CS Finn Cronin, CS Vicki Silvers, CS Vicki Silvers, CS
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Expected absences for 12/09: none

11-Dec	Wednesday	12 pm	 TBD (Work Session)  TBD (Work Session)	45 mins 45 mins	
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Expected absences for 12/11: none

Council Break: December 12 – January 8

January 2020					
Date	Day	Time	Title	Length	Dept. Contact
8-Jan	Wednesday	5:30 pm	2020 State of the City		Elena Domingo, CS

Expected absences for 1/8: none

Hult Center – Soreng Theater

 Work Session	 Action	 Public Hearing	 Public Forum	 Consent Calendar
 Committee Reports/Items of Interest	 Ceremonial Matters	 Pledge of Allegiance		

Approved Work Session Polls to be Scheduled	Councilor	Date Approved
Data Collection/Protection of Individuals and Groups – <i>PH scheduled 9/16/19</i>	Syrett	7/19/18
Revisit City Code Regarding Alley Access Rules - <i>scheduled 9/18/19</i>	Sample	10/11/18
Update Sign Code for Digital Display Technology – <i>scheduled 9/9/19</i>	Pryor	2/14/19
Short-term Vacation Rentals – <i>scheduled 9/23/19</i>	Taylor	5/23/19
5G/Small Cell – include experience of other cities – <i>scheduled 10/9/19</i>	Clark	5/20/19
Follow-Up Work Sessions to be Scheduled		
TAC Implementation Commercial Setbacks		

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene
(Assessor's Map 17-04-25-21, Tax Lot 3200, Located at 112 and 114 Hansen Lane)
(City File: Craig and Holly Kohler; A 19-3)

Meeting Date: September 9, 2019
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2C
Staff Contact: Dan Halverson
Contact Telephone Number: 541-682-5410

ISSUE STATEMENT

This item is a request to annex approximately 0.58 acre (25,299 square feet) of developed land located at 112/114 Hansen Lane. No public right-of-way is proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The property is zoned R-1 Low-Density Residential with /UL Urbanizable Land Overlay. Both the Metro Plan and the applicable refinement plan, the River Road - Santa Clara Urban Facilities Plan, designate the subject property for Low Density Residential use. The property is located within the Urban Growth Boundary and is contiguous to other properties in the City limits along the western property boundary. Annexation will allow for future development consistent with the property's land use designation and the Eugene Code. Specific development plans for future of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests are based on the criteria at Eugene Code 9.7825 which require that (1) the land proposed to be annexed is within the City's 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property and the affected neighborhood association (Santa Clara Community Organization), consistent with Eugene Code requirements. No testimony has been received to date regarding the proposed annexation of this property.

Referral comments were provided by affected agencies including City of Eugene Public Works, Lane County Transportation Planning, and Eugene Water & Electric Board. These referral comments confirm there are no concerns with the proposed annexation and the property can be provided with the minimum level of key urban services consistent with the approval criteria.

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.

PREVIOUS COUNCIL DIRECTION

None.

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 be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

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

FOR MORE INFORMATION

Staff Contact: Dan Halverson

Telephone: 541-682-5410

Staff E-Mail: DHalverson@eugene-or.gov



Kohler, Craig and Holly (A 19-3)

Map/Tax Lot 17-04-25-21 03200; 112/114 Hansen Lane

Attachment A



- Subject Property
- Eugene City Limits
- Taxlots



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

Created on 7/18/2019
by City of Eugene Planning Division

September 9, 2019, Meeting Item 2C

0 30 60 120



RESOLUTION NO. ____

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-25-21, TAX LOT 3200, LOCATED AT 112 AND
114 HANSEN LANE).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on June 13, 2019, by Craig Kohler, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-25-21, Tax Lot 3200, 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 August 9, 2019, 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 River Road Community Organization. The notice advised that the City Council would consider the Planning Director's full recommendation on the proposed annexation on September 9, 2019.

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:**

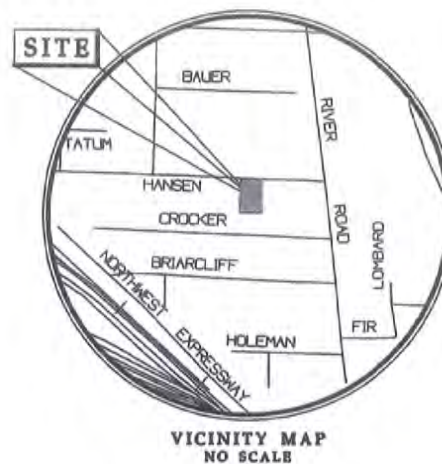
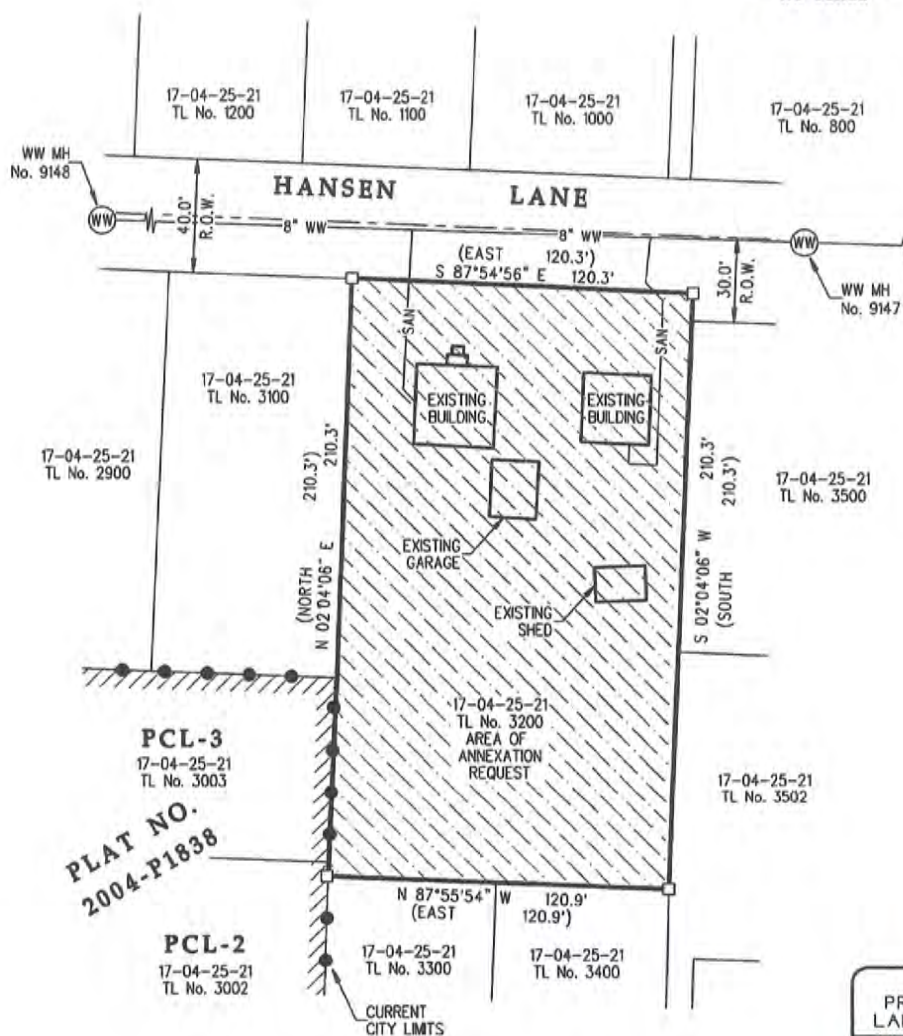
Section 1. Based on the above findings and the Planning Director's Findings and Recommendation which are attached as Exhibit C and are adopted in support of this Resolution, it is ordered that the land identified as Assessor's Map 17-04-25-21, Tax Lot 3200, which is depicted on the map attached as Exhibit 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 the automatic rezoning of the land pursuant to EC 9.7820(3) from R-1 Low-Density Residential with /UL Urbanizable Land Overlay to R-1 Low-Density Residential shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of September, 2019.

City Recorder

SITE PLAN
FOR
KOHLER ANNEXATION TO CITY OF EUGENE
 NW 1/4, SEC. 25 T 17 S, R 4 W W.M.
 ASSESSOR'S MAP 17-04-25-21 TL No. 3200
 EUGENE, LANE COUNTY, OREGON
 JUNE 12, 2019



POAGE ENGINEERING & SURVEYING, INC.
 P.O. BOX 2527 • EUGENE, OREGON 97402 • (541) 485-4505
 JOB No. 4641 • DRAWN: KSG\4641GXD • 4-19

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 1984
JONATHAN A. OAKES
2105

EXPIRES: DECEMBER 31, 2020

**Legal Description for the Annexation
of
Assessor's Map No. 17-04-25-21 Tax Lot No. 3200
to the
City of Eugene
June 12, 2019**

Beginning at a point 541.0 feet West and 150.0 feet North of a point in the center of the County Road, known as the River Road, which point is North 8°40' West 1.77 chains from a point in the south line of the Lemuel E. Davis Donation Land Claim No. 42, Notification No. 2083, in Township 17 South, Range 4 West of the Willamette Meridian, 49.02 chains East from the Southwest corner of said claim, and from said beginning point run North 210.3 feet; thence West 120.9 feet; thence South 210.3 feet and thence East 120.9 feet to the place of beginning, and being a part of said Donation Land Claim No. 42, in Lane County Oregon.



**Planning Director's Findings and Recommendation
Annexation Request for Kohler
(City File: A 19-3)**

Application Submitted: June 13, 2019
Applicant: Kohler, Craig and Holly
Property Included in Annexation Request: Tax Lot 03200 of Assessor's Map 17-04-25-21
Zoning: R-1 Low-Density Residential and /UL Urbanizable Land Overlay
Location: 112/114 Hansen Lane, west of River Road and east of Alberta Lane
Representative: Jonathan Oakes, Poage Engineering & Surveying, Inc.
Lead City Staff: Dan Halverson, City of Eugene Planning Division, 541-682-5410

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 ☒ YES ☐ NO	Findings: The annexation area is within the City's urban growth boundary (UGB) and is contiguous to the City limits along the west property line, consistent with subsection (a).
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies ☒ YES ☐ NO	<p>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>):</p> <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 style="margin-left: 40px;"><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 style="margin-left: 40px;"><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 following policy from the Residential Element of the Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, 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 Metro Plan designates the property to be annexed as appropriate for low-density residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject property and designates the area for residential uses. The property is zoned R-1 Low-Density Residential and /UL Urbanizable Land overlays. The /UL overlay will be automatically removed from the property following annexation approval.</p> <p>With regard to applicable policies of the RR/SC UFP, 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 RR/SC UFP 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 Metro Plan 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 Metro Plan and RR/SC UFP refinement plan.</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.
☒ YES	☐ NO	<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></p> <p>Currently there is an 8-inch public wastewater line within Hansen Lane. The subject parcel contains two houses that are both connected, under city permit #92-03586-01. Each address has its own separate connection.</p>

Stormwater

The subject property is not currently connected to the city stormwater conveyance system. The closest city system is approximately 400 feet east of the parcel, near the intersection of Hansen Lane and River Road. Soils appear to be type "C" indicating poor infiltration rates; however, the parcel size indicates that on-site infiltration appears to be a feasible alternative. Future development proposals must demonstrate consistency with flood control standards, of which include sizing for flood control and meeting water quality standards when triggered.

Transportation

The property has access and frontage on Hansen Lane, which is a local road that is unimproved to city standards; lacking sidewalks, curbs, street lights or street trees. It is owned by Lane County and provides direct access to River Road which is a minor arterial owned and maintained by Lane County Public Works. Compliance with applicable street standards will be ensured at the time of future development or when deemed necessary.

Comments from Lane County Transportation Planning indicate no concerns with the proposed annexation request. Any redevelopment or new development of the property must demonstrate compliance with the requirements of Lane County Code Chapter 15. A review for compliance with Lane County road requirements will apply 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. 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 through the City. Fire protection will be provided by Eugene Springfield Fire. 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.

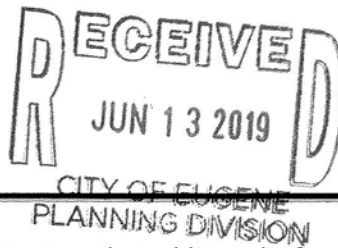
Parks and Recreation

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.

		<p><u>Planning and Development Services</u></p> <p>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><u>Communications</u></p> <p>A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u></p> <p>The subject property is within Eugene School District 4J and is within the district boundary of River Road Elementary School, Kelly 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>
--	--	--

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.



Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-25-21	3200	R-1/UL	

Property Address: 114 HANSEN LANE EUGENE OR 97404
112 HANSEN LANE EUGENE OR 97404

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

Name			
Parks:	RIVER ROAD PARKS & REC.		
Electric:	E.W.E.B.		
Water:	E.W.E.B. / RIVER ROAD WD.		
Sanitary Sewer:	CITY OF EUGENE		
Fire:	RIVER ROAD WD.		
Schools:	Elementary: RIVER RD.	Middle: KELLY	High: NORTH EUGENE
Other:			

Filing Fee

- ☐ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☐ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☐ Show the date & north arrow on site plan.
- ☐ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☐ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☐ Show city limits & UGB (if applicable)
- ☐ Clearly label the affected territory and any public right of ways to be annexed.
- ☐ Show all adjacent streets, alleys, and accessways.
- ☐ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☐ Show the location of all existing structures.

Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- ☐ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☐ Notarized Consent to Annexation form.
- ☐ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☐ Summary of Urban Service Provision form.
- ☐ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 3200

Name (print): CRAG & HOWY KOHLER

Address: P.O. Box 377

Email: _____

City/State/Zip: HARRISBURG OR. 97446

Phone: 541-556-5623

Fax: _____

Signature: [Signature]

Date: 6-13-19

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print): JONATHAN OAKES

Company/Organization: POAGE ENGINEERING & SURVEYING INC.

Address: P.O. Box 2527

City/State/Zip: EUGENE OR 97402

Phone: 541-485-4505

Fax: 541-485-5624

E-mail: OAKES@POAGE.NET

Signature: Jonathan A. Oakes

Date: 06-24-2019

REPRESENTATIVE (If different from Surveyor):

Name (print):

Company/Organization:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

Signature:

Date:

****Attached additional sheets if necessary.**

April 24, 2019

ANNEXATION APPLICATION

Property Location: Map 17-04-25-21, TL No. 3200
112 & 114 Hansen Lane
Eugene, OR. 97404

Owner: Craig and Holly Kohler
P.O. Box 377
Harrisburg OR 97446

Applicant: same as owner

Applicant's Representative: Poage Engineering and Surveying Inc.
P.O. Box 2527
Eugene, OR 97402

Contact: Jonathan Oakes
Phone: 541-485-4505; email: oakes@poage.net

WRITTEN STATEMENT

I. INTRODUCTION AND BACKGROUND

1. Description of subject property:

Map and tax lot 17-04-25-21-03200 is approximately 0.6 acres in size. It is designated by the Metro Plan as Low Density Residential. It is zoned R-1/low density residential with the UL/urbanizable land overlay. The site contains two single family residences with a detached garage serving one residence and a detached shed serving the other residence. These residences are addressed as 112 & 114 Hansen Lane. At a future date, it is the intent of the owner to partition the property in order to separate these two residences onto their own individual parcels. The first step in that process is to annex to the City of Eugene. Tax Lot 3200 is contiguous to the incorporated city limits of Eugene along the approximately 70 feet of its western boundary that is contiguous with the boundary of Land Partition Plat No. 2004-P1838.

2. Summary of land use request:

The applicant requests to annex all of TL No. 3200, such that the /UL overlay will be removed.

3. Application Contents

The information requirements for an annexation application are stated at EC 9.7810(1) through (10). The application form page 2 lists all the required information. That information has been compiled here, as reflected in the check boxes on the application form.

4. Criteria for approval of annexation application:

EC 9.7825 provides the primary criteria applicable to an annexation application. This code section refers to additional criteria (such as applicable Metro Plan policies) that will need to be addressed as well.

EC 9.7825 Annexation – Approval Criteria. *The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

(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.

Applicant's proposed finding: The subject property is within the city's UGB. The subject property is directly contiguous with the current city limits along the approximate 70 foot length of the portion of it's western boundary that is contiguous with the eastern boundary of Land Partition Plat No. 2004-P1838.

“(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.”

Applicant's proposed finding: The Metro Plan Policy 9, page 11-B-5, recognizes annexations through this normal process to be the highest priority. As such, the proposal is consistent with this policy

Metro Plan Policy 8, page 11-B-4, provides for annexation when a minimum level of key facilities and services can be provided. This policy is the subject of the annexation standard in (3) below.

Metro Plan Policy 15 provides that land within the UGB shall be annexed to a city and provided with the minimum level of urban facilities and services. It further provides that while the timeframe for annexation may vary, annexation should occur as land transitions from urbanizable to urban. The property is within the UGB and therefore, based on this policy, should be annexed. The provision of facilities and services is addressed in standard (3) below. The property is designated LDR on the Metro Plan. The property is currently zoned R-1 which is consistent with the low density residential designation assigned to the site in the Metro Plan.

Metro Plan Policy 17 is instructional to the City to dissolve special service districts after annexation and to consider intergovernmental agreements with affected special service districts. The applicant does not object to dissolving special service districts, as needed. The proposal is consistent with Policy 17.

Metro Plan Policy 19 stipulates the criteria that must be met in order to annex territory to existing service districts within the UGB. This proposal is consistent with Policy 19 in the fact that the key urban services are directly available to the property making immediate annexation to the City a possibility and the affected property owners have provided the signed consent to annex agreement with the City of Eugene in accordance Oregon annexation law.

Metro Plan Policy 20 outlines the methodology for extending new urban service to unincorporated areas within the UGB. This proposal is consistent with Policy 20 in the fact that the applicant is requesting annexation to the City of Eugene, which is the highest priority of all the methods outlined in Policy 20 for providing new urban service to unincorporated areas within the UGB.

“(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.”

Applicant’s proposed finding: The Metro Plan defines the “Minimum Level” of “key urban facilities and services” as including

“wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis (in other words, not necessarily within walking distance of all students served).”

Each of these facilities and services is addressed below.

In summary, the minimum level of key urban facilities and services is either immediately available or can be provided within a reasonable future time frame as needed.

Wastewater services: When property is annexed to the city, it is automatically annexed to the Lane County Metropolitan Wastewater Service District, as provided for in ORS 199.510(2)(c). In the post-Boundary Commission era, the subject property will have to be annexed to the MWSD in a separate action, following annexation to the city.

Currently, there is an 8” public wastewater line in Hansen Lane running along the entire northern boundary of the subject property. Both residential structures located on the subject property are connected to the existing wastewater main in Hansen Lane. Therefore, wastewater services already exist to the subject property.

Stormwater services:

The public stormwater facility nearest the site is SD MH. No. 62242 located in Hansen Lane near the intersection of Hansen Lane and River Road approximately 400' east of the subject property. Current City stormwater policies require that stormwater be kept on-site and any run-off shall be limited to predevelopment flows. Therefore, future development of the site will require an on-site stormwater facility sized in accordance with the treatment guidelines of the City of Eugene Stormwater Management Manual. The chosen treatment facility will need to be sized for flood control since there is currently no connection available to the public sewer. This type of "key urban facility" is available to the subject property.

Transportation:

The property has frontage on Hansen Lane along its entire northern boundary. Hansen Lane is a 24' wide a.c. mat roadway with gravel shoulders and is classified as a local street on the City of Eugene Street Classification Map. Hansen Lane connects to River Road which is classified as a major arterial and through this classification it can be inferred that River Road provides the subject property with access to the entire transportation network within the city limits and surrounding area. Therefore, the subject property is served with this type of "key urban facility."

Solid Waste Management: Private firms and individuals collect and transport solid waste to the Lane County administered landfill. Therefore, the subject property is served with this type of "key urban facility."

Water Service: Water is available from the 6" water main located in the north margin of Hansen Lane. Therefore, the subject property is served with this type of "key urban facility."

Fire and emergency medical services: According to RLID, fire protection is currently provided by the River Road Water District. Upon annexation, the City of Eugene will provide services directly to the property. Therefore, the subject property is served with this type of "key urban facility."

Police Protection: Police protection will be provided by Eugene, which currently services other properties inside the city. After annexation this property will receive police services on an equal basis with all properties inside the city. Therefore, the subject property is served with this type of "key urban facility."

City-wide parks and recreation programs: Park services are already provided to this area, consistent with the Metro Plan. The subject property is located within the River Road Park District an established park district. According to Lane County's GIS maps, there are two parks within one mile of the subject property, Razor Park and Maurie Jacobs Park, as well as the West Bank Bike Path.

Electric Service: The adjacent properties are served by EWEB, and service is available at the property boundaries.

Land Use Controls: The subject property is now, and after annexation will continue to be, subject to the land use controls of the City of Eugene.

Communication Facilities: Land line phone service, cellular phone and data service, and cable television are available in the area, and can be extended to the subject property.

Public schools on a district-wide basis: The Eugene 4J School District serves the annexation area. Existing schools are: River Road Elementary, Kelly Middle, and North Eugene High Schools

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-25-21 TL#320 Address: 112 HANSEN LA. EUGENE OR 97404

Legal Description:

In the corporate limits of said city, which is owned by the undersigned

DATED this 2 day of May, 2019.

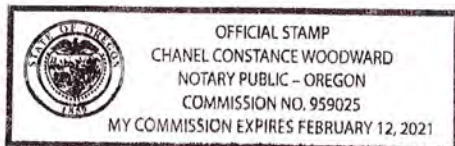
Craig N Kohler
Holly J Kohler

STATE OF OREGON)

County of Lane)ss
)

On this 2 day of May, 2019, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Craig N Kohler & Holly J Kohler, who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

[Signature]
Notary Public for Oregon

My Commission Expires 02/12/2021

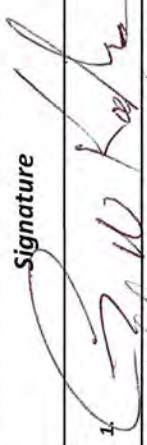
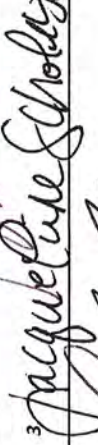
* CB = Coburg
CR = Creswell
FL = Florence
OA = Oakridge
CG = Cottage Grove
EU = Eugene
JC = Junction City
SP = Springfield

PETITION

Petition Signature Sheet Annexation by Individuals

RECEIVED
MAY 28 2019
LANE COUNTY
ASSESSMENT & TAXATION

We, the following property owners/electors, consent to the annexation of the following territory to the City of (Insert Name of City):

Signature	Date Signed m/d/y	Print Name	Residence Address (street, city, zip code)	Map and Tax Lot Number (example: 17-04-03-00-00100)	✓ Land Owner	✓ Reg Voter	Acres (qty)
	4-29-19	CRAG KOHLER	112 Hansen Ln Eugene, OR 97404	17-04-25-21 TL # 3200	✓	✓	0.58
	4-29-19	HOLLY KOHLER	11	17-04-25-21 TL # 3200	✓	✓	0.58
	4-29-19	JACQUELINE SCHNEIDER	114 Hansen Ln Eugene, OR 97404			✓	
	4-29-19	JEFFREY S KEIM	11			✓	

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

I, Craig N. Kohler (printed name of circulator), hereby certify that every person who signed this sheet did so in my presence.

X  (signature of circulator)

CERTIFICATION OF PROPERTY OWNERS

The total landowners in the proposed annexation are 2 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total of 100 (%) of the landowners and 100 (%) of the acres as determined by the map and tax lots attached to the petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.


Lane County Department of Assessment and Taxation
5-28-19
Date Certified

CERTIFICATION OF ELECTORS

The total active registered voters in the proposed annexation are 3. I hereby certify that this petition includes 3 valid signatures representing 100 (%) of the total active registered voters that are registered in the proposed annexation.


Lane County Clerk or Deputy Signature
5/28/19
Date Certified



Property Account Summary

As Of 5/28/2019 Status: Active

Account No.: 0439099 **Alternate Property Number:** 1704252103200
Account Type: Real Property
TCA: 00412
Situs Address: 112 HANSEN LN
EUGENE OR 97404
Legal: Township 17 Range 04 Section 25 Quarter 21 TL 03200

Parties:

Role	Name & Address
Mortgage Company	WELLS FARGO REAL ESTATE TAX SERVICES LLC UNKNOWN ADDRESS UNKNOWN OR 97401
Owner	KOHLER CRAIG N & HOLLY J PO BOX 377 HARRISBURG OR 97446
Tax Service Companies	WELLS FARGO REAL ESTATE TAX SERVICE UNKNOWN ADDRESS UNKNOWN OR 97401
Taxpayer	KOHLER CRAIG N & HOLLY J PO BOX 377 HARRISBURG OR 97446

Property Values:

Value Name	2018	2017	2016	2015	2014
MKTTL	\$261,933	\$242,711	\$220,053	\$221,317	\$199,187
AVR	\$133,606	\$129,715	\$125,937	\$122,269	\$118,708
TVR	\$133,606	\$129,715	\$125,937	\$122,269	\$118,708

Property Characteristics:

Tax Year	Characteristic	Value
2018	Property Class	101 Res conforming improved
	Change Property Ratio	1XX Residential
	Size	0.58
	Code Split	N
	Neighborhood	431500

Exemptions:

(End of Report)

Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name:

CRAIG & HOLLY KOHLER

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

17-04-25-21 TL# 3200

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

X will be served from an existing gravity wastewater line.

Location and size of existing wastewater line:

8" WW MAIN IN HANSEN LANE

_____ will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

NO

If yes,
location? _____

If no, how will stormwater be handled after development? -

SEE ACCOMPANYING WRITTEN STATEMENT

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. _____

HANSEN LANE

Will dedication for additional street right-of-way be required upon further development of this site?

X Yes _____ No _____ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes X No _____ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

RASOR PARK, MAURIE JACOBS PARK, WEST BANK BIKE PATH

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

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

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

X River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

E.W.E.B.

Water Service -- Please provide the size and location of the water main closest to your property. _____

16" WATER MAIN ON NORTH SIDE OF HANSEN LANE

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

**Legal Description for the Annexation
of
Assessor's Map No. 17-04-25-21 Tax Lot No. 3200
to the
City of Eugene
June 12, 2019**

Beginning at a point 541.0 feet West and 150.0 feet North of a point in the center of the County Road, known as the River Road, which point is North 8°40' West 1.77 chains from a point in the south line of the Lemuel E. Davis Donation Land Claim No. 42, Notification No. 2083, in Township 17 South, Range 4 West of the Willamette Meridian, 49.02 chains East from the Southwest corner of said claim, and from said beginning point run North 210.3 feet; thence West 120.9 feet; thence South 210.3 feet and thence East 120.9 feet to the place of beginning, and being a part of said Donation Land Claim No. 42, in Lane County Oregon.

Certification of Description

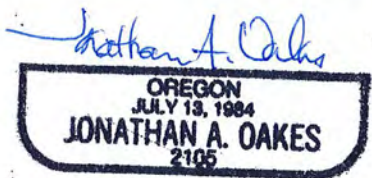
Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: Jonathan A. Oakes
Registered Land Surveyor

Print Name: JONATHAN A. OAKES

Date: JUNE 13, 2019

Seal:



Expires: DEC 31, 2020



PLANNING RECEIPT

DATE 6/13/2019

City of Eugene Planning

Method of Payment

- ☐ Cash
☐ Check
☒ Visa/MC

Customer Information

Name Craig & Holly Kohler
Address PO Box 377
Harrisburg OR 97446
Project 17-04-25-21-03200 112 & 114 Hansen

Amount Received

\$5,155.70

☐ City/Government Agency

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00		\$ 4,730.00
2							
3							
4							
5							
6							
7							
8							
9							
	Other						
	Other						
	Appeal			1			\$ -
	Appeal						
					Subtotal App Fees	\$	4,730.00
					Subtotal Other Fees	\$	-
Admin Fee (not included on appeals or other fees)				9%		\$	425.70

Total \$ 5,155.70

Staff Receiving Application
MHD

99 West 10th Avenue • Eugene, Oregon • 97401 • 541-682-5377 • eugeneplanning.org

DUPLICATE RECEIPT DUPLICATE RECEIPT

=====

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:1-0002834 Jun 13 2019
CASHIER: RMW

=====

Annexation Fee \$4,730.00
17-04-25-21-03200 / 112 / 114
Admin Fee-Auto Calc \$425.70

TOTAL DUE: \$5,155.70

RECEIVED FROM:
CRAIG KOHLER

Credit: \$5,155.70

Total tendered: \$5,155.70

Change due: \$.00

=====

www.eugene-or.gov/bldgpermittracking

=====

Please take our customer survey at:
www.surveymonkey.com/s/COEPermitSurvey

=====

DUPLICATE RECEIPT DUPLICATE RECEIPT

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Land to the City of Eugene (Assessor's Map 17-04-02-42, Tax Lot 402; Located 187 Swain Lane) (City File: Therrell, Mathew; A 19-2)

Meeting Date: September 9, 2019
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2D
Staff Contact: Nicholas Gioello
Contact Telephone Number: 541-682-5453

ISSUE STATEMENT

This item is a request to annex approximately 0.47 acre (approximately 20,473 square feet) of vacant land located on Swain Lane. No public right-of-way is proposed for annexation as part of this request. A vicinity map is provided as Attachment A.

The property is zoned AG Agricultural with /UL Urbanizable Land Overlay. Both the Metro Plan and the applicable refinement plan, the River Road - Santa Clara Urban Facilities Plan, designate the subject property for Low Density Residential use. The subject property is located within the Urban Growth Boundary and is contiguous to other properties within the City limits along the north property boundary and a portion of the south property boundary. Annexation will allow for future development consistent with the property's land use designation and the Eugene Code. For this property to further develop as residential property, a zone change to R-1 Low-Density Residential will be necessary. Specific plans for future development of the site are not included as part of this annexation application.

BACKGROUND

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB will be annexed into the City and provided with a minimum level of urban services.

Approval of annexation requests are based on the criteria at Eugene Code 9.7825 which require that (1) the land proposed to be annexed is within the City's 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the subject property and the affected neighborhood association (Santa Clara Community Organization), consistent with Eugene Code requirements. No testimony has been received to date regarding the proposed annexation of this property.

Referral comments were provided by affected agencies including City of Eugene Public Works and Eugene Water & Electric Board. These referral comments confirm there are no concerns with the proposed annexation and the property can be provided with the minimum level of key urban services consistent with the approval criteria.

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.

PREVIOUS COUNCIL DIRECTION

None.

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 be approved.

SUGGESTED MOTION

Move to adopt a resolution to approve the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

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

FOR MORE INFORMATION

Staff Contact: Nicholas R. Gioello
Telephone: 541-682-5453
Staff E-Mail: NGioello@eugene-or.gov



- Subject Property
- Eugene City Limits
- Taxlots



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

Created on 8/20/2019
by City of Eugene Planning Division

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RESOLUTION NO. ____

**RESOLUTION ANNEXING LAND TO THE CITY OF EUGENE
(ASSESSOR'S MAP 17-04-02-42, TAX LOT 402, LOCATED 187 SWAIN
LANE).**

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on March 15, 2019, by Matthew Therrell in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, ("EC") to annex property identified as Assessor's Map 17-04-02-42, Tax Lot 402, 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 August 9, 2019, 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 September 9, 2019.

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 17-04-02-42, Tax Lot 402, which is 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 the automatic rezoning of the land pursuant to EC 9.7820(3) from AG

Agricultural with /UL Urbanizable Land Overlay to AG Agricultural shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of September, 2019.

City Recorder

ANNEXATION LEGAL DESCRIPTION

Lot 4, Block 1, ELDON PARK, as platted and recorded in Book 48, Page 20, Lane County Oregon Plat Records, in Lane County, Oregon.



**Planning Director's Findings and Recommendation
Annexation Request for Therrell, Matthew
(City File: A 19-2)**

Application Submitted: March 15, 2019
Applicant: Matthew Therrell
Property Included in Annexation Request: Tax Lot 00402 of Assessor's Map 17-04-02-42
Zoning: AG Agricultural with /UL Urbanizable Land Overlay
Location: 187 Swain Lane
Representative: Jed Truett, Metro Planning, Inc.
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: (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 ☒ YES ☐ NO	Findings: The annexation area is within the City's urban growth boundary (UGB) and is contiguous to the City limits consistent with subsection (a). As shown in the application materials and confirmed by City staff, the City limits are contiguous with the subject area of land along the north property line and a portion of the south property line.
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies ☒ YES ☐ NO	Findings: Several policies from the Metro Plan 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): <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>

		<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 Metro Plan is also applicable:</p> <p><i>Policy A.2 Residentially designated land within the UGB should be zoned consistent with the Metro Plan, 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 Metro Plan designates the property to be annexed as appropriate for low-density residential use. The River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject property and designates the area for residential uses. The property is zoned AG Agricultural with /UL Urbanizable Land overlay. The /UL overlay will be automatically removed from the property following annexation approval.</p> <p>With regard to applicable policies of the RR/SC UFP, 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 RR/SC UFP 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 Metro Plan 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 Metro Plan and RR/SC UFP refinement plan.</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.
Complies ☒ YES ☐ NO		<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></p> <p>The subject property is connected to the city service via a 4-inch tap to a 6-inch line located in the southwest corner of the lot. An 8-inch city line is located within the Swain Lane right-of-way.</p>

Stormwater

Public stormwater is available via a 30-inch line that extends eastward from the terminus of the Scottsdale Street, across an abutting property, to the northeast corner of the subject property. There is an open waterway with a northerly flow across the subject property from the south property line that channels runoff flow into the 30-inch pipe at the northeast property corner. There is a Public Utility Easement for the maintenance of this waterway in place that was rededicated in a previous land Use application (VEU18-05) to encompass the current landscape along the full channel. Soils in this area appear to be type "C" indicating poor infiltration rates. Future development proposals must demonstrate consistency with flood control standards.

Transportation

The property has access and frontage on Swain Lane, which is an unimproved local road, lacking sidewalks, curbs, street lights and street trees. Swain Lane is owned by the City and provides direct access to River Road which is a minor arterial owned and maintained by Lane County Public Works. River Road leads to the major thoroughfares in the City. Along the north property line, there is a reserve strip separating "The Commons" subdivision (2005) which is developed to city standards including stormwater and sewer facilities, street lights sidewalks and street trees. Compliance with applicable street standards will be ensured at the time of development

Since Swain Lane is not under the jurisdiction of Lane County, the County's Transportation Planning did not provide comments.

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. 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 through the City. Fire protection will be provided by Eugene Springfield Fire. 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.

		<p><u>Planning and Development Services</u></p> <p>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><u>Communications</u></p> <p>A variety of telecommunications providers offer communications services throughout the Eugene/Springfield area.</p> <p><u>Public Schools</u></p> <p>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 is set in accordance with State law.



ANNEXATION APPLICATION FOR MATTHEW THERRELL

WRITTEN STATEMENT

Submittal No.:	1
Document Date:	March 15, 2019
Applicant's Request:	Approval of annexation of property located at 187 Swain Lane.
Property Owner / Applicant:	Matthew Therrell 474 W 29 th Ave Eugene, Oregon 97405
Applicant's Representative / Planner / Project Coordinator:	Metro Planning, Inc. c/o Sophie McGinley, Assistant Planner 846 A Street Springfield, OR 97477 Tel (541) 302-9830
Subject Property:	Map 17-04-02-42; Tax Lot 00402
Location:	187 Swain Lane
Property Size:	0.47 acres
Zoning:	AG – Agricultural UL - Urbanizable Land
Future Development Plans Proposed with this Annexation:	N/A

Background

This is an annexation application for approximately 0.47 acre site, located at 187 Swain Lane, in an area zoned Agricultural (AG). The subject property is in the Urbanizable Land Overlay District, (UL), as it is located outside City of Eugene city limits, but within the Urban Growth Boundary (UGB). The tax lot on the subject property is contiguous to city limits on two sides. The proposed annexation is consistent with the City's Metro Plan designation, showing the land within the UGB and included in these plan diagrams.

To facilitate city staff review of this annexation application, this written statement clearly demonstrates how the development meets the Annexation application criteria of EDC 9.7825 Criteria. The Eugene Development Code (EDC) text sections are in bold and/or italics and the responses are included in plain text.

Annexations

9.7825 Annexation – Approval Criteria. *The city council shall approve, modify and approve, or deny a proposed annexation based on the application's consistency with the following:*

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.*

The subject property Tax Lot 00402 is contiguous to city limits on two sides: the northern and southwestern property lines adjacent to Tax Lot 00402.

2. *The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.*

The subject property is located within the City's urban growth boundary and in an area zoned Agricultural (AG). The Metro Plan diagram indicates that the property is designated for medium density residential development. The area is within the Santa Clara Community Organization and the River Road- Santa Clara Urban Facilities Plan. Additionally, the subject property is in the River Road/Wilkes subarea in the River Road. Santa Clara Urban Facilities Plan. River Road- Santa Clara Urban Facilities Plan standards are addressed below. Upon approval of this proposed annexation by the City Council the property will be zoned AG and the Urban Land (UL) Overlay will automatically cease to apply.

As further detailed in subsection (3), the proposed annexation is consistent with Metro Plan growth management policies and can be served by the minimum level of key urban services.

Several other policies from the Metro Plan 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:

Metro Plan Growth Management Policies:

Policy 1: The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB. (page 11-C-3)

The proposed annexation includes land within the UGB and outside city limits. Annexing such land would create more opportunity for compact urban growth. The land is within the UGB, therefore ensuring the provision of all urban services will be concentrated inside the UGB.

Policy 8: Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: (page 11-C-4)

- a. *A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.*
- 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.*

The minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner.

Policy 10: Annexation to a city through normal processes shall continue to be the highest priority. (Pahe 11-C-4)

This annexation application adheres to normal processes and therefore complies to this policy.

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 11-C-5)

This annexation application is for land designated as urbanizable within the UGB. Annexation allows for urbanizable land to transition to urban.

9.9610 River Road – Santa Clara Urban Facilities Plan Policies.

1. General Land Use. *Minimize land use conflicts by promoting compatibility between land uses, especially among residential, commercial-industrial, and commercial-agricultural uses. (policy 1)*

The subject property is located within the Urban Growth Boundary and is zoned agricultural with an urbanizable land overlay. Upon annexation, the urbanizable land overlay will cease to apply and the land will be zoned agricultural. The subject property is located within the Metro Plan boundary and is designated as Medium Density residential. The non-conforming zoning will be a result of a pre-existing condition which, therefore, will minimize land use conflicts between land uses.

2. Residential Land Use.

a. Recognize and maintain the predominately low-density residential character of the area consistent with the Metro Plan (Policy 1)

The subject property is currently occupied by a single-family residential home. This maintains the predominately low-density residential character of the area.

b. Evaluate traffic and compatibility impacts when considering new residential development on parcels fronting arterial streets. (Policy 3)

The subject property does not have frontage on an arterial street, nor is any new residential development proposed with this application. Therefore, this standard does not apply.

c. Provide adequate buffering and traffic control for existing non-residential development fronting River Road, (to minimize conflicts with surrounding development). (Policy 4)

The subject property does not have frontage on River Road, nor is any new residential development proposed with this application. Therefore, this standard does not apply

d. Permit medium-density housing (10 to 20 dwelling units/acre) in proximity to existing or planned urban facilities. Access to commercial development, transit, and alternative modes of transportation, schools and parks, and open space should be considered. Medium-density residential development will be considered for the north Santa Clara area consistent with the above criteria. (Policy 5)

No development is associated with this application. Therefore, this standard does not apply.

e. Design residential development which is adjacent to the Greenway, parks, and other identified natural features in a manner that ensures its compatibility with those features. (Policy 6)

No development is associated with this application. Therefore, this standard does not apply.

15. River Road/Wilkes

a. Consolidate commercial development for property south of Swain Lane and bounded by the slough on the east and Greenwood Street on the south.

This annexation application does not include commercial development and is north of Swain Lane. Therefore, this standard does not apply.

b. Rezone split-zone tax lots.

This annexation application does not include split-zone tax lots. Therefore, this standard does not apply.

c. Designate medium-density development on the easterly portion of the large undeveloped parcel north of Swain Lane.

The subject property is sited on the easterly portion of the north of Swain Lane and is zoned Medium Density in the Metro Plan. The property is currently zoned Agricultural and will continue to be zoned Agricultural after annexation as an existing condition. Annexation will allow the subject property to adhere to Metro Plan designation by creating necessary conditions for a possible future zone change.

d. Designate community commercial development on the westerly portion of the large undeveloped parcel north of Swain Lane. Only commercial developments making unified use of five or more acres shall be allowed in the area.

This annexation application does not include commercial development. Therefore, this standard does not apply.

e. Encourage commercial development contiguous to existing commercial used east of River Road.

This annexation application does not include commercial development. Therefore, this standard does not apply.

f. Encourage low-density zoning for property south of Brothertown, across from River Loop #2.

The subject property is not sited south of Brothertown. Therefore, this standard does not apply.

g. Designate neighborhood commercial development for two acres on the northwest corner of Irvington and River Road. Only commercial developments making unified use of one or more acres and with access limited to Irvington Drive, shall be allowed in the area.

This annexation application does not include commercial development. Therefore, this standard does not apply.

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.

The proposed boundary results in key urban facilities and services provided in an orderly, efficient and timely manner. Utilities required to serve the property are located within the right-of-way as shown on the Site Plan.

Electric power facilities are currently provided by Eugene Water and Electric Board, natural gas facilities are provided by Northwest Natural, and wastewater and storm sewer lines are existing.

As discussed below, public services are in place and readily available to the properties proposed for annexation. Because of the proximity to the surrounding urban facilities, services can be provided in an orderly, efficient, and timely manner.

- Electrical service is provided by EWEB.
- Water service will be transferred to EWEB upon annexation. Water mains are accessible from multiple locations.
- Santa Clara RFPD currently provides fire service to the area. Upon annexation, service will be provided by Eugene Springfield Fire.
- Tax lots 00402 can be accessed via Swain Lane, allowing transportation access from the West.

- The property is within the Eugene School District 4J and is within the district boundaries of Awbrey Park Elementary School, Madison Middle School, and North Eugene High School.
- Garbage collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.
- Police protection can be extended to this site upon annexation consistent with service provision throughout the City.
- 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.
- A minimum level of park service can be provided to the proposal area as prescribed in the Metro Plan.
- 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.
- A variety of telecommunications providers offer communications throughout the Eugene/Springfield area.

If there are any questions or concerns, please do not hesitate to contact me at Metro Planning via email (sophie@metroplanning.com) or phone (541-302-9830).

Regards,

Sophie McGinley
Assistant Planner

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-02-42	00402	AG/UL	0.47

Property Address: 187 Swain Lane Eugene, OR 97404

Plans for Future Development & Permit Number (if applicable):

Public Service Districts:

Name			
Parks:			
Electric:	EWEB		
Water:			
Sanitary Sewer:			
Fire:	Santa Clara RFPD		
Schools:	Elementary: Awbrey Park	Middle: Madison	High: North Eugene
Other:			

Filing Fee

- ☒ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing **how** this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☒ Show the date & north arrow on site plan.
- ☒ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☒ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☒ Show city limits & UGB (if applicable)
- ☒ Clearly label the affected territory and any public right of ways to be annexed.
- ☒ Show all adjacent streets, alleys, and accessways.
- ☒ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☒ Show the location of all existing structures.

Other Application Requirements *(Submit 3 paper copies and 1 digital copy of all)*

- ☒ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☒ Notarized Consent to Annexation form.
- ☒ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☒ Summary of Urban Service Provision form.
- ☒ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: 00402

Name (print): Matthew Therrell

Address: 474 W 29th Ave

Email:

City/State/Zip: Eugene, OR 97405

Phone:

Fax:

Signature:

Date:

PROPERTY OWNER OF TAX LOT: _____

Name (print):

Address:

Email:

City/State/Zip:

Phone:

Fax:

Signature:

Date:

PROPERTY OWNER OF TAX LOT: _____

Name (print):

Address:

Email:

City/State/Zip:

Phone:

Fax:

Signature:

Date:

SURVEYOR:

Name (print):

Company/Organization:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

Signature:

Date:

REPRESENTATIVE (If different from Surveyor):

Name (print): Sophie McGinley, Assistant Planner

Company/Organization: Metro Planning

Address: 370 Q Street

City/State/Zip: Springfield, OR 97477

Phone: 541-302-9830 Fax:

E-mail: sophie@metroplanning.com

Signature:

Date:

****Attached additional sheets if necessary.**

Consent to Annexation

Consent is hereby given to the annexation by the City of Eugene, Oregon of the following described real property:

Map and Tax Lot: 17-04-02-42-00402 Address: 187 Swain Lane

Legal Description:

Lot 4, Block 1, ELDON PARK, as platted and recorded in Book 48, Page 20, Lane County Oregon Plat Records, in Lane County, Oregon.

In the corporate limits of said city, which is owned by the undersigned

DATED this 29th day of January, 2019.

Matthew Therrell

STATE OF OREGON)

County of) ss
)

On this 29th day of January, 2019, before me, the undersigned, a notary public in and for the said county and state, personally appeared the within-named, Matthew Therrell who is known to me to be the identical individual described herein and who executed the same freely and voluntarily.

Seal:



IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Tanya D. McMurrin
Notary Public for Oregon
My Commission Expires March 02, 2019

(completed by County Staff)

Proposed Annexation to City of Eugene

(Name of District)

To give consent to annex a particular piece of property, persons who own an interest in the property, or who are purchasers of property on a contract sale that is recorded with Lane County, must sign the annexation petition. Generally, this means that both husband and wife should sign. In the case of a corporation or business, the person who is authorized to sign legal documents for the firm may sign the annexation petition. **(Do not collect signatures prior to written approval by County Clerk. Applicant to only complete top half of form.)**

Signature	Date Signed m/d/y	Print Name	Residence Address street, city, zip code	Map & Tax Lot # township - range - section - lot #	Land Owner	Acres (qty)	Reg Voter
1. Matthew Therrell	2/4/19	Matthew Therrell	474 W 25 th Ave, Eugene 97405	17-04-02-A2-00402	X	.47	X
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

Note: With the above signature(s), I am attesting that I have the authority to consent to annexation on my own behalf or on behalf of my firm or agency. (Attach evidence of such authorization when applicable.)

Sophie McGinley

(signature of circulator)

Completed by County Staff "Only"

CERTIFICATION OF ELECTORS

The total number of active registered voters in the proposed district annexation are 2. I hereby certify that this petition includes 50 valid signatures representing 10 (%) of the total active registered voters that reside in the proposed annexation.

Lane County Clerk, or Deputy Signature

Date Certified

CERTIFICATION OF PROPERTY OWNERS

According to the Lane County Assessment and Taxation records, the total number of landowners in the proposed annexation are 1 (qty). This petition reflects that 1 (qty) landowners (or legal representatives) listed on this petition represent a total percent of 100 (%) landowners and 100 (%) acres as determined by the map and tax lots attached to the filed petition. A&T is not responsible for subsequent deed activity which may not yet be reflected on the A&T computerized tax roll.

Lane County Department of Assessment and Taxation or Lane County Clerk or Deputy on behalf of A&T

Date Certified _____

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Map 17-04-02-42, Tax Lot 00402

wa

If yes,
location? _____

If no, how will stormwater be handled after development? -

By an approved City of Eugene method

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline Highway. _____

Swain Lane

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes ☒ No _____ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes ☒ No _____ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

N/A

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

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

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

2 Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

 River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

EWEB

Water Service -- Please provide the size and location of the water main closest to your property. 1.5 PVC

Swain Lane Right of Way

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Real Property Tax Lot Record

Lane County Assessment and Taxation

Print Date: May 23, 2018



In preparation of these records, every effort has been made to offer the most current, correct, and clearly expressed information possible. Nevertheless, inadvertent errors in information may occur. In particular but without limiting anything here, Lane County disclaims any responsibility for typographical errors and accuracy of this information. The information and data included on Lane County servers have been compiled by Lane County staff from a variety of sources, and are subject to change without notice to the User. Lane County makes no warranties or representations whatsoever regarding the quality, content, completeness, suitability, adequacy, sequence, accuracy, or timeliness of such information and data.

The legal descriptions contained herein are for tax lot purposes only.

Included in this report:

1. A listing of documents affecting ownership and/or property boundary changes.
2. The scanned tax lot record image and any legal description changes made since .

Map & Tax Lot 1704024200402
Status Active

Current Parcel/Account
0343184

Current TCA
00417

Document #	Type	Date	Effective Year	Tax Lot Acres
2017-062761	Warranty Deed	12/21/2017	2018	0.00

Comments:

2017-058699	Death Certificate	11/23/2011	2018	0.00
-------------	-------------------	------------	------	------

Comments:

	Description Card			0.00
--	------------------	--	--	------

Comments:

#10841-2 (1-1-4)

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OLD NUMBER

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE
NO.

004-17

MAP NO. 17-04-02-4-2	TAX LOT NO. 402	343 184 2	TOWNSHIP 17 S.	RANGE 4W	W.M.	AERIAL PHOTO
ACCOUNT NUMBER		SECTION	RANGE		W.M.	
LOT NO.	BLOCK NO.	ADDITION				CITY

INDENT EACH NEW
COURSE TO THIS POINT

LEGAL DESCRIPTION

DEED RECORD

DATE OF ENTRY

DEED NUMBER

ACRES
REMAINING

BAP 539.88 ft. N and 821.04 ft. W of the NE
cor. of the A Peek DLC #51, T17S., R4W., WM., run th
W 204.44 ft. th
S 110.88 ft., th
E 204.44 ft., th
N 110.88 ft. to the POB, LCO., in Sec. 2, T17S
R4W., WM.
Cont. m/l

1966

R276/24585

0.52

Lot 4, Blk. 1, "ELDON PARK", as platted and
recorded in Bk. 48, Pg. 29, LCOPR, LCO°

1967

48/29

1971

R534/48959

1977

R829/02723

1975

R745/22354

1977

R829/01740

1984

R1308/84-31219

2004dc

2004-06/780

2004bs

2004-06/500

Map Revision from Map 17-04-02-4-1602 for 1982.

#10841-2

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

CODE
NO.

OLD NUMBER

1-1-4

MAP NO. 17-04-02-4-2	TAX LOT NO. 402	SECTION 2	TOWNSHIP 17 S.	RANGE 4W	W.M.	AERIAL PHOTO
ACCOUNT NUMBER		CITY				
LOT NO.	BLOCK NO.	ADDITION				

INDENT EACH NEW COURSE TO THIS POINT	LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
		DATE OF ENTRY	DEED NUMBER	
	Beginning at a point 8.18 chains North and 12.44 chains West of the Northeast corner of the Abram Peak D.L.C. #51 in Twp.17 South, Range 4 West, W.M., and running thence West 407.44 feet; thence South 110.88 feet to the North line of the tract described in Deed #62688; thence East 407.44 feet to the Northeast corner of tract described in Deed #46659; thence North 110.88 feet to the place of beginning, in Lane County, Oregon. Containing more or less Together with a right of way over and across the following strip of land for ingress to and egress from the above described property, to-wit: Beginning at a point 407.44 feet West of a point that is the Northeast corner of the tract described in Deed #46659, said Northeast corner being 6.50 chains more or less North from a point 12.44 chains West of the Northeast corner of the Abram Peak D.L.C. #51, in Twp.17 South, Range 4 West, W.M., from said beginning point run thence North 9.0 feet; thence West 9.0 feet distant from and parallel to the North line of tract described in Deed #62688 to the center of County Road #200; thence S.19°45' East 9.56 feet to the Northwest corner of said tract in Deed #62688; thence East to the place of beginning, being hereby conveyed for road purposes only, in Lane County, Oregon. Except: 0.11 acres to T.L.(1603) per R197	1958	R.T. 63573	1.03
773098 (1963)	Cont. m/l			0.92
(1964)	Exc: 0.10 acres to T.L.(1604) per R230/31177			
(1964)	Exc: 0.10 " " " (1605) " R231/33691			
(1964)	Exc: 0.10 " " " (1606) " F.T.L.P.O.			
(1964)	Exc: 0.10 " " " (1607) " F.T.L.P.O.			
(1964)	Cont. m/l			0.52
/48387. (1965).	Except: 0.13 acres to T.L.(1608) per R238			
	Cont. m/l			0.39

(SEE OVER)

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

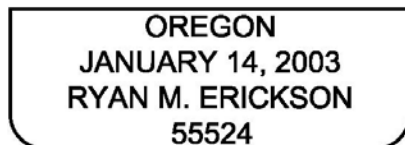
Print Name: Ryan Erickson, PLS

Date: 03/15/2019

Seal:



DIGITALLY SIGNED

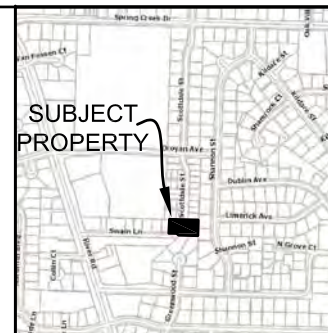


EXPIRES: 12/31/2019

FOR
THERRELL

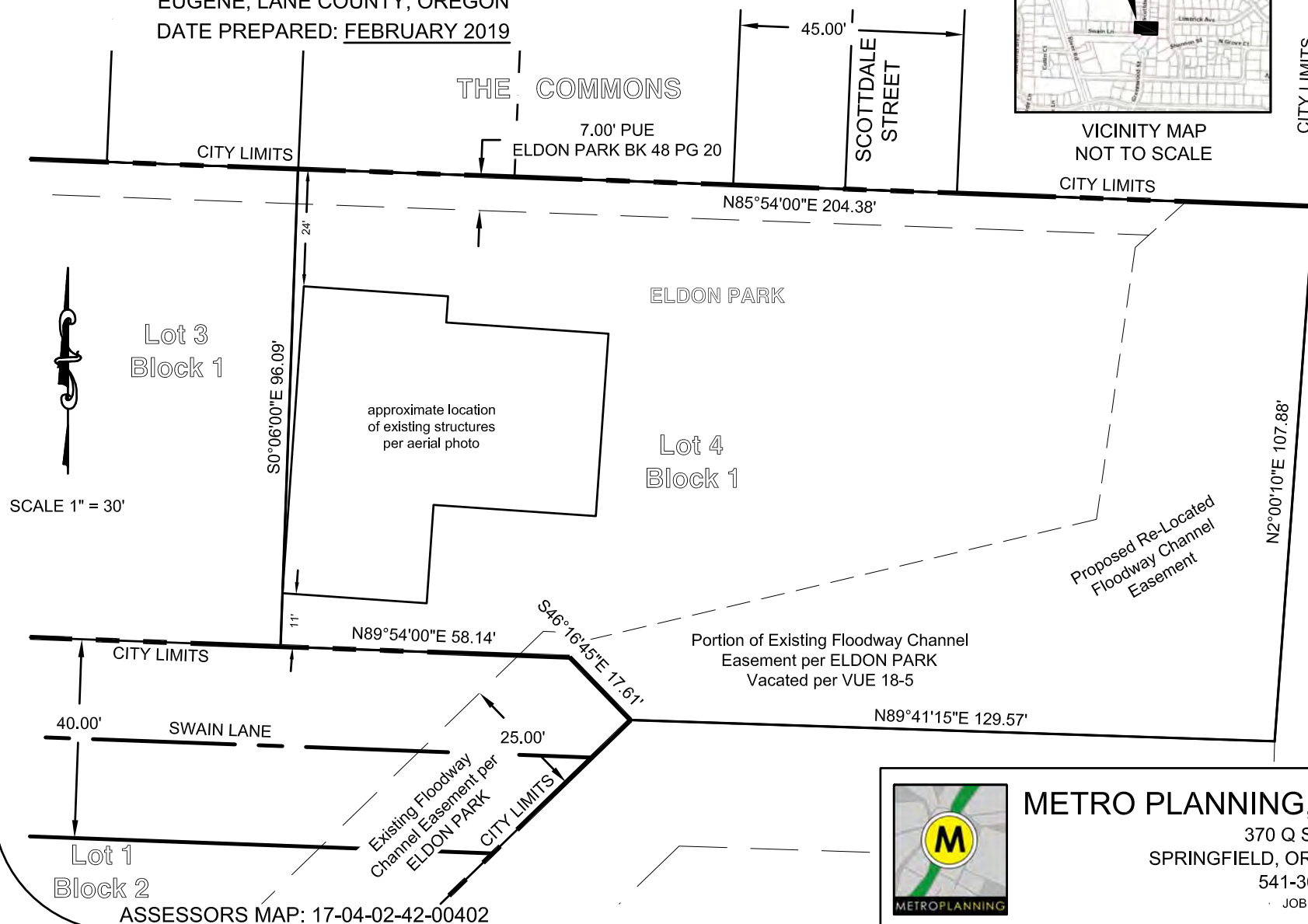
EUGENE, LANE COUNTY, OREGON

DATE PREPARED: FEBRUARY 2019



SUBJECT
PROPERTY

VICINITY MAP
NOT TO SCALE



METRO PLANNING, INC

370 Q STREET
SPRINGFIELD, OR. 97477

541-302-9830

JOB NO. 18-032



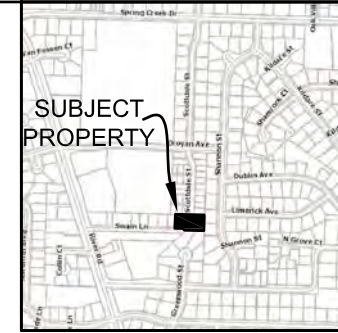
ANNEXATION- SITE PLAN

FOR
THERRELL

SE 1/4, SECTION 2, TOWNSHIP 17 SOUTH, RANGE 4 WEST, W.M.

EUGENE, LANE COUNTY, OREGON

DATE PREPARED: FEBRUARY 2019



SUBJECT
PROPERTY

VICINITY MAP
NOT TO SCALE

CITY LIMITS

THE COMMONS

7.00' PUE
ELDON PARK BK 48 PG 20

SCOTSDALE
STREET

CITY LIMITS

CITY LIMITS

N85°54'00"E 204.38'

ELDON PARK

Lot 3
Block 1

approximate location
of existing structures
per aerial photo

Lot 4
Block 1

SCALE 1" = 30'

S0°06'00"E 96.09'

24'

11'

N89°54'00"E 58.14'

S46°16'45"E 17.61'

Portion of Existing Floodway Channel
Easement per ELDON PARK
Vacated per VUE 18-5

N89°41'15"E 129.57'

N2°00'10"E 107.88'

Proposed Re-Located
Floodway Channel
Easement

CITY LIMITS

SWAIN LANE

Lot 1
Block 2

Existing Floodway
Channel Easement per
ELDON PARK

CITY LIMITS

ASSESSORS MAP: 17-04-02-42-00402



METRO PLANNING, INC

370 Q STREET
SPRINGFIELD, OR. 97477

541-302-9830

JOB NO. 18-032

ELDON PARK

SECTION 2, T.17 S., R.4 W.W.M., LANE COUNTY, OREGON.

DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF LOT 6 OF ROSS-MAR GARDENS, SAID POINT BEING 431.98 FT. N. 0°18'45" W. OF A POINT ON THE NORTH LINE OF THE A. PECK D.L.C. NO. 51 IN T.17 S., R.4 W.W.M. AT A DISTANCE OF 821.24 FT. N 89°51'40" W OF THE NORTHEAST CORNER THEREOF, AND RUN THENCE ALONG THE NORTH LINE OF LOTS 5 AND 6 OF ROSS-MAR GARDENS (LANE COUNTY PLAT RECORDS BK.40 P.27) -

S 89°41'15" W	129.57	FT.; THENCE	ALONG THE NORTHWESTERLY LINE OF SAID LOT 5
S 43°43'15" W	114.78	FT.; THENCE	
S 89°54'00" W	427.85	FT.; THENCE	
S 17°48'00" E	19.12	FT.; THENCE	
S 72°32'00" W	76.70	FT.; THENCE	
S 17°48'00" E	15.10	FT.; THENCE	
S 72°24'00" W	104.47	FT.; TO THE CENTERLINE OF RIVER ROAD; THENCE	
N 19°10'00" W	192.48	FT. ALONG SAID CENTERLINE; THENCE	
N 89°54'00" E	206.78	FT.; THENCE	
S 0°06'00" E	14.8	FT.; THENCE	
N 89°54'00" E	252.00	FT.; THENCE	
N 0°06'00" W	110.90	FT.; THENCE	
N 89°54'00" E	407.40	FT.; THENCE	
S 2°00'10" W	107.88	FT. TO THE PLACE OF BEGINNING IN SEC. 2, T.17 S., R.4 W.W.M.	

IN LANE COUNTY, OREGON.

CONCURRENCE OF RECORD

Mfg. 31096	concurrence	R 281D 35286
Mfg. 24586	concurrence	R 281D 34954
Mfg. 39660	concurrence	R 286D 45720

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ROBERT M. BRIM AND SYLVIA T. BRIM, HUSBAND AND WIFE, LEROY H. ORTH AND MARTHA E. ORTH, HUSBAND AND WIFE, HAROLD H. BALTZELL AND MADONNA E. BALTZELL, HUSBAND AND WIFE, ALSO, E.R. BROTHERTON, A SINGLE PERSON, FEE OWNERS OF THE ABOVE DESCRIBED TRACT, DO HEREBY ESTABLISH 'ELDON PARK' AND DO HEREBY DEDICATE THE STREET THEREIN AND DEDICATE THE FLOODWAY CHANNEL EASEMENT AS SHOWN HEREON FOR SAID PURPOSES RESPECTIVELY, TO THE PUBLIC FOREVER.

BE IT KNOWN THAT ROBERT M. BRIM AND SYLVIA T. BRIM ARE FEE OWNERS OF LOT 1, BLOCK 1; LEROY H. ORTH AND MARTHA E. ORTH ARE FEE OWNERS OF LOT 2, BLOCK 1; HAROLD H. BALTZELL AND MADONNA E. BALTZELL ARE FEE OWNERS OF LOT 4 BLOCK 1; E. R. BROTHERTON IS FEE OWNER OF LOT 3, BLOCK 1 AND BLOCK 2.

Robert M. Brim
ROBERT M. BRIM

Sylvia T. Brim
SYLVIA T. BRIM

Leroy H. Orth
LEROY H. ORTH

Martha E. Orth
MARTHA E. ORTH

Harold H. Baltzell
HAROLD H. BALTZELL

Madonna E. Baltzell
MADONNA E. BALTZELL

E.R. Brotherton
E.R. BROTHERTON

ACKNOWLEDGEMENT

STATE OF OREGON
COUNTY OF LANE — SS

ON THE 22nd DAY OF December 1966 THERE APPEARED BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, THE ABOVE NAMED ROBERT M. BRIM AND SYLVIA T. BRIM, HUSBAND AND WIFE, LEROY H. ORTH AND MARTHA E. ORTH, HUSBAND AND WIFE, HAROLD H. BALTZELL AND MADONNA E. BALTZELL, HUSBAND AND WIFE, ALSO, E.R. BROTHERTON, A SINGLE PERSON, WHO ARE KNOWN TO BE THE IDENTICAL PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED THE SAME TO BE THEIR FREE ACT AND DEED.

IN WITNESS, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY & YEAR LAST ABOVE WRITTEN.
Adrian W. Vaaler
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES APRIL 22, 1968.

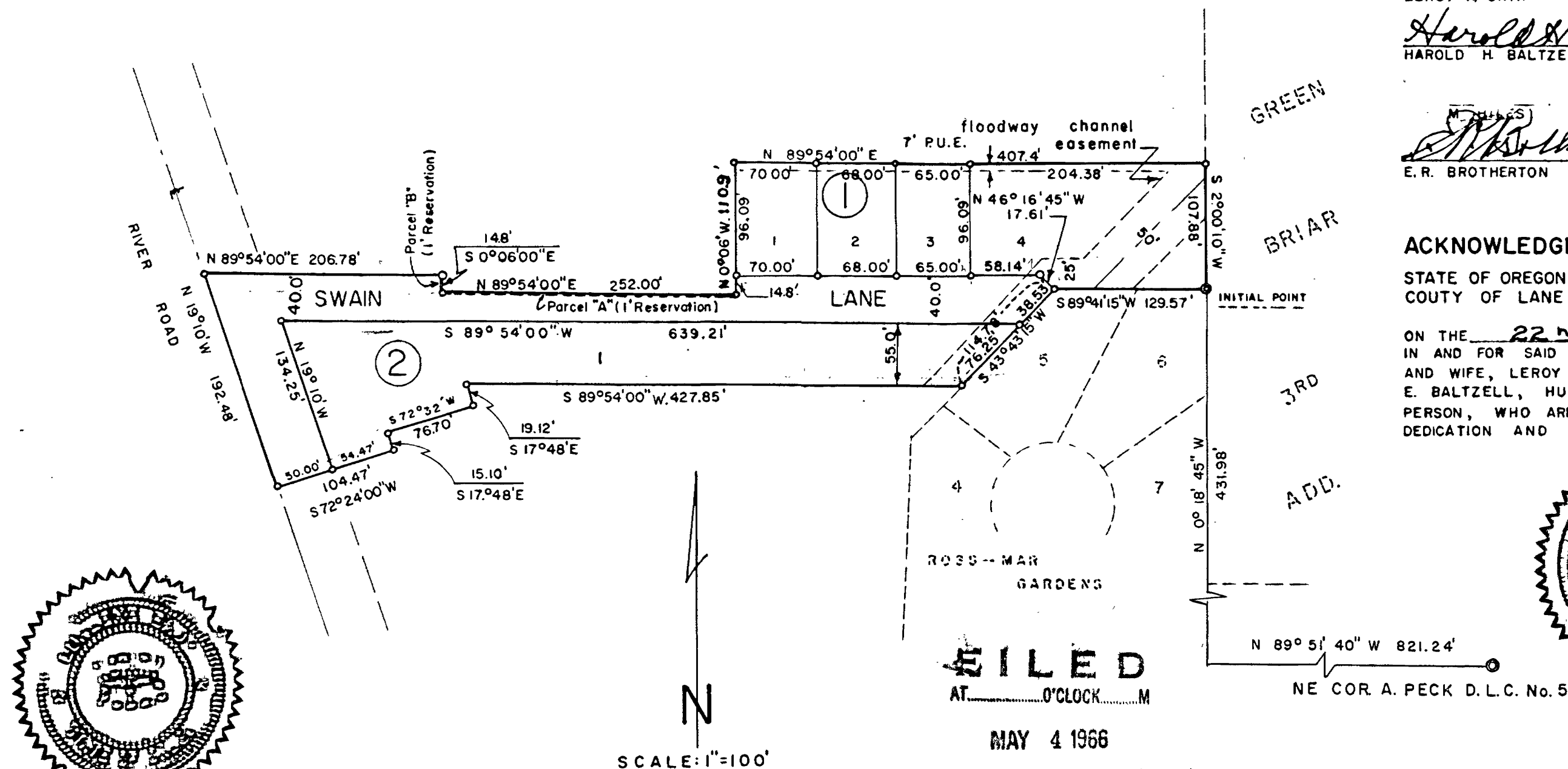
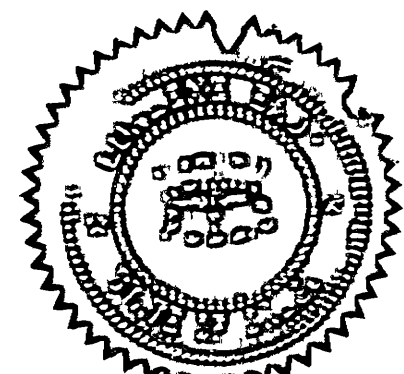
STATE OF OREGON)
COUNTY OF LANE) SS

I, ADRIAN W. VAALER BEING FIRST DULY SWORN ON OATH DEPOSE AND SAY THAT THIS TRACING IS A TRUE COPY OF THE ORIGINAL PLAT OF ELDON PARK

Adrian W. Vaaler
ADRIAN W. VAALER

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17th DAY OF January, 1966

John B. Leaky
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES
My Commission Expires Oct. 31, 1967



SURVEYOR'S AFFIDAVIT

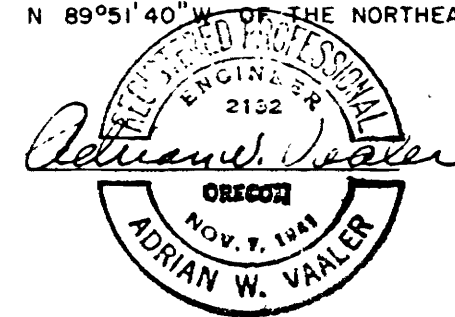
STATE OF OREGON — SS
COUNTY OF LANE

I, ADRIAN W. VAALER, A REGISTERED PROFESSIONAL ENGINEER, BEING FIRST DULY SWORN ON OATH, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE ABOVE DESCRIBED TRACT, AND HAVE PLACED FOR THE INITIAL POINT A 2 INCH BY 36 INCH GALVANIZED IRON PIPE 6 INCHES BELOW THE SURFACE OF THE GROUND 431.98 FT. N 0°18'45" W AND 821.24 FT. N 89°51'40" W OF THE NORTHEAST CORNER OF THE A. PECK D.L.C. NO. 51 IN T.17 S., R.4 W.W.M., LANE COUNTY, OREGON.

SUBSCRIBED AND SWORN TO, BEFORE ME
THIS 17th DAY OF January, 1966

Adrian W. Vaaler
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES APRIL 22, 1968



APPROVALS

LANE COUNTY COMMISSIONER Jess Hill

LANE COUNTY COMMISSIONER Kenneth Nielsen

LANE COUNTY COMMISSIONER Frank A. Elliott

LANE COUNTY ASSESSOR Kenneth E. Omlid

LANE COUNTY SURVEYOR F.E. Waggoner

LANE COUNTY PLANNING COMMISSION

CHAIRMAN John B. Leaky

SECRETARY Howard W. Buford 9-11-66

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401



TITLE NO. 0305189 DM
ESCROW NO. EU17-3525
TAX ACCT. NO. 4087027
MAP/TAX LOT NO. 17 04 02 4 2 #402

GRANTOR
CECELIA A. BOYER
GRANTEE
CHRIS D. SCHMITT
88584 CHUKAR LANE
VENETA, OR 97487

Until a change is requested
all tax statements shall be
sent to the following address:
SAME AS GRANTEE

Lane County Clerk
Lane County Deeds and Records

2017-062761



\$47.00

01694221201700627610010015

12/22/2017 09:28:40 AM

RPR-DEED Cnt=1 Stn=9 CASHIER 02
\$5.00 \$11.00 \$21.00 \$10.00

After recording return to:
CASCADE TITLE CO.
811 WILLAMETTE
EUGENE, OR 97401

WARRANTY DEED -- STATUTORY FORM

CECELIA A. BOYER, Grantor,

conveys and warrants to

CHRIS D. SCHMITT, Grantee,

the following described real property free of encumbrances except as specifically set forth herein:

Lot 4, Block 1, ELDON PARK, as platted and recorded in Book 48, Page 20, Lane County Oregon Plat Records,
in Lane County, Oregon.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Except the following encumbrances:
Covenants, Conditions, Restrictions, Easements and Rights of Way of record, if any.

The true consideration for this conveyance is \$50,000.00.

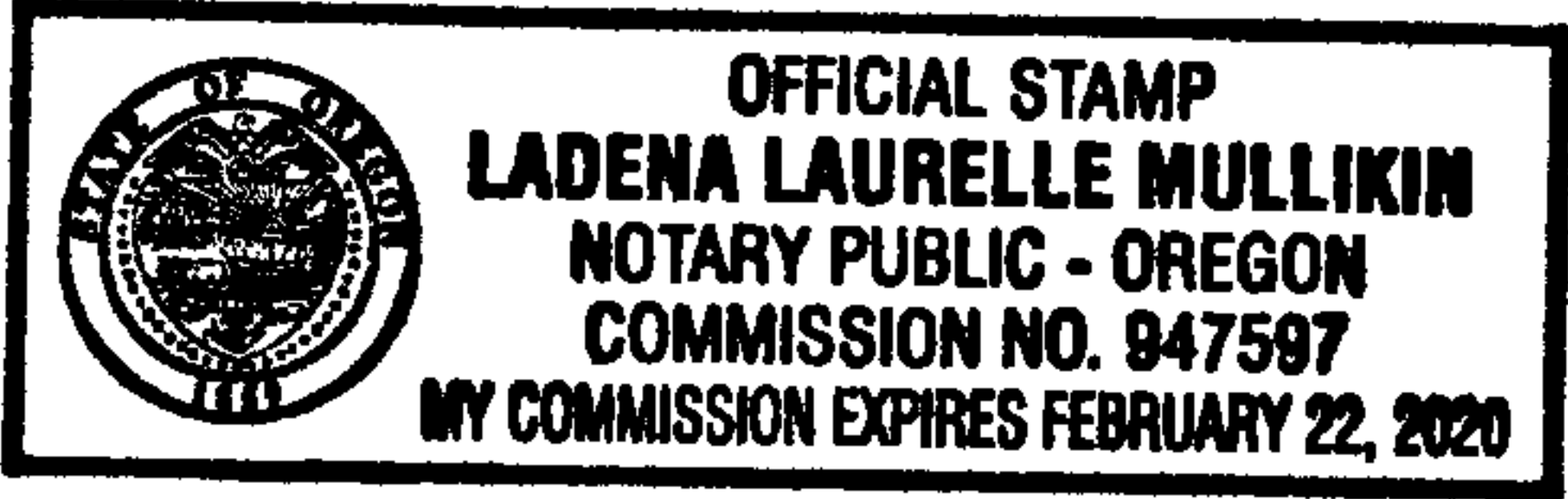
Dated this 21 day of December, 2017.

Cecelia A. Boyer
CECELIA A. BOYER

State of Oregon
County of Lane

This instrument was acknowledged before me on December 21, 2017 by CECELIA A. BOYER.

(Notary Public for Oregon)
My commission expires 2/22/20





City of Eugene Planning

PLANNING RECEIPT

DATE 3/15/2019

Method of Payment

- ☐ Cash
☒ Check
☐ Visa/MC

Amount Received

\$5,155.70

Customer Information

Name Matthew Therrell
Address 474 W29th Ave
Eugene OR 97405
Project 17-04-02-42-00402

☐ City/Government Agency

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00	\$	4,730.00
2							
3							
4							
5							
6							
7							
8							
9							
Other							
Other							
Appeal				1		\$	-
Appeal							
					Subtotal App Fees	\$	4,730.00
					Subtotal Other Fees	\$	-
Admin Fee (not included on appeals or other fees)				9%		\$	425.70
Total						\$	5,155.70

Staff Receiving Application
MHD

DUPLICATE RECEIPT DUPLICATE RECEIPT

CITY OF EUGENE
BUILDING & PERMIT SERVICE
99 WEST 10TH AVE 682-5086
REG-RECEIPT:1-0001225 Mar 15 2019
CASHIER: CMS

Annexation Fee \$4,730.00
17-04-02-42 / 00402
Admin Fee-Auto Calc \$425.70

TOTAL DUE: \$5,155.70

RECEIVED FROM:
MATTHEW THERRELL

Check: \$5,155.70

Total tendered: \$5,155.70

Change due: \$.00

www.eugene-or.gov/bldgpermittracking

Please take our customer survey at:
www.surveymonkey.com/s/COEPermitSurvey

DUPLICATE RECEIPT DUPLICATE RECEIPT

EUGENE CITY COUNCIL AGENDA ITEM SUMMARY



Adoption of a Resolution Annexing Rights-of-Way to the City of Eugene
(Sections of: Harvey Avenue; Maynard Avenue from River Road West: Hatton
Avenue West to Parnell Drive: Manzana Street from Howard South: and Evergreen
Drive from Howard Avenue South to Rosetta Avenue.)
(Hatton Annexation; A 19-4)

Meeting Date: September 9, 2019
Department: Planning and Development
www.eugene-or.gov

Agenda Item Number: 2E
Staff Contact: Dan Halverson
Contact Telephone Number: 541-682-5410

ISSUE STATEMENT

As directed by City Council, this item is a request to annex five sections of right-of-way into the Eugene City limits. The proposed annexation includes a section of Harvey Avenue; a section of Maynard Avenue from River Road west; a section of Hatton Avenue west to Parnell Drive; Manzana Street from Howard Avenue south; and Evergreen Drive from Howard Avenue south to Rosetta Avenue. All sections are within the City's Urban Growth Boundary. A map showing the location of these street sections is included as Attachment A.

The purpose of this annexation is to create clear boundaries for police, parking services, and other City services, which increases the effectiveness and efficiency of these services. In the current case, parking on these sections of road are not consistently enforced, which has created a public safety concern. Annexation will also allow for future road improvements that will benefit residents in the area.

BACKGROUND

The City of Eugene's parking program responds to parking complaints across the City of Eugene. The program has one parking services officer to address parking concerns outside of the downtown to campus-regulated parking areas. The patchwork of right-of-way jurisdictional authority within the City of Eugene's urban growth boundary creates difficulty in responding to some parking complaints. Hatton Avenue is one such area that has Lane County and City of Eugene jurisdiction. Parking complaints on Hatton Avenue started in September 2015 and increased over time due to the overflow parking from the adjacent apartment complex.

In partnership with the River Road Community Organization, City and County staff met with area residents on November 8, 2017, to discuss the Hatton Avenue area parking challenges. Options and challenges for parking enforcement were discussed at the meeting, including the City annexing all or portions of Hatton Avenue. There was general agreement at the meeting that annexing Hatton Avenue to allow the City to enforce parking code would improve livability.

However, there were concerns that it would also push the parking problem to adjoining streets. It may be appropriate to look at a larger area of roads to consider annexation to address current and future parking issues.

An annexation may be initiated by motion of City Council or by the filing of an application. On February 12, 2018, City Council held a work session to discuss the possible annexation of the streets around the Hatton Avenue area. Following a staff presentation of options, council directed the City Manager to begin the annexation process to include Hatton Avenue and surrounding streets. A door-to-door survey was completed for more public information in the areas of the proposed annexation following a May 10, 2018, meeting to formalize the streets to be annexed. A follow-up outreach letter was sent on May 28, 2019, to the surrounding neighborhood notifying residents of the intent to annex the streets.

Annexation Process

To encourage compact urban growth and sequential development within Eugene's UGB, the Metro Plan provides that ultimately all land within the UGB (including streets) will be annexed into the City and provided with a minimum level of urban services. 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 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. Findings demonstrating that the annexation request is consistent with these approval criteria are included as Exhibit C to the attached draft resolution (Attachment B).

To provide nearby property owners and residents an opportunity to review and comment on this annexation request, public notice was provided to all owners and occupants of property within 500 feet of the street rights-of-way, and the affected neighborhood association (River Road Community Organization), consistent with Eugene Code requirements. In response to this public notice, one letter of support was received from Shannon Bursofsky and is included as Attachment D.

Given the findings of compliance and limited 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.

PREVIOUS COUNCIL DIRECTION

February 12, 2018, Work Session

Move to direct the City Manager to begin the annexation process for streets included in Option B and bring back for council approval. *(Motion passed)*

COUNCIL OPTIONS

City Council may consider the following options:

1. Adopt the resolution
2. Adopt the resolution with specific modifications as determined by the City Council
3. Deny the 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 resolution by finding that the request complies with all applicable approval criteria, and that the annexation be approved.

SUGGESTED MOTION

Move to adopt a resolution approving the proposed annexation request consistent with the applicable approval criteria.

ATTACHMENTS

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

FOR MORE INFORMATION

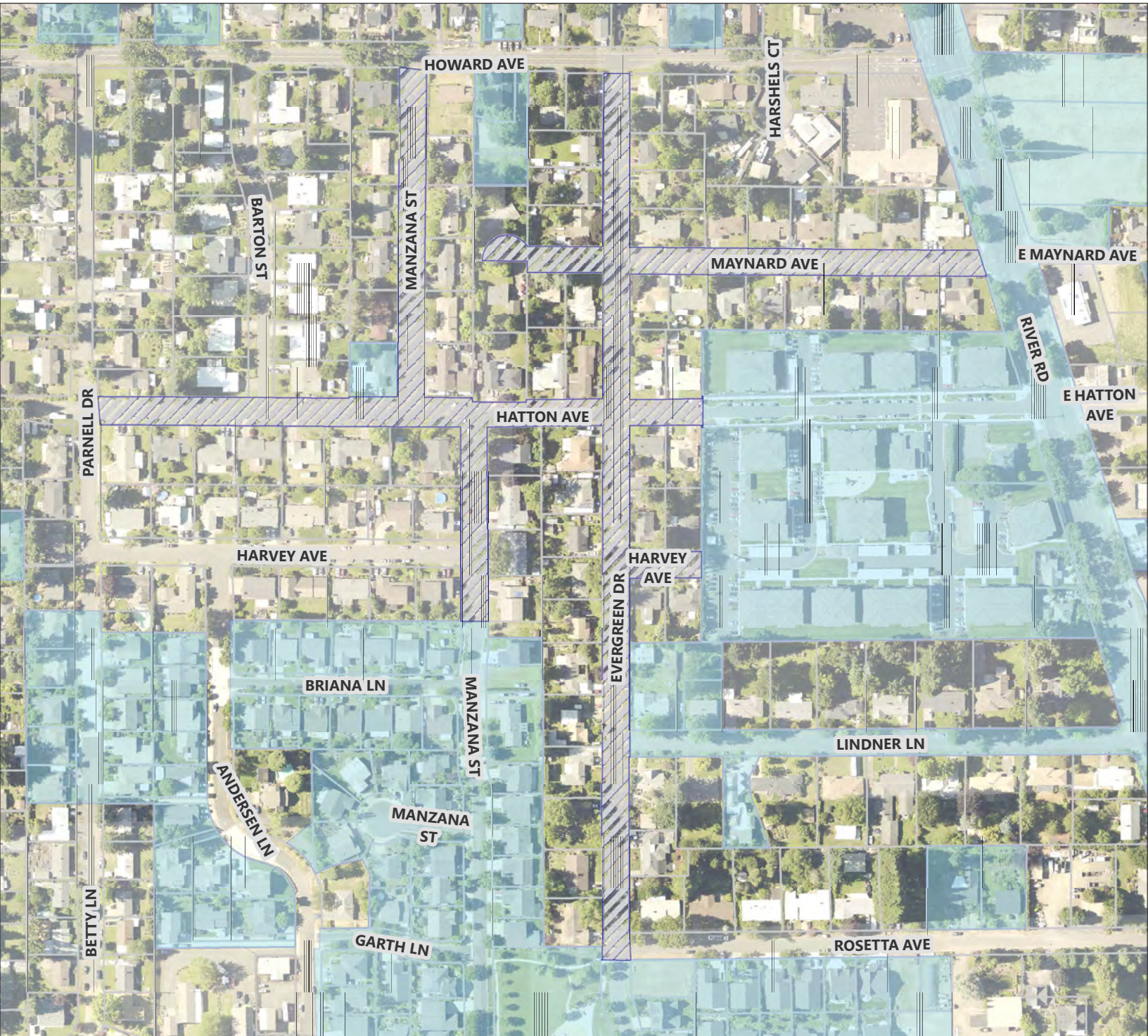
Staff Contact: Dan Halverson
Telephone: 541-682-5410
Staff E-Mail: DHalverson@eugene-or.gov



HATTON AVENUE Area Annexation

Right-Of-Way Annexation - Various Streets

Attachment A



-  HattonROWannex
-  Eugene City Limits
-  Taxlots

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

Created on 8/8/2019
by City of Eugene Planning Division

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September 9, 2019, Meeting – Item 2E

RESOLUTION NO. ____

RESOLUTION ANNEXING RIGHTS-OF-WAY TO THE CITY OF EUGENE (SECTIONS OF: HARVEY AVENUE; MAYNARD AVENUE FROM RIVER ROAD WEST; HATTON AVENUE WEST TO PARNELL DRIVE; MANZANA STREET FROM HOWARD SOUTH; AND EVERGREEN DRIVE FROM HOWARD AVENUE SOUTH TO ROSETTA AVENUE).

The City Council of the City of Eugene finds that:

A. An annexation application was submitted on June 25, 2019, by the City of Eugene, in accordance with the provisions of Section 9.7810 of the Eugene Code, 1971, (“EC”) to annex to the City of Eugene a section of Harvey Avenue; Maynard Avenue from River Road west; Hatton Avenue west to Parnell Drive; Manzana Street from Howard south; and Evergreen Drive from Howard Avenue south to Rosetta Avenue.

B. The rights-of-way proposed to be annexed are depicted on the map attached as Exhibit A to this Resolution. The legal descriptions of the rights-of-way proposed to be annexed are 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 September 9, 2019, a notice containing a geographical reference to the rights-of-way, a description of the rights-of-way 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 portions of right-of-way, 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 September 9, 2019.

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 sections of Harvey Avenue, Maynard Avenue, Hatton Avenue, Manzana Street,

and Evergreen Drive, which are depicted on the map attached as Exhibit A, and more particularly described in the attached Exhibit B, are annexed to the City of Eugene.

Section 2. This Resolution is effective immediately upon its passage by the City Council. The annexation shall become effective in accordance with State law.

The foregoing Resolution adopted the ____ day of September, 2019.

City Recorder

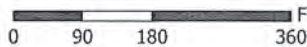
Hutton Avenue Area Annexation



Area of proposed annexation



Areas within City of Eugene limits



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

September 9, 2019, Meeting - Item 2B
May 8, 2019



Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature:

H. Timothy Fassbender
Registered Land Surveyor

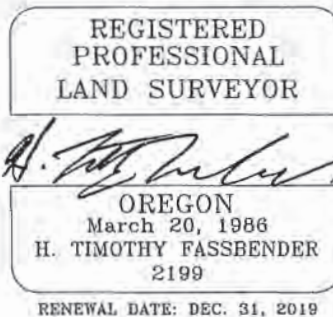
Print Name:

H. TIMOTHY FASSBENDER

Date:

5-8-19

Seal:



Harvey Avenue

A portion of Harvey Avenue located in the Southwest one-quarter of the Southwest one-quarter of Section 13 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northwest corner of Lot 1 in Block 5 of Schmitz's Addition as platted and recorded in Book 17, page 25 Lane County Plat Records in Lane County, Oregon; thence Easterly along the south right-of-way line of said Harvey Avenue to the Northeast corner of Lot 2 in Block 5 of said Schmitz's Addition; thence Northerly along the Easterly plat line of said Schmitz's Addition to the Southeast corner of Lot 2 in Block 3 of said Schmitz's Addition; thence Westerly along the northerly right-of-way line of said Harvey Avenue to the Southwest corner of Lot 1 in Block 3; thence Southerly to said Northwest corner of Lot 1 in Block 5 and being the point of beginning and there ending, all in Lane County, Oregon.

Containing 6,700 square feet more or less.

Maynard Avenue

A portion of Maynard Avenue located in the Southwest one-quarter of the Southwest one-quarter of Section 13 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 15 of Maynard's Addition as platted and recorded in Book 16, page 23 Lane County Oregon Plat Records in Lane County, Oregon, said point also being the intersection of the South right-of-way line of Maynard Avenue and the Westerly right-of-way line of River Road; thence Westerly along the south right-of-way line of said Maynard Avenue to the Northwest corner of Lot 5 of said Maynard's Addition; thence Northerly to the Northeast corner of tax lot 300 of tax map number 17-04-14-44; thence westerly along the north line of said tax lot 300 82.53 feet more or less to the southerly southeast corner of tax lot 200 of tax map number 17-04-14-44; thence Northeasterly along a 45 foot radius curve to the right to the Southwest corner of Lot 4 of said Maynard's Addition; thence Easterly along the northerly right-of-way line of said Maynard Avenue to the Southeast corner of Lot 9 of said Maynard's Addition also being the intersection of the North right-of-way line of Maynard Avenue and the Westerly right-of-way line of River Road; thence Southeasterly to the Northeast corner of Lot 15 of Maynard's Addition and the point of beginning and there ending, all in Lane County, Oregon.

Containing 38,850 square feet more or less.

Hatton Avenue

A portion of Hatton Avenue located in the Southwest one-quarter of the Southwest one-quarter of Section 13 and in the Southeast one-quarter of the Southeast one-quarter of Section 14 all in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 3 in Block 3 of Schmitz's Addition as platted and recorded in Book 17, page 25 Lane County Oregon Plat Records in Lane County, Oregon; thence Westerly along the South right-of-way line of Hatton Avenue to the Northwest corner of Lot 1 in Block 2 of Windsor Estates as Platted and Recorded in Book 46, Page 24 Lane County Oregon Plat Records in Lane County, Oregon; thence Northerly 55 feet, more or less to the Northerly right-of-way line of said Hatton Avenue; thence Easterly along said Northerly right-of-way line of Hatton Avenue to the West boundary if extended southerly of Huetter Park as platted and recorded in Book 19, Page 20 Lane County Oregon Plat Records in Lane County, Oregon ; thence Northerly 5 feet more or less to the Southwest corner of Lot 5 in Block 2 of said Huetter Park; thence Easterly along said northerly right-of-way line of said Hatton to the Southeast corner of Lot 5 in Block 1 of said Huetter Park; thence following the northerly right-of-way line the following courses, Southerly 10 feet more or less; thence Easterly 100 feet more or less; thence Northerly 5 feet more or less to the Southwest corner of Lot 1 in Block 1 of said Schmitz's Addition; thence Easterly along said Northerly right-of-way line of Hatton Avenue to the Southeast corner of Lot 2 in Block 2 of said Schmitz's Addition; thence Southerly to the Northeast corner of Lot 3 in Block 3 of Schmitz's Addition and the point of beginning and there ending, all in Lane County, Oregon.

Containing 56,300 square feet more or less.

Manzana Street (North)

A portion of Manzana Street located in the Southeast one-quarter of the Southeast one-quarter of Section 14 all in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the intersection of the Southerly right-of-way line of Howard Land and the Westerly right-of-way line of Manzana Street; thence Southerly along the Westerly right-of-way line of said Manzana Street to the Southeast corner of Lot 5 in Block 2 of Huetter Park as platted and record in Book 19, Page 20 Lane County Oregon Plat Records in Lane County, Oregon; thence Easterly to the Southwest corner of Lot 5 of Block 1 of said Huetter Park; thence Northerly along the Easterly right-of-way line of said Manzana Street to the intersection of the South right-of-way line of Howard Lane and the Easterly right-of-way line of said Manzana Street; thence Westerly to intersection Southerly right-of-way line of Howard Land and the Westerly right-of-way line of Manzana Street being the point of beginning and there ending, all in Lane County, Oregon.

Containing 31,500 square feet more or less.

Manzana Street (South)

A portion of Manzana Street located in the Southeast one-quarter of the Southeast one-quarter of Section 14 all in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 8 of Block 2 of Windsor Estates as platted and recorded in Book 46, Page 24 Lane County Oregon Plat Records in Lane County, Oregon; thence Southerly along the Westerly right-of-way line of Manzana Street to the Southeast corner of Lot 5 of Block 4 of said Windsor Estates; thence Easterly to the Southwest corner of Lot 4 of Block 1 of said Windsor Estates; thence Northerly along the Easterly right-of-way line of said Manzana Street to the Northwest corner of Lot 1 of Block 1 of said Windsor Estates; thence Westerly to the Northeast corner Lot 8 of Block 2 of said Windsor Estates being the point of beginning and there ending, all in Lane County, Oregon.

Containing 18,000 square feet more or less.

Evergreen Drive

A portion of Evergreen Drive located in the Southwest one-quarter of the Southwest one-quarter of Section 13 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 1 of Maynard's Addition as platted and recorded in Book 16, page 23 Lane County Oregon Plat Records in Lane County, Oregon; thence Southerly along the Westerly right-of-way line of Evergreen Drive to Southerly Northeast corner of Lot 35 of Rosetta Place as platted and recorded in File 75, Slide 1064-1070 Lane County Oregon Plat Records in Lane County, Oregon; thence Easterly to the Northwest corner of Lot 3 of Woodruff Gardens as platted and recorded in Lane County Official Records 2005-000734 Lane County Deed Records in Lane County, Oregon; thence Northerly along the Easterly right-of-way line of said Evergreen Drive to the Northwest of Lot 19 of said Maynard's Addition; thence Westerly to the Northeast corner of Lot 1 of said Maynard's Addition and being the point of beginning and there ending, all in Lane County, Oregon;

Containing 81,605 square feet more or less.



**Planning Director's Findings and Recommendation
Annexation Request for Various Right-of-Way
(City File: A 19-4)**

Application Submitted: June 25, 2019
Applicant: City of Eugene
Property Included in Annexation Request: Sections of the following street rights-of-way: Harvey Avenue, Maynard Avenue, Hatton Avenue, Manzana Street, and Evergreen Drive.
Zoning: None (Street Rights-of-Way)
Location: Various Right-of-Way located east of River Road
Representative: Donna Stark, City of Eugene
Surveyor: Tim Fassbender, City of Eugene
Lead City Staff: Dan Halverson, City of Eugene Planning Division, 541-682-5410

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 ☒ YES ☐ NO	Findings: The annexation area is within the City's urban growth boundary (UGB) and is contiguous to the City limits, consistent with subsection (a).
EC 9.7825(2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.	
Complies ☒ YES ☐ NO	<p>Findings: Several policies from the <u>Metro Plan</u> provide support for this annexation by encouraging 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):</p> <p><i>Policy 1: The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB.</i></p> <p><i>Policy 8: A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities. (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 River Road - Santa Clara Urban Facilities Plan (RR/SC UFP) is the adopted refinement plan for the subject road sections. With regard to applicable policies of the RR/SC UFP, a portion of the street annexation is within the River Road/Howard subarea; however, none of these subarea policies are applicable to the request.</p> <p>As previously discussed in this subsection, and further detailed under subsection (3) below, the proposed annexation is consistent with Metro Plan growth management policies. 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>The following policies from the River Road and Santa Clara Goals, Findings, Objectives, and Policies section are also relevant to the request:</p> <p><i>Objective 2. Capitalize on existing public expectations by providing further public services which will allow the River Road and Santa Clara areas to achieve urban densities.</i></p> <p><i>Objective 3. Deliver a full range of urban services to the River Road and Santa Clara areas through annexation.</i></p> <p>Annexation of these various sections of Right-of-Way will create clear boundaries for police and other City services, which increases the effectiveness and efficiency of these services. In the current case, parking regulations on these sections of roads cannot be enforced by the City. Annexation will also allow for future city road improvements, parking enforcement, and services that will benefit residents and businesses in the area.</p> <p>Therefore, based on the findings above, the proposal is consistent with the applicable policies of the Metro Plan and RR/SC UFP refinement plan.</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.
☒ YES	☐ NO	<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></p> <p>The various rights-of-ways are not subject to wastewater connections, since rights-of-way do not trigger wastewater services. A public wastewater system is already located</p>

within the all right-of-way segments proposed for annexation.

Stormwater

Manzana Street, Evergreen Drive and Hatton Avenue rights-of-ways have existing stormwater lines ranging from 15" to 48" in diameter. Any future street drainage improvements will be subject to city standards and specifications at the time of improvement.

Transportation

These sections of Right-of-Way will continue to operate as before, and no impact will occur from the annexation.

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

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

Public Safety

Police protection will be extended upon annexation consistent with service provision through the City. Fire protection will be provided by Eugene Springfield Fire. 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.

Communications

This is not relevant as the road sections will not be developed with residential or commercial uses.

Public Schools

This is not relevant as the road sections will not be developed with residential or commercial uses.

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 areas subject to annexation are included in the application file for reference. The effective date is set in accordance with State law.

JUN 25 2019

Please complete the following application checklist. Note that additional information may be required upon further review in order to adequately address the applicable criteria for approval. If you have any questions about filling out this application, please contact Planning staff at the Permit and Information Center, phone (541)682-5377, 99 West 10th Avenue, Eugene.

List all Assessor's Map and Tax Lot numbers of the property included in the request.

Assessor's Map	Tax Lot	Zoning	Acreage
17-04-14-44	N/A		
17-04-13-33	N/A		
17-04-24-22	N/A		

Property Address: N/A - all are segments of Lane County right-of-way

Plans for Future Development & Permit Number (if applicable): N/A

Public Service Districts:

Name			
Parks:	River Road Recreational District		
Electric:	Eugene Water & Electric Board		
Water:	Eugene Water & Electric Board		
Sanitary Sewer:	City of Eugene		
Fire:	Eugene/Springfield Fire		
Schools:	Elementary: Howard	Middle: Kelly	High: North Eugene
Other:			

Filing Fee

- ☐ A filing fee must accompany all applications. The fee varies depending upon the type of application and is adjusted periodically by the City Manager. Check with Planning staff at the Permit and Information Center to determine the required fee or check website at www.eugeneplanning.org

Written Statement (Submit 5 copies)

- ☒ Submit a detailed written statement describing how this request is consistent with all applicable criteria (Section 9.7825 of the Eugene Code).

Site Plan Requirements

Submit 3 paper copies and 1 digital copy of a site plan, drawn to an engineer's scale on 8 ½" x 11" sheet of paper. Site plans shall include the following information:

- ☐ Show the date & north arrow on site plan.
- ☐ Show the Assessor's Map and Tax Lot number(s) on the site plan.
- ☐ Show a vicinity map on the site plan (vicinity map does not need to be to scale).
- ☐ Show city limits & UGB (if applicable)
- ☐ Clearly label the affected territory and any public right of ways to be annexed.
- ☐ Show all adjacent streets, alleys, and accessways.
- ☐ Show all dimensions of existing public utility easements and any other areas restricting use of the parcels, such as conservation areas, slope easements, access easements, etc.
- ☐ Show the location of all existing structures.

Other Application Requirements (Submit 3 paper copies and 1 digital copy of all)

- ☐ Petition for Annexation form listing all owners, including partial owners, and electors. This form includes the Certification of Electors which must be signed by the Lane County Elections/Voter Registration Department and also includes the Verification (Certification) of Property Owners which must be signed by the Lane County Department of Assessment and Taxation. *This form is required even if the land is vacant.*
- ☐ Notarized Consent to Annexation form.
- ☐ A legal description of the land proposed for annexation, including any public right of way prepared by a registered land surveyor. Oregon Revised Statutes (ORS) 308.225 requires submittal of a closing metes and bounds description or subdivision block and lot number description. Please see example of acceptable legal descriptions contained in the application packet. The legal description must exactly correspond with the map included with the application or the Assessor's map.
- ☐ Summary of Urban Service Provision form.
- ☐ Census Information Sheet.

Note: This is not a complete list of requirements. Additional information may be required after further review in order to adequately address the applicable approval criteria.

By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined, and that he/she understands that omission of any listed item may cause delay in processing the application. I (We), the undersigned, acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

PROPERTY OWNER OF TAX LOT: _____

Name (print): _____

Address: _____

Email: _____

City/State/Zip: _____

Phone: _____

Fax: _____

Signature: _____

Date: _____

SURVEYOR:

Name (print):

Tim Fassbender

Company/Organization:

City of Eugene

Address:

99 East Broadway, Suite 400

City/State/Zip:

Eugene, OR 97401

Phone: **541-682-2704** Fax: _____

E-mail:

tfassbender@eugene-or.gov

Signature:



Date:

6-25-19

REPRESENTATIVE (If different from surveyor):

Name (print): **Donna Stark**

Company/Organization: **City of Eugene**

Address: **99 East Broadway, Suite 400**

City/State/Zip: **Eugene, OR 97401** Phone: **541-682-5105** Fax:

E-mail: **dstark@eugene-or.gov**

Signature: *Donna Stark* Date: *6.25.2019*

****Attached additional sheets if necessary.**

Annexation Narrative

Applicant: City of Eugene

Contact

Information: Donna Stark
City of Eugene
Public Works Engineering Division
99 East Broadway, Suite 400
Eugene, OR 97401
541-682-5105
dstark@eugene-or.gov

Surveyor: Tim Fassbender

Date: May 8, 2019

Site: Segments of Hatton Avenue, Evergreen Drive, Maynard Avenue, Manzanita Street, and Harvey Avenue as described below and more particularly described in the attached legal descriptions:

- Hatton Avenue between Parnell Drive to the west to the city limits to the east
- Evergreen Drive between Howard Avenue to the north and Rosetta Avenue to the south
- Maynard Avenue between River Road to its terminus approximately 930 feet to the west
- Harvey Avenue between Evergreen Drive on the east to the city limits, approximately 130 feet to the east
- Manzanita Street between Howard Avenue to the north and Hatton Avenue to the south
- Manzanita Street between Hatton Avenue to the north to the city limits, approximately 360 feet to the south

Background: The City of Eugene's parking program responds to parking complaints across the City of Eugene. The patchwork of right-of-way jurisdictional authority within the City of Eugene's urban growth boundary creates difficulty to respond to some parking complaints. Hatton Avenue in one such area that has Lane County and City of Eugene jurisdiction. Parking complaints on Hatton Avenue started in September 2015 and have increased over time due to the overflow parking from the adjacent apartment complex that is in the City. To more effectively address parking complaints in the Hatton Avenue area, the City explored whether an agreement with Lane County would allow City of Eugene parking enforcement staff to enforce city parking code on county roads within the urban growth boundary. The Eugene City Charter does not allow this option. We also explored other options, such as City parking officers issuing Lane County citations with adjudication in Circuit Court. We did not find solutions that simplified the process for residents and City and County staff within the urban growth boundary. Through several neighborhood meetings, City Council work session, and door to door survey, there was general agreement that annexing Hatton Avenue area roads into the City would allow the City to enforce parking code to improve neighborhood livability, set the framework for future growth along

the River Road transportation corridor, and reduce administration costs for Parking Services in determining City vs County roads.

9.7825 Annexation – Approval Criteria. The city council shall approve, modify and approve, or deny a proposed annexation based on the application’s consistency with the following:

- (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.

All street segments proposed for annexation are contiguous to the city limits as noted below:

- The east end of Hatton Avenue abuts the city limits.
- Evergreen Avenue abuts the city limits on the south end at Evergreen Avenue, and is also adjacent the city limits at Lindner Lane, and at taxlot 17-04-13-33-07100,
- Maynard Avenue abuts River Road, within the city limits, to the east.
- Harvey Avenue abuts taxlot 17-04-13-33-04601, which is within the city limits.
- The segment of Manzanita Street north of Hatton Avenue abuts taxlot 17-04-14-44-01600, within the city limits.
- The segment of Manzanita Street south of Hatton Avenue is adjacent to the city limits on the south end.

- (2) The proposed annexation is consistent with applicable policies in the Metro Plan and in any applicable refinement plans.

The Metro Plan contains the policies that are related to this annexation request. The River Road Santa Clara Urban Facilities Plan is the refinement plan applicable to the subject property. The Metro Plan policies listed below support this annexation:

C. Growth Management, Goals, Findings, and Policies (Chapter II):

Policy 1. The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB.

Policy 9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities.

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.

F. River Road and Santa Clara Goals, Findings, Objectives, and Policies (Chapter II):

Objective 2. Capitalize on existing public expectations by providing further public services which will allow the River Road and Santa Clara areas to achieve urban densities.

Objective 3. Deliver a full range of urban services to the River Road and Santa Clara areas through annexation.

(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.

The Metro Plan defines the minimum level for key urban facilities and services as "wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis. The proposed annexation of right-of-way will facilitate the City of Eugene being able to provide services to address a neighborhood parking and livability issue in addition to the key urban services already provided.

Conclusion

Based on the above findings, the proposed annexation complies with applicable approval criteria.



Area of proposed annexation



Areas within City of Eugene limits

0 90 180 360

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

September 9, 2019, Meeting - Item 2B
May 8, 2019



From: VARTANIAN Sasha L <Sasha.VARTANIAN@co.lane.or.us>
Sent: Tuesday, May 14, 2019 10:12 AM
To: GILLESPIE Scott N <SGillespie@eugene-or.gov>
Cc: KEPPLER Peggy A (LCPW) <Peggy.A.KEPPLER@co.lane.or.us>; RODRIGUES Matt J <MRodrigues@eugene-or.gov>; RIKHOFF Greg S <Greg.RIKHOFF@co.lane.or.us>; GALLUP Steve S (LCPW) <Steve.GALLUP@co.lane.or.us>
Subject: RE: Proposed Annexation of County Roads

Hello Scott,

Below is a summary of our conversation yesterday. Please consider this email documentation of Lane County Transportation Planning's support of the proposal.

It is our understanding that the existing IGA between the City of Eugene and Lane County for road maintenance already covers the roads in question and they are currently City maintained. The IGA will cover future maintenance needs of new parking signage on the roads in question. The City of Eugene will get approval from the Lane County Traffic Engineer for any parking signs placed in the ROW of roads that are within Lane County jurisdiction. Lane County Transportation Planning supports the proposed annexation of Lane County Roads surrounding the ECCO apartment complex in order to allow City parking enforcement efforts.

When you get close to formalizing the proposal, please let us know so that we can notify the County Commissioners of the streets to be annexed.

Let me know if you have any questions.

Best,
Sasha

Sasha Vartanian
Transportation Planning Supervisor
Lane County Public Works
Transportation Engineering Services
3040 N Delta Hwy, Eugene, OR 97408
Office: 541.682.6598; Cell: 541.914.8045



Summary of Urban Service Provision

This form is intended as a guide to assist applicants in demonstrating that a minimum level of key urban services can be provided to the area proposed for annexation. Space is provided on this form for you to provide detailed information on service provision. Please add additional pages if necessary to provide details of servicing issues related to the area you are annexing. To assist you in providing this information, some contacts are listed below. For large or difficult to serve properties, you may wish to contact a private land use planning consultant to prepare your application.

Property Owner(s) Name: ***Right-of-way currently owned by Lane County with an agreement for maintenance by the City of Eugene***

Assessor's Map and Tax Lot Numbers for Properties Proposed for Annexation
(For example: Map 17-03-19-31, Tax Lot 100)

Assessor's maps 17-04-14-44, 17-04-13-33, 17-04-24-22 - no lot numbers

Wastewater -- All new development must connect to the wastewater (sanitary sewer) system. Is wastewater service available to serve the area proposed for annexation? (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

The property(ies) in this annexation request:

 X will be served from an existing gravity wastewater line.

Location and size of existing wastewater line: ***Rights-of-way do not trigger the need for wastewater service and the public wastewater system is already located within all segments proposed for annexation.***

 will be served by an extension of an existing gravity wastewater line.

Where will a wastewater line be extended from? When will it be extended? By whom?

Stormwater -- Site plans for all new development must provide for drainage to an approved system consistent with the Comprehensive Stormwater Management Plan. City approval for storm drainage will be required as part of the development process. (For more information, contact the Engineering staff at the City of Eugene Permit and Information Center or call 541-682-8400.)

Is the site currently served by an approved stormwater system?

If yes, **There are existing stormwater lines owned and maintained by the City of Eugene and ranging from 15" to 48" in diameter within Manzana Street, Evergreen Drive, and Hatton Avenue.**

If no, how will stormwater be handled after development? -

Any future street drainage improvements will be subject to city standards and specifications.

Streets – What existing streets provide access to this site. List existing streets that provide access to this site from River Road, the Northwest Expressway, or Beltline

Highway. _____

The street segments are part of an existing network of local streets. Hatton Avenue and Maynard Avenue have direct connections to River Road. Traffic patterns will not change.

Will dedication for additional street right-of-way be required upon further development of this site?

_____ Yes

_____ No

_____ Unknown

Will existing streets be extended or new streets constructed upon further development of this site?

_____ Yes

_____ No

_____ Unknown

Parks, Recreation, and Cultural Services

Systems Development revenues generated by new development and Ballot Measure 20-30, which authorized the issuance of \$25.3 million in general revenue bonds, will help to fund future City park acquisition and development in this area and throughout the city. Please list the parks and recreation facilities that already exist or are planned in the general vicinity of the property(ies) included in this annexation:

The annexation of right-of-way will not create any additional demand or revenue for parks and related services.

Key services, defined by the Metropolitan Plan as parks and recreation programs, will be available to new city residents in this area on an equal basis with residents throughout the city.

Public Safety

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

For River Road/Santa Clara area-

Police services - Police protection can be extended to this site upon annexation consistent with service provision throughout the city. Police currently travel along River Road to provide service to areas throughout the River Road and Santa Clara area. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services (Please indicate which fire district serves subject property.)

_____ Santa Clara - Fire protection services are currently provided to the subject property by the Santa Clara Rural Fire Protection District.

X _____ River Road - Fire and emergency services - Fire protection is currently provided to the subject property by the River Road Water District under contract with the City of Eugene. Upon annexation, fire protection will be provided directly by the City of Eugene Fire & EMS Department.

Emergency medical transport (i.e., ambulance) services are currently provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the River Road and Santa Clara areas. After annexation, this service will continue to be provided by the current provider. All ambulance service providers have mutual aid agreements and provide back-up service into the other providers' areas.

Planning and Development Services -- Planning and building permit services are provided to the area outside the city limits but within the urban growth boundary by the City of Eugene. This service would continue after annexation.

EWEB (Eugene Water and Electric Board) currently provides water and electric service in the Eugene area and can provide service to new development in the River Road and Santa Clara area upon annexation. Some properties in northern Eugene receive electric service from EPUD (Emerald People's Utility District). Some properties in south Eugene receive electric services from the Lane Electric Cooperative; please note if this is the case for your property. For more information contact EWEB, ph. 484- 2411, EPUD, ph. 746-1583 or Lane Electric Co-op, 484-1151.

Electric Service -- Which electric company will serve this site?

This area will continue to be served by Eugene Water & Electric Board (EWEB).

Water Service -- Please provide the size and location of the water main closest to your property. _____.

This area will continue to be served by Eugene Water & Electric Board (EWEB). All segments proposed for annexation contain EWEB water mains. Annexation will not create a need for additional water service.

Solid Waste -- Solid waste collection service is provided by private firms. Regional disposal sites and the Short Mountain Landfill are operated by Lane County.

Natural Gas -- Northwest Natural Gas can extend service to new development in this area.

Communications -- US West Communications and a variety of other telecommunications providers offer communications services throughout the Eugene/Springfield Area.

Certification of Description

Pursuant to EC 9.7810(7), Annexation Application Requirements, I hereby certify the metes and bounds description of the real property proposed for annexation closes; and the map outlining the boundary is a true representation of the description.

Signature: 
Registered Land Surveyor

Print Name: H. TIMOTHY FASSBENDER

Date: 5-8-19

Seal:



Harvey Avenue

A portion of Harvey Avenue located in the Southwest one-quarter of the Southwest one-quarter of Section 13 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northwest corner of Lot 1 in Block 5 of Schmitz's Addition as platted and recorded in Book 17, page 25 Lane County Plat Records in Lane County, Oregon; thence Easterly along the south right-of-way line of said Harvey Avenue to the Northeast corner of Lot 2 in Block 5 of said Schmitz's Addition; thence Northerly along the Easterly plat line of said Schmitz's Addition to the Southeast corner of Lot 2 in Block 3 of said Schmitz's Addition; thence Westerly along the northerly right-of-way line of said Harvey Avenue to the Southwest corner of Lot 1 in Block 3; thence Southerly to said Northwest corner of Lot 1 in Block 5 and being the point of beginning and there ending, all in Lane County, Oregon.

Containing 6,700 square feet more or less.

Maynard Avenue

A portion of Maynard Avenue located in the Southwest one-quarter of the Southwest one-quarter of Section 13 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 15 of Maynard's Addition as platted and recorded in Book 16, page 23 Lane County Oregon Plat Records in Lane County, Oregon, said point also being the intersection of the South right-of-way line of Maynard Avenue and the Westerly right-of-way line of River Road; thence Westerly along the south right-of-way line of said Maynard Avenue to the Northwest corner of Lot 5 of said Maynard's Addition; thence Northerly to the Northeast corner of tax lot 300 of tax map number 17-04-14-44; thence westerly along the north line of said tax lot 300 82.53 feet more or less to the southerly southeast corner of tax lot 200 of tax map number 17-04-14-44; thence Northeasterly along a 45 foot radius curve to the right to the Southwest corner of Lot 4 of said Maynard's Addition; thence Easterly along the northerly right-of-way line of said Maynard Avenue to the Southeast corner of Lot 9 of said Maynard's Addition also being the intersection of the North right-of-way line of Maynard Avenue and the Westerly right-of-way line of River Road; thence Southeasterly to the Northeast corner of Lot 15 of Maynard's Addition and the point of beginning and there ending, all in Lane County, Oregon.

Containing 38,850 square feet more or less.

Hatton Avenue

A portion of Hatton Avenue located in the Southwest one-quarter of the Southwest one-quarter of Section 13 and in the Southeast one-quarter of the Southeast one-quarter of Section 14 all in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 3 in Block 3 of Schmitz's Addition as platted and recorded in Book 17, page 25 Lane County Oregon Plat Records in Lane County, Oregon; thence Westerly along the South right-of-way line of Hatton Avenue to the Northwest corner of Lot 1 in Block 2 of Windsor Estates as Platted and Recorded in Book 46, Page 24 Lane County Oregon Plat Records in Lane County, Oregon; thence Northerly 55 feet, more or less to the Northerly right-of-way line of said Hatton Avenue; thence Easterly along said Northerly right-of-way line of Hatton Avenue to the West boundary if extended southerly of Huetter Park as platted and recorded in Book 19, Page 20 Lane County Oregon Plat Records in Lane County, Oregon ; thence Northerly 5 feet more or less to the Southwest corner of Lot 5 in Block 2 of said Huetter Park; thence Easterly along said northerly right-of-way line of said Hatton to the Southeast corner of Lot 5 in Block 1 of said Huetter Park; thence following the northerly right-of-way line the following courses, Southerly 10 feet more or less; thence Easterly 100 feet more or less; thence Northerly 5 feet more or less to the Southwest corner of Lot 1 in Block 1 of said Schmitz's Addition; thence Easterly along said Northerly right-of-way line of Hatton Avenue to the Southeast corner of Lot 2 in Block 2 of said Schmitz's Addition; thence Southerly to the Northeast corner of Lot 3 in Block 3 of Schmitz's Addition and the point of beginning and there ending, all in Lane County, Oregon.

Containing 56,300 square feet more or less.

Manzana Street (North)

A portion of Manzana Street located in the Southeast one-quarter of the Southeast one-quarter of Section 14 all in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the intersection of the Southerly right-of-way line of Howard Land and the Westerly right-of-way line of Manzana Street; thence Southerly along the Westerly right-of-way line of said Manzana Street to the Southeast corner of Lot 5 in Block 2 of Huetter Park as platted and record in Book 19, Page 20 Lane County Oregon Plat Records in Lane County, Oregon; thence Easterly to the Southwest corner of Lot 5 of Block 1 of said Huetter Park; thence Northerly along the Easterly right-of-way line of said Manzana Street to the intersection of the South right-of-way line of Howard Lane and the Easterly right-of-way line of said Manzana Street; thence Westerly to intersection Southerly right-of-way line of Howard Land and the Westerly right-of-way line of Manzana Street being the point of beginning and there ending, all in Lane County, Oregon.

Containing 31,500 square feet more or less.

Manzana Street (South)

A portion of Manzana Street located in the Southeast one-quarter of the Southeast one-quarter of Section 14 all in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 8 of Block 2 of Windsor Estates as platted and recorded in Book 46, Page 24 Lane County Oregon Plat Records in Lane County, Oregon; thence Southerly along the Westerly right-of-way line of Manzana Street to the Southeast corner of Lot 5 of Block 4 of said Windsor Estates; thence Easterly to the Southwest corner of Lot 4 of Block 1 of said Windsor Estates; thence Northerly along the Easterly right-of-way line of said Manzana Street to the Northwest corner of Lot 1 of Block 1 of said Windsor Estates; thence Westerly to the Northeast corner Lot 8 of Block 2 of said Windsor Estates being the point of beginning and there ending, all in Lane County, Oregon.

Containing 18,000 square feet more or less.

Evergreen Drive

A portion of Evergreen Drive located in the Southwest one-quarter of the Southwest one-quarter of Section 13 in Township 17 South, Range 4 West of the Willamette Meridian being more particularly described as follows;

Beginning at the Northeast corner of Lot 1 of Maynard's Addition as platted and recorded in Book 16, page 23 Lane County Oregon Plat Records in Lane County, Oregon; thence Southerly along the Westerly right-of-way line of Evergreen Drive to Southerly Northeast corner of Lot 35 of Rosetta Place as platted and recorded in File 75, Slide 1064-1070 Lane County Oregon Plat Records in Lane County, Oregon; thence Easterly to the Northwest corner of Lot 3 of Woodruff Gardens as platted and recorded in Lane County Official Records 2005-000734 Lane County Deed Records in Lane County, Oregon; thence Northerly along the Easterly right-of-way line of said Evergreen Drive to the Northwest of Lot 19 of said Maynard's Addition; thence Westerly to the Northeast corner of Lot 1 of said Maynard's Addition and being the point of beginning and there ending, all in Lane County, Oregon;

Containing 81,605 square feet more or less.



PLANNING RECEIPT

DATE 6/25/2019

City of Eugene Planning

Method of Payment

- ☐ Cash
☐ Check
☐ Visa/MC

Customer Information

Name City of Eugene
 Address 99 E Broadway Suite 400
 Eugene OR 97401
 Project Hatton Ave Annexation

Amount Received

\$5,155.70

☐ City/Government Agency

#	Application Type	Modification	Concurrent	Qty	Base Fee	Discount	Total
1	Annexation			1	\$ 4,730.00	\$	4,730.00
2							
3							
4							
5							
6							
7							
8							
9							
Other							
Other							
Appeal				1		\$	-
Appeal							

Subtotal App Fees \$ 4,730.00

Subtotal Other Fees \$ -

Admin Fee (not included on appeals or other fees)

9%

\$ 425.70

Total

\$ 5,155.70

Staff Receiving Application
 MHD

99 West 10th Avenue • Eugene, Oregon • 97401 • 541-682-5377 • eugeneplanning.org

*City application → Rob Wilhite
 will collect fees via Journal Entry,
 If there are any
 questions, contact Donna Starti
 in public works*



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5							
6							
7							
8							
9							
Other							
Other							
Appeal				1		\$	-
Appeal							

Subtotal App Fees \$ 4,730.00

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Admin Fee (not included on appeals or other fees)

9%

\$ 425.70

Total

\$ 5,155.70

Staff Receiving Application
MHD

99 West 10th Avenue • Eugene, Oregon • 97401 • 541-682-5377 • eugeneplanning.org

City application → Rob Wilhite
will collect fees via Journal Entry,
If there are any
questions, Contact Donna Starti
in Public Works

From: [SHANNON BURSOFSKY](#)
To: [HALVERSON Daniel E](#)
Subject: Hatton Annexation
Date: Monday, August 12, 2019 3:46:49 PM

Hello!

My husband & I live on Manzana St. in Eugene in the proposed annexation area. The on going parking on the street problem never ends. When someone finally stops, two or three begin again. All of our immediate neighbors have to make a wide berth around parked cars just to drive either direction on Manzana causing us to enter opposing cars. It has to be awful for Sanipac/Apex...or any other large vehicle that has to maneuver around these parked vehicles on a street that is not very wide to begin with. Our personal complaint, in addition to the above, is that many times these vehicles will park for great lengths of time directly at the end of our driveway making it incredibly difficult to pull out of our OWN driveway. Please, please pass this request!