

STAFF NOTES

LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

(Office: 99 East Broadway, Suite 400, Eugene, OR 97401-3111 Phone: (541) 682-4425)

Eugene City Hall Council Chamber
777 Pearl Street, Eugene

August 3, 2006
7:00 p.m.

Annexation of Territory to the City of Eugene (Peterson)

IV.A. BC File C EU 06 – 44

Initiated by property owner petition

Action under ORS 199.490(1)(c) of the boundary commission law

Received June 8, 2006

Action to be taken by September 6, 2006

Description

The annexation area includes one tax lot located in the Santa Clara region of north Eugene, north of Beltline Road, east of River Road, south of Beacon Drive, north of Spring Creek Drive, and west of Calumet Circle

Property owner: John Peterson (PO Box 22132, Eugene)

Tax lot: 900, T17S R04W S02 Map 21

Acres: ± 1.30

Estimate of existing population: 4 (one duplex)

Existing land use: Residential

Existing zoning in Lane County: R-1/UL, low-density residential with urbanizing land overlay

Applicable comprehensive plan: Eugene-Springfield Metropolitan Area General Plan (acknowledged in August 1982 and has been subsequently amended)

Existing public services to the property: Police (Oregon State Police, Lane County Sheriff), schools (Eugene School District 4J), roads (Lane County, City of Eugene), water (Santa Clara Water District), fire (Santa Clara RFPD), wastewater (City of Eugene)

Reason for Annexation

The property owner is requesting annexation in order to prepare the property for low-density residential development. The Eugene-Springfield Metropolitan Area General Plan requires properties to annex in order to receive urban services.

Notice

As required by ORS 199.463(1), notice of a public hearing must be published in a newspaper of general circulation not more than 25 days nor less than 15 days before the hearing. *In this case, notice of the public hearing was advertised in The Register-Guard on July 13, 2006.* A second notice may be published in a newspaper of general circulation or notice of the hearing may be mailed to each owner of land in the affected territory not more than 15 days before the hearing. "Affected territory" as defined by

ORS 199.415(3) means the territory described in the petition. The “petition” includes a resolution, order, or any other form of initiatory action for a boundary change [ORS 199.415(14)]. The petition or resolution, as required by ORS 199.490(4) also includes a legal description, which must meet the requirements of ORS 308.225 [OAR 191-006-0000(3)]. *In this case, notice of the hearing was sent to the affected property owner (John Peterson, owner of the private property proposed for annexation and initiator of this annexation request) on July 20, 2006.* The final notice required by the boundary commission law is the posting of a notice of the public hearing in the affected city, district, or territory at least 15 days before the hearing. *In this case, notice of the public hearing was posted in the area of the annexation, at the Eugene city hall, and at the Lane County courthouse on July 19, 2006.*

In conformance with OAR 191-005-0065(3), these staff notes are incorporated as part of the record of the boundary commission public hearing of August 3, 2006.

This annexation proposal was filed with the boundary commission in accordance with ORS 199.490(1)(c), initiated by the property owner. The owner’s written consent initiated this annexation area, which includes one tax lot. The proposal was filed on June 8, 2006, and boundary commission action must occur by September 6, 2006 (90-day statutory time frame).

When property owners initiate an annexation, the affirmative decision of the boundary commission made at a public hearing is subject, if requested, to a remonstrance within the affected territory. If, within 45 days of the commission’s action, 10 percent or 100 whichever is lesser, of the electors in the affected territory sign a remonstrance petition, an election will be conducted within the territory. “Affected territory” as defined by ORS 199 means the territory described in the petition. In this case, it is tax lot 900, T17S R04W S02 Map 21. The end of the 45-day remonstrance period on this annexation request, if approved, is September 18, 2006. At the time of submittal, there were no electors registered within the annexation area.

The proposed annexation area includes one tax lot totaling approximately 1.30 acres in size (refer to Maps No. IV-A-1 and IV-A-2) currently developed with one residential duplex. The property owner is requesting annexation in order to prepare the property for additional low-density residential development.

The annexation area is not contiguous to the main body of the City of Eugene and is in an area where other noncontiguous portions of the city exist. No road right-of-way was included in the annexation area.

The annexation area is located within the urban growth boundary (UGB). The UGB is located approximately one-half mile to the northwest of the annexation area. The private property within the annexation area is designated low-density residential in the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and the River Road-Santa Clara Urban Facilities Plan. It is zoned R-1/UL, low-density residential with urbanizable lands overlay, in Lane County. Upon the effective date of the annexation, the urbanizing fringe overlay will automatically be removed and the private property will be zoned R-1 consistent with the plan designation.

The city reviewed this request to determine the appropriateness of including existing road right-of-way. No existing right-of-way is included.

BOUNDARY COMMISSION REFERRALS

Boundary commission referrals were sent to the Lane County Land Management Division, Lane County Environmental Health Division, Lane County Board of Commissioners, Santa Clara Rural Fire Protection District (RFPD), and Santa Clara Water District.

The Santa Clara Water District submitted a letter (attached as Exhibit IV-A-1) objecting to this proposal because the district will lose customers if the property is annexed to the City of Eugene. The district notes street lighting and the Santa Clara Civic Center as services that could have been supported by funds from existing and future customers. Boundary commission staff responds that the water district does not currently levy taxes on any property within its boundaries, but derives its revenue directly from user fees. Development to urban densities can only occur with the provision of urban services. Urban services are provided to developing properties through annexation to the City of Eugene. Without annexation to the city, the potential for new development at urban densities does not exist under the existing metropolitan policy framework.

The water district also noted that development in the annexation area will be served by water mains that belong to and are maintained by the water district. The district currently has an intergovernmental agreement with the Eugene Water & Electric Board (EWEB), which contemplates annexations and service transfers in the River Road-Santa Clara area. That agreement addresses the issues of ownership and maintenance of the water transition facilities in annexing areas. Consistent with the agreement, EWEB maintains all lines within the district boundaries. The agreement acknowledges that water service to annexed areas shall become the responsibility of EWEB and EWEB agrees that annexation of portions of the district will not affect supply of water or service to remaining customers of the district. Discussion about compensation to the district for expenses incurred as a result of past water system construction would most appropriately occur between the water district and EWEB. The existing intergovernmental agreement is renegotiated periodically and could provide a forum for the two bodies to discuss this issue.

The Santa Clara Rural Fire Protection District (RFPD) submitted written objections to the annexation (attached as Exhibit IV-A-2) and stated that the annexation of this property would cause severe financial hardship to the district and jeopardize service to the remainder of the district. The district stated that prior to July 1, 2002, the district received funds through an agreement with the City of Eugene to offset losses in tax revenue. The agreement was not renewed and the district estimates the loss of revenues to be more than one-fifth of its annual revenue stream. The district requests that properties be allowed to develop and that annexation be delayed until it is determined that the Eugene city boundary be extended out to the urban growth boundary.

In response to the district's referral comments, prior to the termination of the intergovernmental agreement between the city and the district, the two governments were involved in a cooperative effort to plan for the transition to the provision of fire services by the city. A contract was drafted and proposed by representatives from both agencies to create a joint service area, with the southern portion (south of Irving Road/Hunsaker Road) served by the city and the northern portion (north of Irving Road/Hunsaker Road) served by the district. It would have allowed the district to operate more efficiently by placing all of its resources at its Fire Station 62 (located south of Spring Creek Road) and serving a smaller area. The city was to pay the district an amount based on the difference in the total assessed value of the areas served. Both agencies would have sent fire suppression units to all structure fires in the area, improving the response times and ensuring a high level of fire fighting capability to all properties. During public testimony at the district board meetings, numerous district residents objected to the proposed agreement on the basis that the city would be providing service to district properties. The board withdrew its support for the proposed contract, and the two parties were unable to reach agreement on a new contract.

The City of Eugene purchased property on Santa Clara Avenue in the Santa Clara area and built a permanent fire station there. A City of Eugene fire engine, staffed 24 hours a day, has been in place at that location since July 1, 2002, for the purpose of providing primary fire and emergency medical first response to the annexed properties in the Santa Clara area. In addition, the city and the district have negotiated an automatic mutual aid agreement which provides for each agency to respond to emergency calls in the other's jurisdiction in the event the primary engine company is already committed on another call or otherwise unavailable for service.

The Metro Plan requires annexation to the city before urban services and facilities can be extended and development can proceed—without annexation to the city, new development is not possible. This policy document has been in place since 1982 and identifies the ultimate provider of urban services and facilities to be the city. The Metro Plan acknowledges that single service providers will be affected by the growth of the city through annexation and that over time, special districts within the urban growth boundary will be dissolved.

No other referral responses were received as of July 26, 2006.

BOUNDARY COMMISSION STANDARDS - STAFF ANALYSIS

In this section of the staff notes, each applicable boundary commission standard is addressed. These standards are derived from ORS 199 and the boundary commission's policy administrative rule (OAR 191, Division 30).

Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of governments. ORS 199.410(1)(b) and 199.410(3)(c)

This annexation request was filed in accordance with provisions in ORS 199 and was determined to be a valid filing in accordance with OAR 191-006 (adopted administrative rule on boundary

commission filing requirements). The item was placed on the boundary commission's agenda for August 3, 2006. Notice of the boundary commission's public hearing has been published in accordance with Oregon law. Any person may attend and will be given a reasonable opportunity to be heard.

The proposed annexation area is within the Santa Clara Water District and Santa Clara RFPD. If the annexation is approved, the annexation area will be withdrawn from the water district through separate proceedings by the City of Eugene in accordance with ORS 222. The annexation area will automatically be withdrawn from the fire district upon the effective date of the annexation [ORS 199.510(2)(a)].

The Santa Clara Water District contracts with the EWEB for services, including water supply, distribution, storage, maintenance, billing, and administration. The water district does not currently levy taxes on any property within its boundaries. Withdrawal of the annexation area will reduce revenues currently received by the district because the district derives its revenue directly from user fees and the proposal area is developed with one duplex. In the long term, continued annexations in the Santa Clara area will reduce the service area of the water district. The Metro Plan recognizes that existing service districts within the urban growth boundary will, over time, be dissolved (policy #18, page II-B-6). Intergovernmental agreements are one method that can be used by the district and the city to address transition issues raised by annexation.

Upon the annexation effective date, the proposal area will be automatically withdrawn from the Santa Clara RFPD in accordance with ORS 199.510(2)(a) and the city will provide fire protection and emergency medical services to the proposed annexation area. Prior to July 1, 2002, the district and the City of Eugene had an intergovernmental agreement that provided for an in-lieu-of tax payment to the district when properties were withdrawn due to annexation to the city. The two governments were involved in a cooperative effort to plan for the transition to the provision of fire services by the city. Negotiations for a revised agreement were unsuccessful and the intergovernmental agreement that had existed between the city and district for approximately 20 years terminated on June 30, 2002. As annexations to the city continue, the size of the district will be reduced. At some point in the future, the district likely will be unable to continue to provide fire and emergency medical services efficiently and economically within its boundaries.

The Metro Plan identifies the city as the ultimate provider of urban services within the UGB. Policy #18, page II-B-6, in the Metro Plan recognizes that as annexations to the city occur, existing special service districts within the UGB will be dissolved. The continued annexation of properties to the City of Eugene is consistent with the Metro Plan, which likely will result in the elimination of special districts within the urbanizable area. Perhaps in the future, the city and districts will be able to develop intergovernmental agreements addressing transition issues including the orderly dissolution of the district.

Upon annexation, the area will be annexed automatically into the Lane County Metropolitan Wastewater Service District [ORS 199.510(2)(c)]. This special district was formed to provide

the financing for the regional wastewater treatment plant serving wastewater users within the cities of Eugene and Springfield and other users within the urbanizable area.

This request is consistent with this standard.

Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. ORS 199.410(1), 199.410(2), and 199.410(3)(a) and (e)

The area in this annexation proposal is located within the acknowledged urban growth boundary of the Metro Plan. Territory within the UGB ultimately will be within the City of Eugene. Eugene is the unit of government identified in the Metro Plan to provide urban services to territory in this area. The proposed annexation is not contiguous to the main body of the City of Eugene, but is contiguous to other noncontiguous portions of the city. Annexation of this property fulfills the policies adopted in the Metro Plan of annexing out to the urban growth boundary.

Noncontiguous annexations are allowed by state annexation law and provided for in the Metro Plan if certain criteria are met. The Metro Plan policy for noncontiguous annexation (policy #12, page II-B-5) requires that noncontiguous annexations meet the following criteria:

- a. The area to be annexed will be provided urban service(s), which is (are) desired immediately by the residents/property owners.
- b. The area to be annexed can be serviced (with a minimum level of services, as directed in the Metro Plan) in a timely and cost-efficient manner and is a logical extension of the city's service delivery system.
- c. The annexation proposal is accompanied by support within the area proposed for annexation from the owners of at least half the land area in the affected territory.

The incremental process of annexation causes short-term boundaries to be established. The acknowledged comprehensive plan in this area identifies the City of Eugene as the unit of government that will provide urban services to this urbanizable area within the UGB. In the long term, territory within this geographic area will be annexed to Eugene.

This annexation is consistent with boundary commission administrative rule implementing policies (1), (2), (5), and (7) which recognize annexation to an existing city as the preferred method of servicing urbanizable land.

- (1) This policy recognizes cities as the logical providers of urban levels of service within urban growth boundaries when consistent with the comprehensive plan.

- (2) This policy expresses the commission's preference for providing urban services through annexation to a city in order to provide urban services to urbanizable lands.
- (5) This policy encourages the provision of urban levels of service within urban growth boundaries.
- (7) This policy expresses the commission's preference for annexation to an existing city over all other alternatives as a means of extending services to urbanizable lands.

Implementing policy (3) recognizes that in order to meet the long-term objectives of annexing out to an acknowledged urban growth boundary, short-term boundaries are created which are logical within the context of the future service boundary.

This proposal to annex territory to the City of Eugene is consistent with boundary commission policies and this standard.

Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary changes, there must be assurance that the proposed unit of government is financially viable. ORS 199.410(1)(d), 199.410(3)(b) and (d)

The proposal is within the Metro Plan urban growth boundary. The Metro Plan was acknowledged by the Land Conservation and Development Commission (LCDC) in August 1982 and has been subsequently amended. The Metro Plan recognizes annexation as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas (policies #8 and #10, page II-B-4) and recognizes that ultimately, all territory within the urban growth boundary will be annexed to an existing city (policy #16, page II-B-6).

The annexation area is designated low-density residential in both the Metro Plan and the River Road-Santa Clara Urban Facilities Plan. If the annexation is approved, the property will be rezoned to city R-1, low-density residential, zoning district consistent with the plan designation.

The annexation area will take advantage of urban service delivery systems that are already in place to serve this area. The following facilities and services are either available or can be extended to this annexation area.

Water – Through an intergovernmental agreement with the Santa Clara Water District, EWEB currently provides water service to developed properties in the Santa Clara area. In addition, EWEB is responsible for the day-to-day operations, maintenance, and billing functions of the Santa Clara Water District. Following annexation, the City of Eugene will withdraw the property from the Santa Clara Water District in accordance with ORS 222 and EWEB will provide services directly to the annexation area. EWEB staff indicates there is an existing 8-inch water

main located in Katy Lane and a 10-inch water main located in River Road. Development of this annexation area may require that a water main loop connection be completed from Katy Lane to River Road in order to provide adequate system reliability and to assure water quality.

Electricity – EWEB staff indicates that it provides electric service to developed properties in this area of north Eugene. New development in the annexation area can be served by EWEB.

Police services – Eugene planning staff indicates that police protection can be extended to the annexation area upon annexation consistent with service provision throughout the city. Police currently provide service to other properties in this general area already inside the city. Service will be provided to the annexation area consistent with the call and response method used by the city. After annexation, this proposal area will receive police services on an equal basis with properties inside the city. Infill annexations and development in this area will increase the efficiency of service delivery to this area.

Fire and emergency services – Fire protection is currently provided to the annexation area by the Santa Clara RFPD. If approved and upon the effective date of the annexation, the proposal area will be withdrawn automatically from the fire district in accordance with ORS 199.510(2)(a) and the city will provide fire protection to the annexation area. The intergovernmental agreement that existed between the city and the fire district for approximately 20 years terminated June 30, 2002.

The City of Eugene purchased property on Santa Clara Avenue in the Santa Clara area and has built a permanent fire station there. A City of Eugene fire engine, staffed 24 hours a day, has been in place at that location since July 1, 2002, for the purpose of providing primary fire and emergency medical first response to the annexed properties in the Santa Clara area. In addition, the city and the district have negotiated an automatic mutual aid agreement that provides for each agency to respond to emergency calls in the other's jurisdiction in the event the primary engine company is already committed on another call or otherwise unavailable for service.

Emergency medical transport (ambulance) services are provided on a regional basis by Eugene, Springfield, and Lane Rural Fire/Rescue to central Lane County, including the Santa Clara area. The area will continue to receive this service consistent with the adopted ambulance service area (ASA) plan. Mutual aid agreements have been adopted by the three regional ASA providers (Eugene, Springfield, and Lane Rural Fire/Rescue) to provide backup coverage for each other's jurisdictions.

Parks and recreation – Eugene planning staff indicates that a minimum level of park services can be provided to the proposal area as prescribed in the Metro Plan. Adjacent to the annexation area on the south side is Awbrey Park, a city owned facility. Awbrey Park is located on River Road, just north of Spring Creek Drive, and Arrowhead Park is located on Arrowhead Street, just south of Irvington Drive.

The city is continuing to explore possibilities for additional acquisitions of land for future park sites in the River Road-Santa Clara area. There are two city owned regional facilities, Hileman

and Whitely boat landings, located along the eastern edge of Santa Clara. Other regional park and recreation facilities are located throughout the metropolitan area. City of Eugene parks, recreation and cultural services programs are available to city residents in the Santa Clara area on an equal basis with residents throughout the city.

The need for additional park and recreation sites and facilities, after a majority of Santa Clara area is annexed, has been identified in the city's Parks Master Plan. All subdivisions occurring in the Santa Clara area are being reviewed by city parks planning staff to determine if land should be reserved for future park sites. In addition, the Santa Clara area is included in the park land acquisition plan being prepared by city parks planning staff. Systems development revenues generated by development on these sites will help to fund future park acquisition and development throughout the city.

Schools – Eugene School District 4J serves this area. Existing schools—Awbrey Park elementary, Madison middle, and North Eugene high—serve this neighborhood and can accommodate students resulting from new development occurring within the annexation area.

Wastewater – Eugene public works staff indicates that the existing structure is connected to the 8-inch public wastewater system within Katy Lane. The existing wastewater system is available to provide service to new development within the annexation area.

Stormwater – Site plans for all new development must provide for drainage to an approved system consistent with the adopted Comprehensive Stormwater Management Plan (CSWMP). Eugene public works staff indicates that construction drawings show curb inlets near the south end of Katy Lane from which a 10-inch public stormwater pipe heads northwest and outfalls to Spring Creek. If needed, private drywells may be an option for treating storm runoff, provided that the applicant: has a civil engineer certify the use and design with supporting information such as field-verified soil types and percolation rates; and registers the drywells as an underground injection control facility with the Department of Environmental Quality (DEQ).

Streets – The annexation area has frontage on Katy Lane, which is within the Eugene city limits. Eugene public works staff indicates that aerial photos show that a driveway likely extends to River Road (consistent with the 4323 River Road address). Lane County public works staff indicates that new access to River Road, an urban road functionally classified as a minor arterial in this location, should be minimized. River Road in this area is not within the city limits and is a county road maintained by the Lane County consistent with the road maintenance agreement between Lane County and the City of Eugene. If possible, new development in the annexation area should connect to the local street system to take access to River Road from an existing street, such as Spring Creek Drive, an urban minor collector. Lane County will review a future subdivision request for the annexation area for consistency with Lane Code requirements for access management and spacing, facility permits, traffic impact analysis, and potential road dedications and improvements.

Solid waste management – Private firms and individuals collect and transport solid waste to the Lane County administered landfill.

Communication facilities – Various providers offer both wire and wireless communication services in the Eugene-Springfield metropolitan area. Existing providers and those entering the market have the capability to provide service to future development in this area.

Land use controls – The property is within Eugene’s portion of the urban growth boundary. Through an intergovernmental agreement between Lane County and the City of Eugene, the city already has planning and building jurisdiction for this property. The city will continue to administer land use controls after annexation.

The minimum level of key urban facilities and services, as defined on page V-3 of the Metro Plan, are either immediately available or can be provided within a reasonable future time frame as needed. This request is consistent with this standard.

Consider the comprehensive plan’s economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. ORS 199.410(3)(d) and 199.462(1)

The annexation proposal, which includes one privately owned tax lot, is consistent with the Metro Plan, as it is an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the Metro Plan were developed to meet the future needs of the metropolitan community. The proposed residential use is consistent with the long-range plan for the area

This request is consistent with this boundary commission standard.

STAFF RECOMMENDATION

The boundary commission staff recommends that the proposed annexation to the City of Eugene (BC File C EU 06 – 44) be approved as submitted based on the following findings and reasons.

The findings are organized to respond to boundary commission standards outlined in ORS 199, the boundary commission law. The following findings and reasons are based on approval of the request as submitted. If the boundary commission modifies or denies the proposal, the findings and reasons would need to be adjusted.

Findings:

1. This proposal was initiated with the Lane County Local Government Boundary Commission by the property owner on June 8, 2006, in accordance with ORS 199.490(1)(c). The proposal was found to be a valid filing under OAR 191-006.
2. The proposed annexation, as submitted, included one tax lot (T17S R04W S02 Map 21 tax lot 900), which comprised about 1.30 acres and was owned by John Peterson. Tax lot

900 was developed and was not contiguous to the City of Eugene. No road right-of-way was included in the annexation area.

3. The land use designation for the annexation area was low-density residential in both the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) and the River Road-Santa Clara Urban Facilities Plan.
4. The tax lot included in the annexation area was zoned R-1/UL, low-density residential with urbanizable land overlay, in Lane County. After the annexation effective date, the property was rezoned to R-1 consistent with the land use designation.

Provide an impartial forum for resolution of local jurisdictional questions. Consider the effects of the boundary change on other units of government. ORS 199.410(1)(b) and 199.410(3)(c)

5. The boundary commission held a public hearing on August 3, 2006. Notice of the public hearing was given in accordance with ORS 199 provisions. All interested parties were given a reasonable opportunity to be heard.
6. Upon the annexation effective date, the annexation area was withdrawn from the Santa Clara Rural Fire Protection District [ORS 199.510(2)(a)] and fire services were provided by the City of Eugene.
7. Withdrawal of the annexation area from the Santa Clara Water District had some financial impact because the water district derives its revenue from user fees and the annexation area was developed with one duplex. The annexation area would be withdrawn from the Santa Clara Water District through separate proceedings by the City of Eugene in accordance with ORS 222. On behalf of the City of Eugene, the Eugene Water & Electric Board would then provide service directly to the annexation area.
8. Upon the effective date of the annexation, the area was annexed automatically to the Lane County Metropolitan Wastewater Service District in accordance with ORS 199.510(2)(c).
9. This request was consistent with this standard.

Consider the orderly determination and adjustment of local government boundaries to best meet the needs of Lane County and Oregon. Consider alternative solutions where intergovernmental options are identified and make decisions based on the most effective long-range option among identified alternatives. ORS 199.410(1), 199.410(2), and 199.410(3)(a) and (e)

10. Annexation to the City of Eugene was identified in the acknowledged Metro Plan as the preferred method for providing key urban facilities and services to the River Road-Santa Clara area in policies in Chapter II, sections B and D.

11. Annexation to an existing city was the method for extending urban facilities and services to urbanizable land in the boundary commission's policy administrative rule, implementing policies (1), (2), (5), and (7).
12. The proposed annexation met the criteria for noncontiguous annexations in the boundary commission law and the Metro Plan.
13. The proposed annexation was the means of boundary change outlined in the Metro Plan and the boundary commission administrative rules for ultimately providing urban facilities and services to this territory. Annexation of tax lotted property assisted in fulfilling the Metro Plan policies of annexing out to the urban growth boundary.
14. This request was consistent with boundary commission policies and this standard.

Make boundary commission determinations which are consistent with acknowledged local comprehensive plans. Assure an adequate quality and quantity of public services required in the comprehensive plan to meet existing and future growth. For major boundary changes, there must be assurance that the proposed unit of government is financially viable. ORS 199.410(1)(d), 199.410(3)(b), and (d)

15. The annexation area was within the urban growth boundary of the acknowledged Metro Plan [Land Conservation and Development Commission (LCDC) action in 1982 and as subsequently amended]. Annexation of this tax lotted property assisted in fulfilling the Metro Plan policies of annexing out to the urban growth boundary.
16. The Metro Plan recognized annexation to the City of Eugene as the highest priority for extending the minimum level of key urban facilities and services to urbanizable areas.
17. The existing and proposed uses (residential) were consistent with the policies in the Metro Plan and River Road-Santa Clara Urban Facilities Plan requiring urban levels of development within the urban growth boundary.
18. The City of Eugene indicated that the required services outlined in Metro Plan policy #8, page II-B-4 and defined on page V-3, were either available or could be provided in a timely manner.
19. This request was consistent with this standard.

Consider the comprehensive plan's economic, demographic, and sociological trends and projections and its environmental policies, pertinent to the proposal. ORS 199.410(3)(d) and 199.462(1)

20. The annexation proposal was consistent with the Metro Plan, as it was an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the Metro Plan were developed to meet the future needs of the

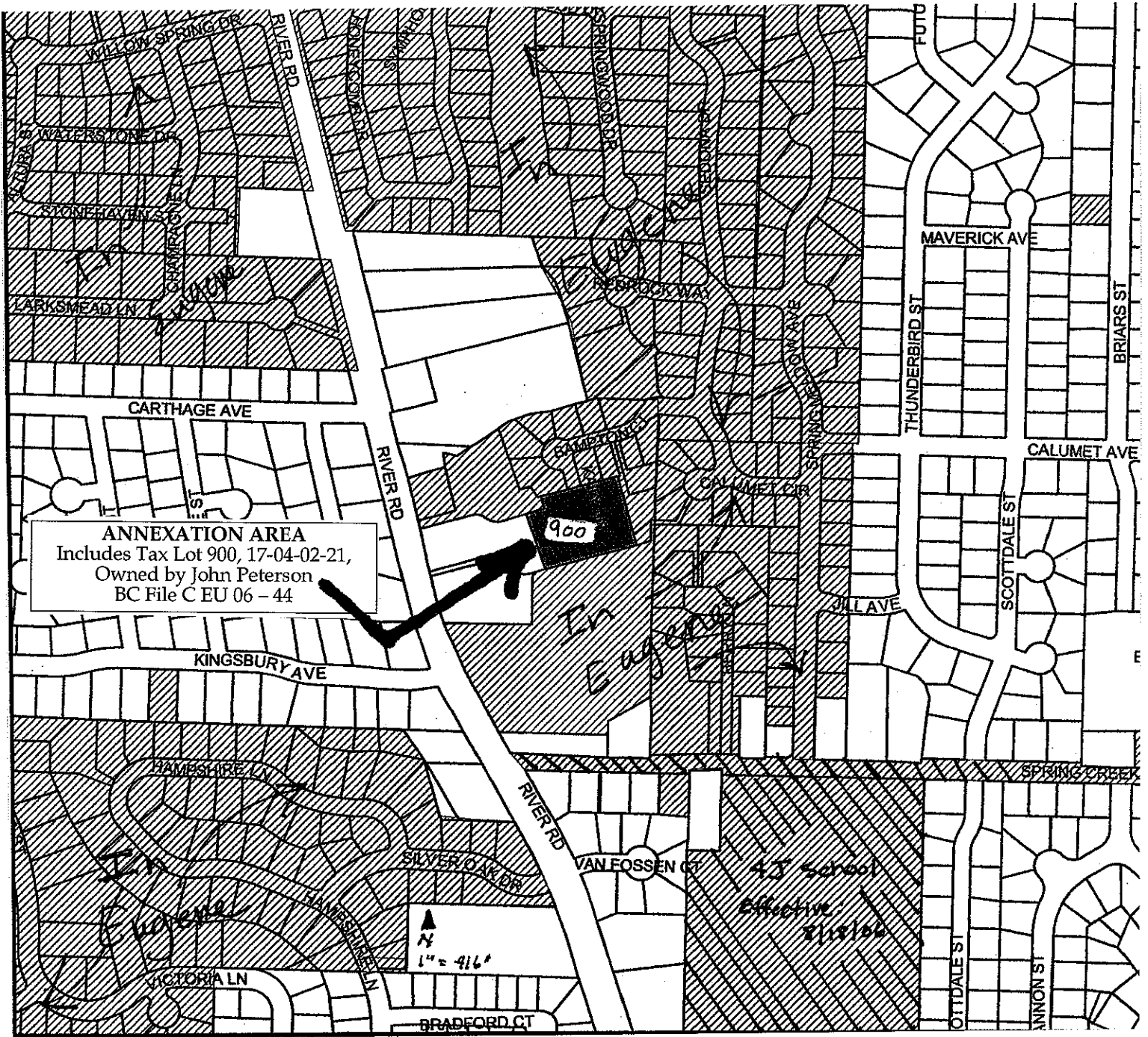
metropolitan community. The proposed residential use was consistent with the long-range plan for the area.

21. This request was consistent with this standard.

Reasons:

1. The proposal was supported by the City of Eugene and the property owner.
2. The proposal was consistent with the LCDC acknowledged Metro Plan.
3. The services required in the Metro Plan were either available or could be provided in a timely manner when needed.
4. The proposal was consistent with past boundary commission actions supporting annexation of territory in River Road and Santa Clara to the City of Eugene.
5. The proposal was consistent with boundary commission administrative rule policies.

*LCBC:LCOG: L:\BC\SN\2006\CEU0644 SN.DOC
Last Saved: July 27, 2006*



SANTA CLARA WATER DISTRICT

P.O. Box 10086 • Eugene, Oregon 97440
(541) 726-0681

July 11, 2006

Lane County Local Government Boundary Commission
99 East Broadway – Suite 400
Eugene, Or 97401

Re C EU 06-44

The Santa Clara Water District has received a notice the owner of a parcel of real estate has filed a petition to annex this property into the City of Eugene and withdraw the same from our area.

Again, we have several reasons for opposing this withdrawal from our district and some of them are as follows. We would like to have all public officials realize that water that will be supplied to homes that will be constructed on this property must pass through water mains that belong to and are maintained by Santa Clara Water District. Still, no one has ever made a suggestion or an offer to reimburse us for our costs.

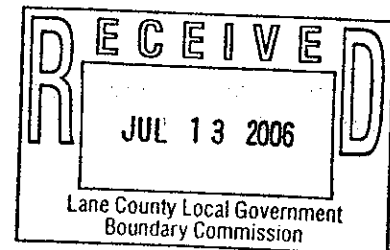
Santa Clara Water District will loose two existing water customers and a minimum of eight potential news customers that would help us provide funds to continue to maintain the Santa Clara Civic Center building we provide to approximately ten non profit groups to use in our community and to maintain and expand the street lighting system we now have.

Santa Clara Water District is hereby going on record as protesting this petition and we call for a public hearing on this petition.

We also request that a copy of this protest be furnished to the Executive Director of the Lane County Local Boundary Commission and to each of the Board members prior to the next Board meeting.

Yours very truly,


Richard E. Rice, Clerk



**SANTA CLARA
RURAL FIRE PROTECTION DISTRICT**

2600 RIVER ROAD
FIRE/EMERGENCY 911

EUGENE, OREGON 97404-2069

BUSINESS (541) 688-3697

July 10, 2006

Lane County Local Government Boundary Commission
99 East Broadway, Suite 400
Eugene, Oregon 97401-3111

SUBJECT: ANNEXATION, File C EU 06-44.

NOTES:

The annexation of these properties reduces the total value of the District and therefore lowers the amount of tax revenue the District can assess under current property tax laws.

Prior to July 1, 2002, the District received funds through a service contract with the City of Eugene to offset these losses.

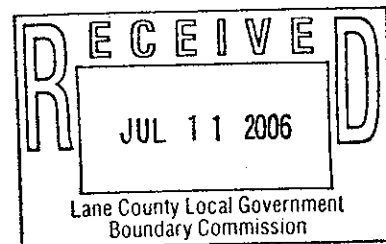
When this contract was terminated and those contract funds were lost, the District realized a financial loss of more than one-fifth of revenues that will eventually seriously jeopardize service to those remaining in the District.

We request that the property be allowed to be developed and that annexation be delayed until it is determined that the Eugene city boundary be extended out to the Urban Growth Area as identified in the Urban Facilities Plan.

Sincerely,



Submitted by the authority of the Board of Directors
Skip Smith, Fire Chief



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