

STAFF NOTES

LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

(99 East Broadway, Suite 400, Eugene, OR 97401-3111)

Annexation of Territory to the City of Eugene (Young/Bobolink Avenue/Maesner Street/Webster Street)

IV.F. BC File C EU 05 – 32

Initiated by property owner petition

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

Received June 30, 2005

Action to be taken by September 28, 2005

Description

Located in the Santa Clara region of north Eugene, north of Beltline Road, west of River Road, north of Irving Road, west of Stark Street, east of Hyacinth Street, including Bobolink Avenue, Webster Street, and a portion of Maesner Street

Property owners: Michael and Katherine Young (1241 Oak St, Eugene); William Brad Young, Williams D. Young, and Michael Young (84938 Lorane Hwy, Eugene)

Tax lots: 1000 and 1100, T17S R04W S11 Map 23

Acres: ± 2.98 (± 0.75 acres in tax lots; ± 2.23 acres in road right-of-way)

Estimate of existing population: 0 (one residential unit)

Existing land use: Residential, vacant

Existing zoning in Lane County: R-1/UL, low-density residential with urbanizable lands 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), water (Santa Clara Water District), fire (part in Lane Rural Fire/Rescue and part in Santa Clara RFPD), wastewater (City of Eugene)

Reason for Annexation

The property owners are requesting annexation to prepare for 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 14, 2005.* 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 owners [Michael and Katherine Young (TL 1000) and William Brad Young, William D. Young, and Michael Young (TL 1100), owners of the properties proposed for annexation and initiators of this annexation request] July 21, 2005. 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 20, 2005.*

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 4, 2005.

This annexation proposal was filed with the boundary commission in accordance with ORS 199.490(1)(c), initiated by the property owners. Written consents from Michael and Katherine Young, owners of tax lot 1000 were provided. Michael Young consented for tax lot 1100 on behalf of himself and William Brad Young and William D. Young. All of the owners are aware of the annexation request and are in support of it. The proposal was filed on June 30, 2005, and boundary commission action must occur by September 28, 2005 (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 lots 1000 and 1100, T17S R04W S11 Map 23. The end of the 45-day remonstrance period on this annexation request, if approved, is September 19, 2005. At this time, there is one elector registered within the annexation area.

The proposed annexation area includes two tax lots (tax lots 1000 and 1100, T17S R04W S11 Map 23) totaling approximately 0.75 acres in size and Bobolink Avenue, Webster Street, and a portion of Maesner Street rights-of-way totaling approximately 2.23 acres (refer to Maps No. IV-F-1 and IV-F-2). The annexation area totals approximately 2.98 acres and is currently developed with one residential unit (on tax lot 1000) and road rights-of-way. The privately owned portion of the annexation area is owned by Michael and Katherine Young (TL 1000) and William Brad Young, William D. Young, and Michael Young (TL 1100). The property owners are requesting annexation in order to subdivide the private lots into a low-density residential subdivision.

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. The annexation area includes Bobolink Avenue, Webster Street, and a portion of Maesner Street rights-of-way.

The annexation area is located within the urban growth boundary (UGB). The UGB is located northwest of the annexation area approximately 4,000 feet. 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. The annexation area 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 annexation area will be rezoned to city RA zoning district consistent with the plan designation.

The city recently reviewed its annexation practices and determined that inclusion of rights-of-way in requests to annex privately-owned properties would further the implementation of the fundamental growth management principles of the Metro Plan of annexing out to the urban growth boundary. The city reviews all annexation requests to determine the appropriateness of including road rights-of-way. With the approval of the applicants, the city determined that it was appropriate to include in this annexation application Bobolink Avenue right-of-way between Hyacinth Street and Stark Street, Webster Street right-of-way north of Bobolink Avenue, the portion of Maesner Street right-of-way north of Bobolink Avenue, and a portion of Maesner Street right-of-way south of Bobolink Avenue adjacent to tax lot 1000. These Lane County roads have been dedicated to the public through recorded deeds, recorded subdivision plats, and recorded partition plats. City staff acknowledges that more right-of-way than usual has been included with this annexation application. Maesner Street and Webster Street, north of Bobolink Avenue, are dead end streets. Including these two road segments along with Bobolink Avenue will avoid isolating county road right-of-way from other county road right-of-way. Any future development of adjacent properties will be in the city and it is not certain that these county road segments will connect to any other part of the county road system. As a result, the city determined it was appropriate and logical to include these rights-of-way in the annexation area.

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, Lane Rural Fire/Rescue, Santa Clara Rural Fire Protection District (RFPD), and Santa Clara Water District.

The Santa Clara Water District submitted a letter (attached as Exhibit IV-E-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. Staff notes that the water district does not currently levy taxes on any property within its boundaries, but derives its revenue directly from user fees. The property is developed with one single-family dwelling. 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 submitted written objections to the annexation (attached as Exhibit IV-E-1) 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 is building 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 27, 2005.

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 4, 2005. 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, a portion is within Lane Rural Fire/Rescue (approximately the westerly one-half of tax lot 1000), and a portion is within the Santa Clara RFPD (all of tax lot 1100 and approximately the easterly one-half of tax lot 1000). 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 districts 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 slightly 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 residential unit. 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 Lane Rural Fire/Rescue and 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, Lane Rural Fire/Rescue and the City of Eugene had an intergovernmental agreement (IGA) that provided for an in-lieu-of tax payment to the district when properties were withdrawn due to annexation to the city. Under that agreement, the district provided fire protection to city annexed properties that had formerly been in the district. This IGA was terminated when the city placed an engine company at a temporary station at 119 Santa Clara Avenue and began providing this service directly to the annexed properties. The City of Eugene purchased property on Santa Clara Avenue in the Santa Clara area and is building 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.

Prior to July 1, 2002, the Santa Clara RFPD 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.

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 annexation area will be rezoned to city R-1 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. The city indicates there are existing 6-inch water lines located in Bobolink Avenue and Maesner Street that can serve new development within the annexation area. 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.

Electricity – EWEB provides electric service to developed properties in this area of north Eugene. New development in the annexation area will be served by EWEB.

Police services – 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 Lane Rural Fire/Rescue and the Santa Clara RFPD. If approved and upon the effective date of the annexation, the proposal area will be withdrawn automatically from the fire districts in accordance with ORS 199.510(2)(a) and the city will provide fire protection to the annexation area. The intergovernmental agreements that existed between the city and the fire districts for approximately 20 years terminated June 30, 2002.

The City of Eugene purchased property on Santa Clara Avenue in the Santa Clara area and is building 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 districts have negotiated automatic mutual aid agreements that provide 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 have long been provided on a regional basis by Eugene and Springfield to central Lane County, including the Santa Clara area. On May 1, 2002, a new ambulance service area (ASA) was implemented and is served by Lane Rural Fire/Rescue. The annexation area will continue to receive this service consistent with the adopted ambulance service area 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 – A minimum level of park services can be provided to the proposal area as prescribed in the Metro Plan. 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—Spring Creek elementary, Madison middle, and North Eugene high—serve this neighborhood and can accommodate students resulting from new development occurring within the annexation area.

Wastewater – The city indicates that the wastewater trunk collection system has been nearly completed in the Santa Clara area. There are existing 8-inch wastewater lines located in Bobolink Avenue and Maesner Street that can serve new development occurring within the annexation area. Upon the annexation effective date, the area will be annexed automatically to the Lane County Metropolitan Wastewater Service District [ORS 199.510(2)(c)].

Stormwater – Site plans for all new development must provide for drainage to an approved system consistent with the adopted Comprehensive Stormwater Management Plan (CSWMP). Lane County public works staff indicates that stormwater facilities are available within Bobolink Avenue and Maesner Street. A Lane County facility permit will be required prior to connection to this stormwater system. If needed, private drywells may be an option, 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 is adjacent to Bobolink Avenue along its northerly boundary and Maesner Street along its westerly boundary. Lane County public works staff indicates that Bobolink Avenue is a Lane County maintained road with a 30-foot paved surface with curb and gutter. It is functionally classified as an urban local road within the urban growth boundary. Maesner Street is a Lane County maintained road and has a 28-foot paved surface with curb and gutter. It is functionally classified as an urban local road within the urban growth boundary. Site plans for new development shall show the location and width of access serving the property at the intersection of the property and road right-of-way, including all driveway and road approaches to be retained, relocated, added or closed on the subject property, and on adjacent properties as necessary to assure conformance with spacing standards. A Lane County facility permit will not be required for access unless the existing access(es) is (are) relocated or substantially altered and/or utility connections.

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 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 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 05 – 32) 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 boundary commission by the property owners on June 30, 2005, 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 two tax lots (T17S R04W S11 Map 23 tax lots 1000 and 1100) comprising about 0.58 acres and was owned by Michael and Katherine Young (TL 1000) and William Brad Young, William D. Young, and Michael Young (TL 1100). Tax lot 1000 was developed with one single-family residence and tax lot 1100 was vacated. The annexation area was not contiguous to the main body of the City of Eugene. Rights-of-way of Bobolink Avenue, Webster Street, and Maesner Street (approximately 2.23 acres) were 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 annexation area was zoned R-1/UL, low-density residential with urbanizable lands subdistrict, in Lane County. After the annexation effective date, the property would be rezoned to city R-1 zoning district 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 4, 2005. 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 Lane Rural Fire/Rescue and 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 little financial impact because the water district derives its revenue from user fees and the annexation area was developed with one residential unit. 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 provided 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.
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].
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 Metro Plan and River Road-Santa Clara Urban Facilities Plan.
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 use is 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 owners.
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.~~

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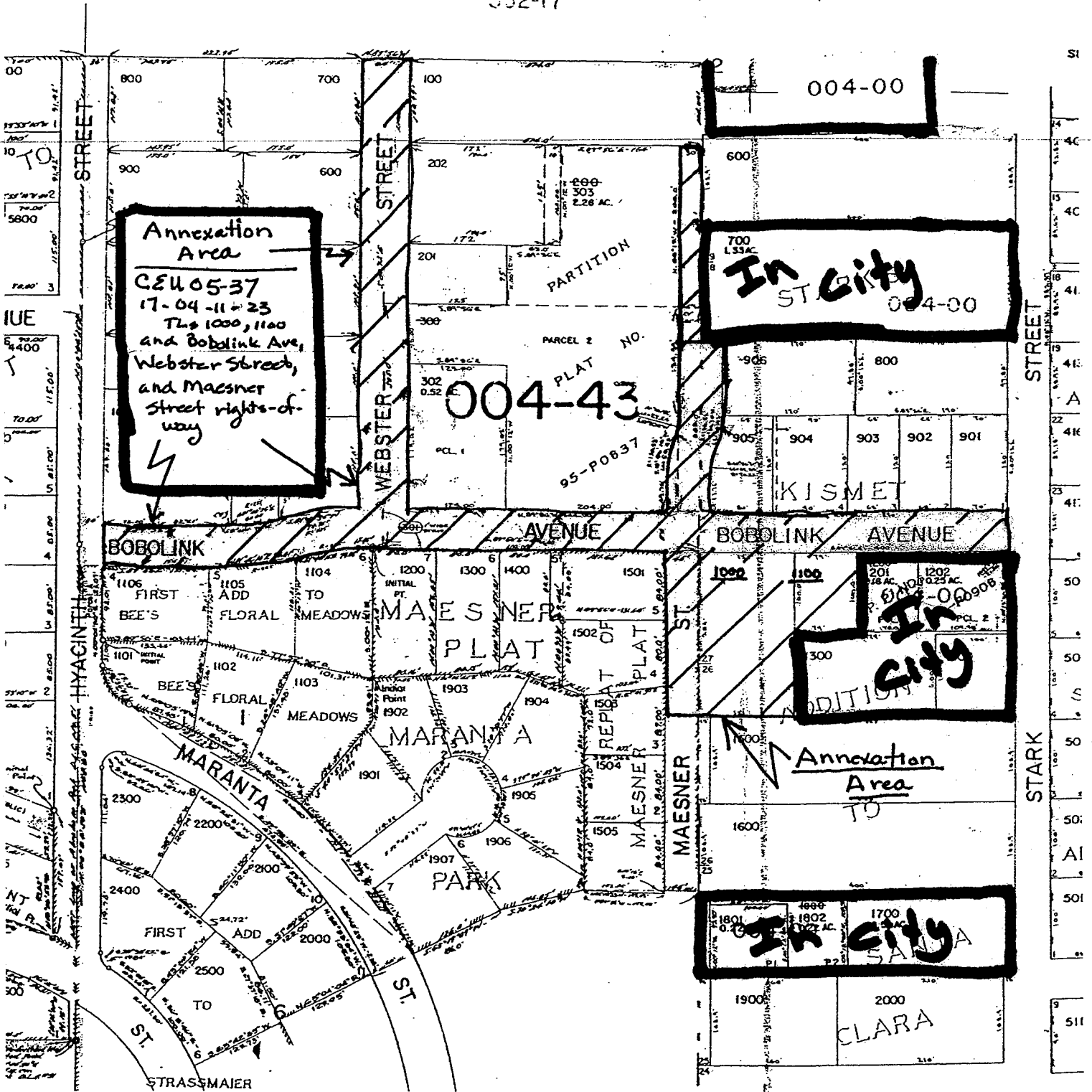


Exhibit IV-F-1
Santa Clara WD Letter
Annexation to Eugene (Young/Bobolink Av/Webster St/Maesner St)
C EU 05 - 32

SANTA CLARA WATER DISTRICT

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

July 16, 2005

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

Re:CEU 05-29, 32, 33 and 34.

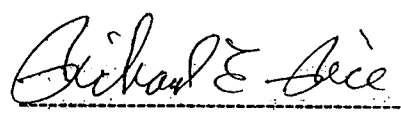
The Santa Clara Water District has received notice that the owners of four parcels of real estate have filed petitions to annex their property into the City of Eugene and withdraw the same from our area.

Again, we have several reasons for opposing these withdrawals 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 their property must pass through water mains that belong to and are maintained Santa Clara Water District. Still, no one has ever made a suggestion or an offer to reimburse us for our costs.

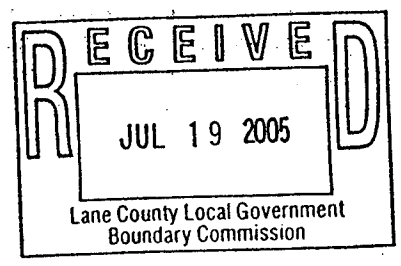
Santa Clara will loose four existing water customers and a minimum of forty new customers that would help us to provide funds to continue to expand and maintain the street lighting system we have and these funds would help us continue to maintain the Santa Clara Civic Center building we provide to approximately ten to twelve non profit groups to use in our community.

Santa Clara Water District is hereby going on record as protesting these petitions and we call for public hearings on all of these petitions.

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 19, 2005

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

SUBJECT: ANNEXATION, File C EU 05-32.

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.

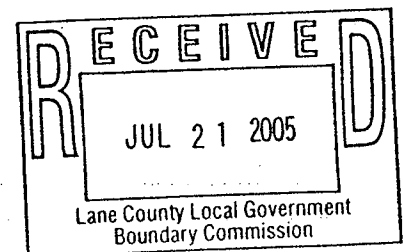
When this contract was terminated and those contract funds were lost, the District realized a financial loss of more than one-fifth of revenues that will eventually seriously jeopardize service to those remaining in the District.

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,



Skip Smith, Fire Chief



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