

STAFF NOTES

LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

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

Annexation of Territory to the City of Junction City (Waldrop/W 18th Avenue)

IV.A. BC File C JC 06 – 56

Initiated by property owner petition

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

Public hearing request received on August 14, 2006

Action to be taken by November 13, 2006

Description

The annexation area includes one tax lot located along the northerly edge of Junction City, south of W 18th Avenue, east of Oaklea Drive, and north of W 15th Avenue; and a portion of W 18th Avenue

Property owners: Jeff and Debbie Waldrop (28784 W. 18th Ave, Junction City)

Tax lot: 1300, T15S R04W S31 Map 12

Acres: ± 4.23 (± 3.77 acres in TL 1300; ± 0.46 acres of road right-of-way)

Estimate of existing population: 3 (two single family residential units)

Existing land use: Residential, road right-of-way

Existing zoning in Lane County: RR-5, rural residential with 5-acre minimum lot size

Applicable comprehensive plan: City of Junction City Comprehensive Plan (acknowledged in 1982 and has been subsequently amended)

Existing public services to the property: Fire (Junction City Rural Fire Protection District), police (Oregon State Police, Lane County Sheriff), roads (Lane County), school (Junction City School District 69), electricity (Emerald Peoples Utility District)

Reason for Annexation

The property owners have requested annexation so that two lots can be created for the two existing residential structures. Annexation to the city is necessary in order to partition the property and receive any needed 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 Tri-County News on September 14, 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 (Jeff and Debbie Waldrop, owners of the privately owned property proposed for annexation and initiators of this annexation request) on September 22, 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 Junction City city hall, and at the Lane County courthouse on September 20, 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 October 5, 2006.

This annexation proposal was filed with the boundary commission in accordance with ORS 199.490(1)(c), initiated by the property owners. The owners' written consents initiated this annexation request. The proposal was filed on August 14, 2006, and boundary commission action must occur by November 13, 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 1300, T15S R04W S31, and a portion of W 18th Avenue right-of-way. The end of the 45-day remonstrance period on this annexation request, if approved, is November 20, 2006. As submitted, there are three electors registered within the annexation area.

The proposed annexation area includes one tax lot totaling approximately 3.77 acres and the portion of W 18th Avenue immediately to the north of tax lot 1300 totaling approximately 0.46 acres (refer to Maps No. IV-A-1 and IV-A-2). The annexation area totals approximately 4.23 acres and is currently developed with two single-family residential units. The owners plan to divide the property into two lots, which can only occur if it is annexed to the City of Junction City.

The annexing area is designated low-density residential in the City of Junction City Comprehensive Plan and is within the urban growth boundary (UGB). The UGB is located along the northerly boundary of the annexation area, which is the northerly right-of-way of W 18th Avenue. The existing zoning of the annexing area is RR-5, rural residential with 5-acre minimum lot size, in Lane County. A zone change, through the City of Junction City, will be needed to rezone the property to a city zoning district consistent with the plan designation.

The Junction City planning commission indicated its support of this annexation request on June 20, 2006, by unanimously approving the annexation. On August 8, 2006, the Junction City council unanimously approved the annexation. The city supports the annexation of the Waldrop property and the adjacent right-of-way as it will facilitate the extension of public services.

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, and Junction City Rural Fire Protection District (RFPD).

The Junction City RFPD responded that the annexation area was currently within the fire district's boundaries and would remain in the district after annexation to the city since the city is a part of the fire district. The fire district will provide the same level of urban services as it provides to all properties within the city limits. The district had no objections to the annexation of this territory to the city.

No other referral responses were received as of September 27, 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 October 5, 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 Junction City RFPD. If the annexation is approved, the annexation area will remain in the fire district because the city is a part of and receives fire services from the fire district.

The annexation area is within the Junction City RFPD. If annexation to the city is approved, the area will remain in the fire district and will be provided an urban level of fire service by the fire district.

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-

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 annexation area is located within the acknowledged urban growth boundary (UGB) of the City of Junction City Comprehensive Plan. Territory within the UGB ultimately will be within the City of Junction City. The UGB is located along the northerly boundary of the annexation area.

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. The acknowledged comprehensive plan identifies the City of Junction 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 Junction City.

The annexation area is contiguous to the City of Junction City. The annexation area is a logical extension of the city limits.

This proposal to annex territory to the City of Junction City 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)

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The annexation area is inside the acknowledged UGB of the City of Junction City Comprehensive Plan, which was acknowledged by the Land Conservation and Development Commission in 1982 and has been subsequently amended. Following annexation, the property will need to be rezoned to a city zone consistent with the low-density residential land use designation in the comprehensive plan.

The following facilities and services are either available or can be extended to this annexation area.

Water – The City of Junction City indicates there is an existing 18-inch water line in W 18th Avenue that could service the property. The applicant is aware of the need to comply with the city's public works design standards relative to line sizing, line looping, and required fire flows throughout the annexation area and any proposed land division, including any upgrades to existing water mains necessary to meet fire flows.

Electricity – Emerald Peoples Utility District (EPUD) currently provides electrical service to the proposed annexation area and will continue to provide electric service after the properties are annexed to the city.

Police services – City staff indicates following annexation to the City of Junction City, police services will be provided by the City of Junction City.

Fire and emergency services – Fire protection services are currently provided to the area by the Junction City RFPD. Because the city is a part of the fire district, the annexation area will remain in the fire district after it becomes a part of the City of Junction City. New development within the annexation area can be provided fire services from the fire district. The annexation area is approximately ½ mile west of the fire station located at Juniper Street and W 18th Avenue. The city notes that the annexation area will receive an urban level of fire services after annexation. Installation of fire hydrants in conjunction with development will provide a reliable source of water through connection to city water.

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 Junction City area. The area will receive service consistent with the adopted ambulance service area plan. Mutual aid agreements have been adopted by the three regional ASA providers to provide backup coverage for each other's jurisdictions.

Parks – City staff indicates that Laurel Park is the closest park to the annexation area. It is located east of Laurel Elementary School. Laurel elementary has ball fields on the west side of the school, which are closer to the annexing tax lot and are open to the public. Upon annexation and through further development, system development charges (SDCs) will be collected to contribute to the city's park system.

Schools – Junction City School District 69 serves the properties proposed for annexation and will continue to do so after annexation to the city.

Wastewater – City staff states there is a pump station on W 17th Avenue and Rose Street to service the annexation area. An existing wastewater main (8-inch) ends approximately 110 feet south of W 18th Avenue on Rose Street, which is approximately 1,044 feet from the property. The applicants are responsible for extending the wastewater line to support any new construction. All wastewater services must be provided consistent with the Junction City public works design standards.

Stormwater – Junction City staff indicates that stormwater cannot be diverted to W 18th Avenue without specific approval from and compliance with conditions imposed by Lane County public works. Stormwater must be designed so that post-development flows do not exceed pre-development flows.

Streets – The private property in the annexation area is located on the south side of W 18th Avenue. Junction City staff indicates that W 18th Avenue is a county road classified in Junction City's Transportation System Plan (TSP) as an arterial in good condition with two travel lanes. This section has a paved surface width of 22 feet, and there is no curb, gutter, nor sidewalk. Except for shallow ditches to accommodate roadway stormwater runoff, there are no public stormwater facilities in this area. This street is included in the TSP as a modernization project to include curb, gutter, sidewalks, and bike lanes. W 18th Avenue is an urban Lane County maintained road. It is functionally classified as a major collector with a minimum right-of-way width of 70 feet for development setback purposes. Access management issues will be under the jurisdiction of Lane County public works. Prior to any construction approvals or the issuance of any building permit, the owner will be required to provide the city with all pertinent Lane County facility and/or access permits.

Land use controls – The annexation area is within the urban growth boundary and is contiguous to the Junction City city limits. After the annexation effective date, the city will administer all land use controls.

The required services 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 City of Junction City Comprehensive 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 comprehensive plan were developed to meet the future needs of the metropolitan community. The existing and 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 Junction City (BC File C JC 06 – 56) be approved 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 on August 14, 2006, by the property owner 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 included one tax lot (T15S R04W S31 tax lot 1300) comprising about 3.77 acres owned by Jeff and Debbie Waldrop. The annexation area included the portion of W 18th Avenue immediately adjacent to tax lot 1300 totaling approximately 0.46 acres, for an annexation area total of approximately 4.23 acres. The annexation area was contiguous to the City of Junction City.
3. The land use designation for the annexation area was low-density residential in the City of Junction City Comprehensive Plan.
4. The annexation area was zoned RR-5, rural residential with 5-acre minimum lot size, in Lane County. After the annexation effective date, the property would be rezoned to a city zone consistent with the plan 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 October 5, 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. The annexation area was within the Junction City Rural Fire Protection District (RFPD) and remained in the district after annexation to the city. The City of Junction City was part of this special district and received fire services from the district. The fire district can provide an urban level of service to the annexation area.
7. 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)

8. Annexation to the City of Junction City was identified in the acknowledged City of Junction City Comprehensive Plan as the method for providing urban facilities and services to developing properties.
9. Annexation to an existing city was the method identified in the boundary commission's policy administrative rule, implementing policies (1), (2), (5), and (7), for extending urban facilities and services to urbanizable land.
10. 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)

11. The annexation area was within the urban growth boundary of the acknowledged City of Junction City Comprehensive Plan [Land Conservation and Development Commission (LCDC) action in 1982 and as subsequently amended]. The urban growth boundary was coterminous with the northern boundary of the annexation area.
12. The existing and proposed uses were consistent with the acknowledged comprehensive plan.
13. The City of Junction City indicated that the needed urban facilities and services were either available or could be provided in a coordinated manner.
14. 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)

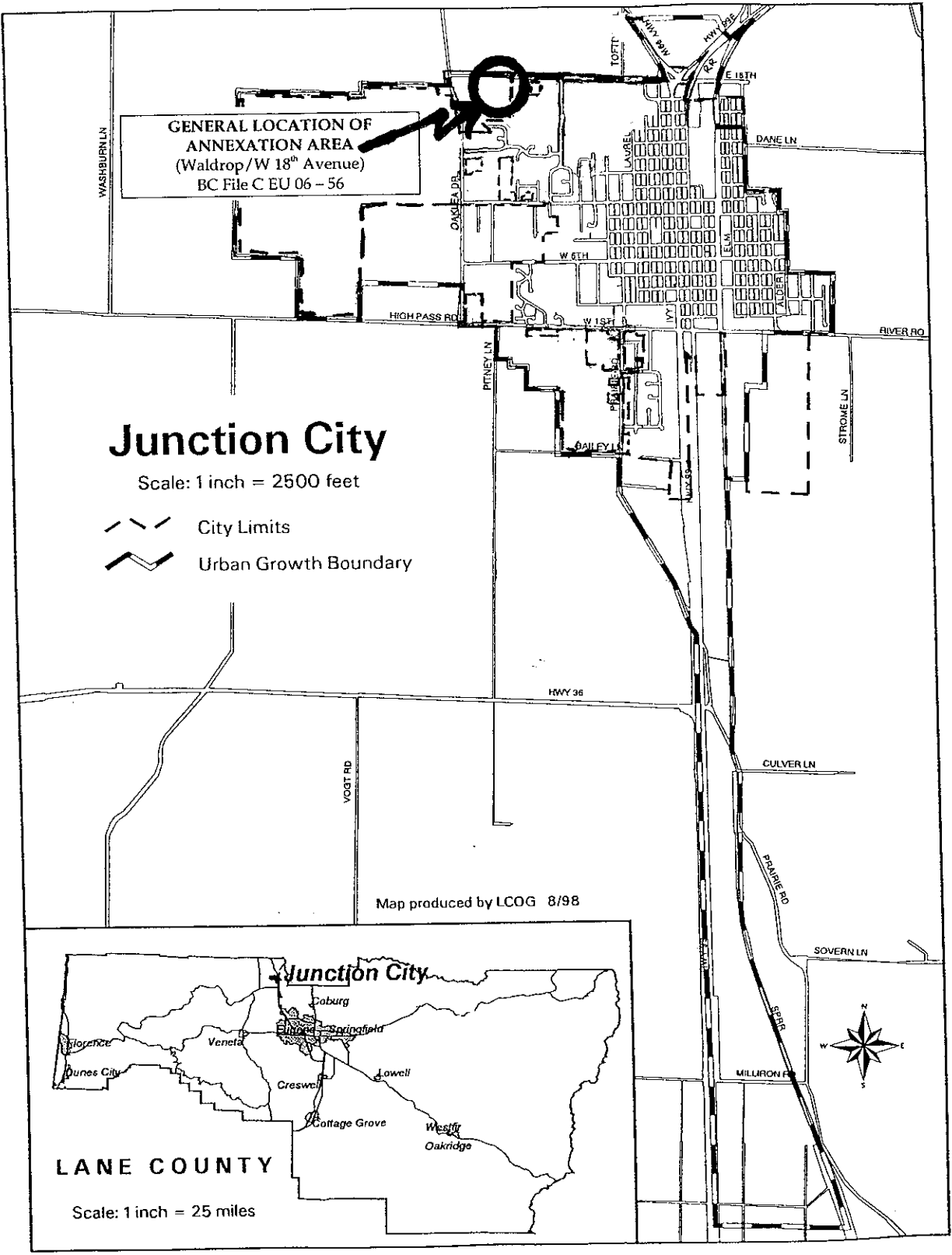
15. The annexation proposal was consistent with the applicable comprehensive plan, as it was an incremental step in implementing the long-range plan for this area. The urban growth boundary, land uses, and policies in the City of Junction City Comprehensive Plan were developed to meet the future needs of this community. The existing and proposed uses were consistent with the long-range plan for the area.

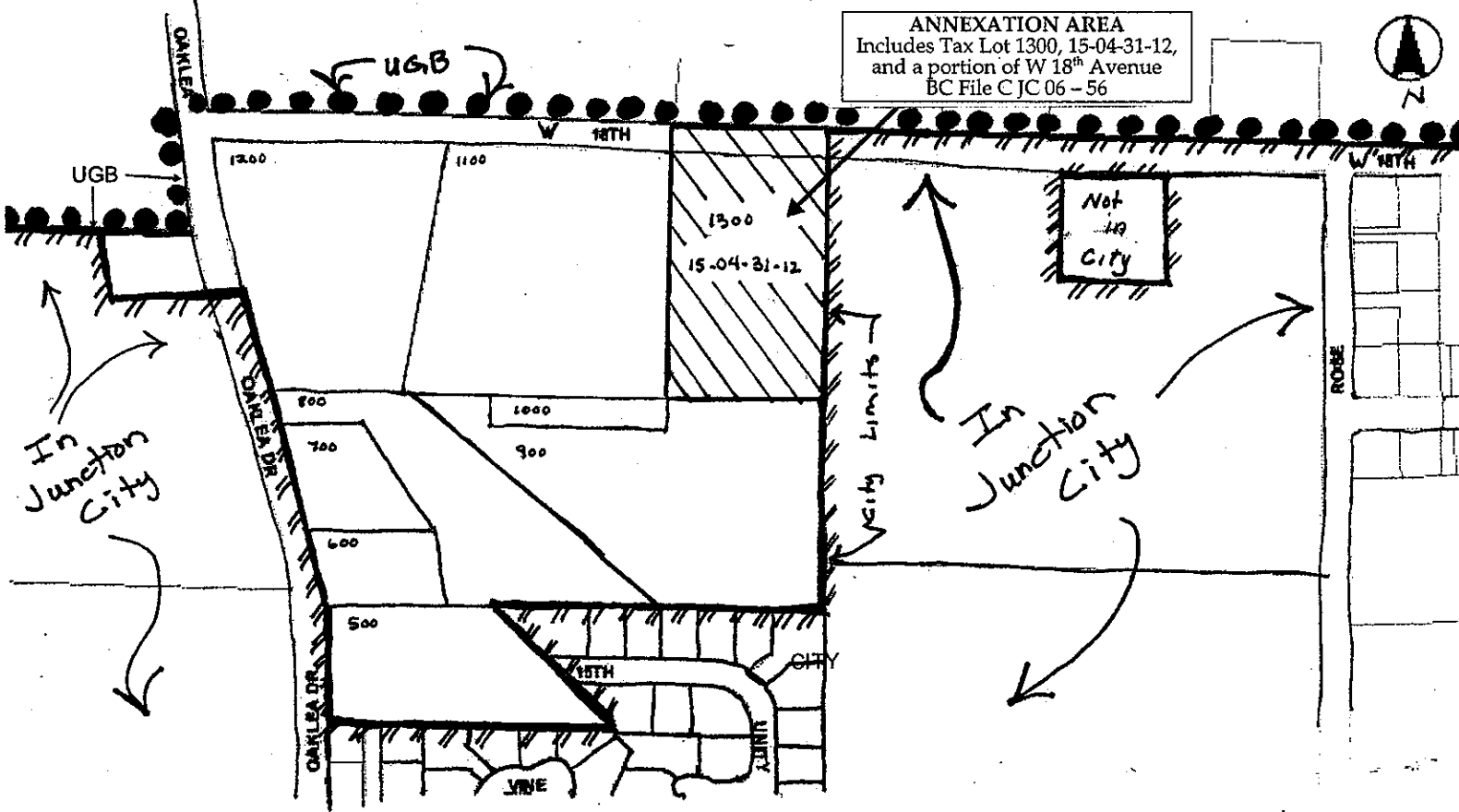
16. This request was consistent with this standard.

Reasons:

1. The proposal was supported by the City of Junction City and the property owners.
2. The proposal was consistent with the LCDC acknowledged City of Junction City Comprehensive Plan.
3. The needed urban facilities and services required by the comprehensive plan were either available or could be provided in a coordinated manner by the city.
4. The proposal was consistent with past boundary commission actions supporting annexation of territory to the City of Junction City.
5. The proposal was consistent with boundary commission administrative rule policies.

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Last Saved: September 28, 2006*





ANNEXATION AREA
 Includes Tax Lot 1300, 15-04-31-12,
 and a portion of W 18th Avenue
 BC File C JC 06 - 56

Scale
 Unknown