



June 23, 2024

Adam Hanks
City of Coburg
PO Box 8316
Coburg, OR 97408

JUN 24 2024

Received by
City of Coburg

Subject: Formal Appeal of SDC Charges for Water Connection (Invoice No. 2024-01)

Dear Adam,

I am writing to formally appeal the SDC charges for the water connection, invoiced on June 11th, 2024, under invoice number 2024-01. Your documentation states that we need to state the reason that the calculation is incorrect. The bottom line is we have no idea how the amount was determined other than the vague verbiage in Ordinance No 172-B.

We believe these fees should be waived in full as we were promised a connection to your water system since 2004. During a meeting with city personnel, we were informed that our costs would only include the water meter and permit fees. Additionally, we were told that we would bear the expenses for the connection and engineering work from the edge of our property to our current system. We will provide further details and supporting information in person to substantiate our case.

Thank you for considering our appeal. We look forward to resolving this matter promptly.

Sincerely,

Lisa Mackintosh
CFO, Eugene Premier RV Resorts, LLC
33022 Van Duyn Rd
Eugene, OR 97408

City of Coburg

INVOICE

P.O. Box 8316
Coburg, OR 97408
Phone 541.682.7850 Fax 541.485.0655

DATE: June 11, 2024
INVOICE # 2024-01

Bill To:
Premier RV Resorts
16926 SW Richen Park Circle
Sherwood, OR 97140



DESCRIPTION	AMOUNT
System Development Charge for 3 inch water meter connection to City of Coburg Municipal Water System	\$110,140
TOTAL DUE	110,140.00

Make all checks payable to City of Coburg
If you have any questions concerning this invoice, contact:
Greg Peck, Finance Director
541-682-7870

Due upon receipt

EXHIBIT A

FINDINGS AND RECOMMENDATION of the COBURG PLANNING COMMISSION

PA-2-03 /City of Coburg

A. The Coburg Planning Commission finds the following:

1. The Coburg Planning Commission has reviewed all material relevant to the Plan Amendment that has been submitted by the applicant and staff regarding this matter for property shown in Exhibit B, including the criteria, findings, and conclusions within the findings and recommendation and attached staff report.
2. On September 10, 2003, the Coburg Planning Commission reviewed the plan amendment application for City of Coburg after giving the required notice as per O.R.S. 197.195(3) and Coburg Zoning Ordinance No. A-133, Article X.B.

B. The Coburg Planning Commission recommends approval to the Coburg City Council for a plan amendment for the above mentioned parcels based on the following findings of fact:

The following are findings of fact and state whether or not the proposed application satisfies the required criteria (in *italics*) found in the Coburg, Oregon Zoning Ordinance, Ordinance No. A-133, Article X, Section G, Comprehensive Plan Amendment Procedures and Criteria

Comprehensive Plan Amendment Procedures and Criteria

1. Procedures for Amending the Comprehensive Land Use Plan

A proposal to amend the Comprehensive Land Use Plan including text, policies, Urban Growth Boundary, or map designations may be initiated by the Planning Commission, City Council or by petition of owners. Such proposals shall be considered under Type II procedures as outlined in ARTICLE X.B.13 or by legislative action as provided for in ARTICLE XI.B.

Proposals for Comprehensive Plan Amendments may be considered only on a pre-scheduled semi-annual basis as determined by the Planning Commission and City Council. In determining that an emergency situation does exist, the Council must adopt findings that the public interest would be best served by initiating a Comprehensive Plan amendment request.

RESPONSE: the City deems the proposal an emergency situation. The provision for city water service is of immediate nature, due to the time limitation on the funding sources to provide the water service to the subject property. The public

interest would be best served by initiating this request to allow for the property owners and city to share in the cost of providing safe drinking water and adequate fire flows for fire protection to the buildings on the subject property.

Also, the provision of city police services should be paid by those that use the services, thus the subject property should be within the city limits.

2. Plan Amendment Criteria

In reaching a decision on a Comprehensive Plan Amendment proposal, the Planning Commission and City Council shall adopt findings in consideration of the following:

- a. *Conformance with goals and policies of the Plan or demonstration of change in circumstance which would necessitate a change in the goal and/or policies.*

Finding:

There are three changes in circumstance that necessitate a change in the Coburg Comprehensive Plan. The first change concerns the availability of studies that document existing and potential contamination of the groundwater aquifers that serve Coburg. In particular, the City's Drinking Water Protection Plan¹ delineates wellhead protection areas by identifying "time of travel" (TOT) zones regarding contamination hazards that might affect existing and prospective well sites.² The analyses contained in this plan illustrate how land use activities that occur east of Interstate-5 can affect the groundwater within the City of Coburg. As a part of this plan amendment, the City is proposing to add a Air, Water and Land Resource Quality that would require implementation of the policies contained in the Drinking Water Protection Plan.

Second, the subject property is currently developed at urban densities but is developed with uses that rely upon individual on-site wells for potable water and fire protection. Recently, these systems have experienced water quantity problems and are in need of City water. The provision for city water service is of immediate nature, due to the time limitation on the funding sources to provide the water service to the subject property. The City has included the Interstate 5 corridor right-of-way in this plan amendment so that it can create a loop system for its water distribution lines on the east side of the freeway. This loop system will allow for the continuation of water service despite a line rupture and also provide for better fire flow protection for the subject property. The public interest would be best served by initiating this request to allow for

¹ Adopted by the Coburg City Council through Resolution 97-7.

² Lane Council of Governments, *Coburg Drinking Water Protection Plan* (June 1997)

the property owners and city to share in the cost of providing safe drinking water and adequate fire flows for fire protection to the buildings on the subject property.

The third change in circumstance involves public safety concerns that threaten Coburg's livability. The City of Coburg has been patrolling the Interstate 5 area since 1995 through an inter-governmental agreement with Lane County Sheriff's office. This agreement has since changed although for safety considerations the City has continued to provide services along this corridor. Both the Oregon State Police and the Lane County Sheriff's Department have suffered staffing constraints that have limited their ability to patrol the Interstate-5 corridor adjacent to Coburg or to respond to service calls at the motel, bars or RV park located on the east side of the Van Duyn Interchange. Many of these calls are now routed to the Coburg Police Department. The patrolling of Interstate-5 has been demonstrated to be an efficient method of reducing property crimes against the commercial and industrial uses located in Coburg along the freeway. Since 1999, over 40 of these crimes have been committed by individuals who parked their vehicles on the freeway shoulder. The incidence of these crimes was reduced by two-thirds when the Coburg Police Department began patrolling the freeway in 2001. During 2002, the Coburg Police Department was asked by the Lane County Sheriff's Department to assist in 347 arrests on Interstate-5. This assistance required over 640-person hours from the Police Department. In addition, the Coburg Police Department responded to 34 requests for assistance from the Coburg Rural Fire Department related to Interstate-5 incidents. During 2002, the Interstate-5 related assistance rendered by the Coburg Police Department totaled over \$34,000 in expense.

Since 1999, the Coburg Police Department was received over 340 calls for service that originated from the developed properties located at the southeastern quadrant of the Van Duyn Interchange. The majority of these calls concerned the motel, two bars and the RV park in that area. These calls resulted in 504 arrests. The City finds itself in an extremely awkward predicament in regard to servicing this area. On the one hand, if the criminal activity is not controlled it will more directly affect the City of Coburg. On the other hand, the City is unable to support this service with tax revenues as the service is rendered to properties outside of the Coburg corporate limits.

The City is proposing to add several additional Community Protection policies to its Comprehensive Plan. These policies commit the city to provide police protection to areas nearby the community, along the Interstate 5 corridor, and to the exception area east of Interstate 5 as long as it is financially feasible.

POLICY REVIEW.

The proposal is consistent with several policies and objectives of the Coburg Comprehensive Plan. The proposal also demonstrates there should be a change

in several policies of the comprehensive plan, due to a demonstrated change in circumstances, described below.

The proposal is in conformance with the following objectives and policies in the Coburg Comprehensive Plan:

Goal 6 Air, Water and Land Resource Quality

Coburg Objective: To insure the continued quality of air, water and land resources within the City and its area of influence.

Policy 7: The City shall maintain water quality through cooperation with all appropriate federal and state agencies, including, but not limited to DEQ.

Goal 12 Transportation:

Coburg Objective: To provide for the transportation needs of all Coburg residents compatible with county and state plans and promoting the greatest possible energy efficiency.

- 2.1 All development proposals plan amendments, or zone changes shall conform to the adopted Transportation System Plan.*
- 2.2 Protect the function of existing and planned transportation systems as identified in the Transportation System Plan through application of appropriate land use regulations. When making a land use decision, the City shall consider the impact on the existing and planned transportation facilities.*

Policy 13: Improve the Coburg-Interstate 5 Interchange safety and transportation operations.

13.1 The City shall adopt and coordinate with ODOT and Lane County to implement the ODOT Coburg-Interstate 5 Interchange Refinement Plan, which includes but is not limited to:

- A preferred interchange alternative,*
- An interchange access management plan,*
- A recommended TDM program that shall be fully implemented before and interchange reconstruction, and*
- An assumption that current City and County comprehensive land use designations at and near the interchange are constant for the next 20 years.*

Air, Water and Land Resource Quality: This proposal to include existing developed and committed land in the urban growth boundary is consistent with the above stated policies. The City desires to provide clean, safe drinking water to the city and the area of influence. The proposal will provide city water to these areas.

The City is working closely with the DEQ on water quality issues in the area. As discussed further below, the city will be included within a Groundwater Management Area, to be declared by the DEQ, due to the elevated nitrates found in the groundwater.

Transportation: The proposal is also consistent with the above stated transportation policies in the TSP. The proposal will be in compliance with the TSP and coordinate with ODOT for the land use designations on the subject property. The proposal will also protect the function of transportation system with land use designations. The proposal, described further below, will utilize an overlay zoning designation that is essentially a "holding zone" to assure that additional trips created by new development will address the impact on the interchange. Recent improvements along Pearl Street by Lane County and planned safety projects by ODOT for the northbound off ramp require that additional studies and coordination be completed within this area. Therefore, the proposal is consistent with portions of the TSP, there has been changes in circumstances in transportation projects and priorities that necessitates changes to the plan.

CHANGE IN CIRCUMSTANCES THAT NECESSITATES A CHANGE IN POLICIES

Air, Water and Land Resource Quality: The City of Coburg will soon be included within the Southern Willamette Valley Groundwater Management Area by the Oregon Department of Environmental Quality because Coburg's groundwater, as well as other areas in the southern Willamette Valley have been found to have elevated levels of nitrates.

Nitrates result from septic tanks and agricultural practices. Elevated nitrates have been found to cause negative health effects, such as "blue baby syndrome", which results in the blood not being able to carry as much oxygen as needed, developing fetuses and children under the age of six months are at the most risk. Recently, there have been studies that show other health risks from elevated nitrates in drinking water for adults.

In order to meet the comprehensive plan objective to provide continued or better quality of water resources within the area of influence, the City desires to provide city water service to the subject property, which is within its area of influence.

In addition, Coburg's Comprehensive Plan does not reflect the recent changes to the City's plans for the construction of a wastewater treatment facility and domestic water system improvements. The city adopted a Wastewater Facility Master Plan, resolution 2003-2 and Water System Master Plan, resolution 99-13. Both of these facility master plans anticipate the city needing additional infrastructure to serve the community and future growth. The construction of a wastewater treatment facility will also allow the abandonment of existing on-

site septic systems within the city. These issues are not addressed within the comprehensive plan.

Community Protection

There has been a change in circumstances that necessitates a change in the plan. Based on statistics provided by the Coburg police department, the exception area property:

For the exception area, outside the urban growth boundary, located to the east on Interstate 5, between 1999-June 2003 the City of Coburg Police responded to and provided assistance with:

- 342 calls for City of Coburg police service
- 504 arrests
- 76 crime victims
- 214 seizures of stolen property and narcotics
- 13 recovered stolen vehicles
- 6 search warrants

Crime statistics show that the Coburg Police Department has 42 crime reports that document criminal activity that was committed against the Coburg business community that adjoins the freeway. The individuals committing these crimes parked their cars along the shoulder of the Interstate and entered the business from outside the city limits. This is just one example of reasons why the interstate corridor should be included within the City's urban growth boundary.

Police patrols on Interstate 5. Based on statistics compiled by the City of Coburg, Interstate 5 is the third most heavily traveled truck corridor in the nation (Rep. Darlene Hooley, Oregon 5th District, 2003). Motor vehicle crashes continue to be the leading cause of death and disability to Oregonians aged 1 to 24 and one of the leading causes of death and injuries to Oregonians of all ages. Speeding doubles the likelihood that the crash will result in injuries and fatalities. In 1998, there were 6,272 traffic crashes on Oregon's state highway system that involved speed. Nearly half (48%) of these speed related highway crashes involved injuries and fatalities (ODOT, June 1999 Traffic Crash Summary).

Lane County leads the state in traffic fatalities with 137 fatalities between 1999-2001. From 1999-2001, Lane County had 11 more fatalities than Multnomah County, the state's largest county with twice the population of Lane County. The manager of the state's law enforcement and judicial programs for the Oregon Department of Transportation, Steve Vitolo links the disproportionate number of traffic deaths in Lane County to a decrease in county and state traffic enforcement (Cottage Grove Sentinel, 6/20/03).

The City of Coburg has been patrolling the Interstate 5 area since 1995 through an intergovernmental agreement with Lane County Sheriff's office.

The agreement has since changed, however, the City continues to provide services along this corridor because the activity occurring in the area greatly affects the safety of the residents of Coburg. Crime statistics show that the Coburg Police Department has 42 crime reports that document criminal activity that was committed against the Coburg business community that adjoins the freeway. The individuals committing these crimes parked their cars along the shoulder of the Interstate and entered the business from outside the city limits. This is just one example of reasons why the interstate corridor should be included within the City's urban growth boundary.

The crash rate along the Coburg section of the Interstate has been greatly reduced since the City police have provided patrols along this area. Crash data from Oregon Department of Transportation (ODOT) shows the following:

Mile post 199.15 Coburg Interchange to Linn County line: ADT (average daily trips) 36,300

Crashes per million vehicle miles

1997: 0.27

1998: 0.25

1999: 0.26

2000: 0.15

2001: 0

(Source: 2001 State Highway Crash Rate Tables, ODOT, August 2002)

In addition, for the last four years, the Coburg police department as provided police personnel to direct traffic during the AM peak traffic hours on the northbound off ramp on the Interstate. The City did not receive compensation for the personnel time dedicated. Traffic would routinely back up along the on-ramp onto the Interstate shoulder, causing safety issues. ODOT has a safety project planned for 2003-2004 that will lengthen the off-ramp and widen the ramp and install a traffic signal on Van Duyn. This intersection is outside the city limits, however the city of Coburg is providing service to the area for safety reasons.

Transportation

Recent improvements on Pearl Street completed in 2002 by Lane County and planned safety improvements by ODOT on the northbound off ramp are changes in circumstances that necessitate changes to the plan.

The subject property located on the east side of the Interstate 5 interchange. This application will be closely coordinated with Oregon Department of Transportation (ODOT) to assure that traffic impacts from the subject property does not significantly impact the interchange, as required by Goal 12 Transportation Planning Rule. Van Duyn Road is under Lane County jurisdiction. The Interstate 5 interchange is under the jurisdiction of ODOT. Coburg's Transportation System Plan (TSP) includes an Interstate 5

refinement plan, adopted in 1999. The refinement plan included the subject property in the study for future construction needs at this location. The TSP refinement plan also identified the interchange and needed projects for the effective functioning of the interchange. This project will require intergovernmental coordination between ODOT, Lane County and City of Coburg because of the multi-jurisdictional roads within the project area.

An element of this application will be to develop an overlay zone for the subject property to allow review of any new traffic generated by new development on this site and the impact on the transportation system. Rather than completing a detailed analysis at this time, the City is proposing to inventory the existing uses on the site and establish a "holding" overlay zone. The overlay zone will allow for establishment of a baseline trip generation on the site and allow redevelopment of portions of the site if the trips generated do not exceed the established baseline. In the event the property owner requests to intensify development on the site, which would result in increased trip generation, a plan amendment would be required, which would then allow the review of a traffic analysis to determine the impact on the interchange. The Transportation Planning Rule, Goal 12 would apply to proposals that increase the trip generation from the baseline established by this application. The baseline information will be contained within a comprehensive plan policy, so that changes will require the applicant to address compliance with not only the city's comprehensive plan, but compliance with Oregon Planning Goals, including Goal 12.

The City is proposing to develop an overlay zone and defer the transportation analysis until a specific development is proposed for the property or a comprehensive update study on the interchange be completed. Because the Interstate interchange is not under the jurisdiction of the City, project coordination must occur between Lane County, Coburg and ODOT.

Proposed new plan policies and supporting findings

Due to changes in circumstances described above, this application also proposes to add the following policies and findings to the Coburg Comprehensive Plan text:

Air, Water and Land Resource Quality

- 1. The city shall provide sanitary sewer and abandon existing septic systems as a way to lessen the impact on groundwater contamination within the city and exception areas outside the urban growth boundaries.*
- 2. The city shall participate in the future Southern Willamette Valley Groundwater Management Area process with the Oregon Department of Environmental Quality to deal with ground water contamination issues in the area.*

3. *The City shall implement policies contained the Coburg's Drinking Water Protection Plan, adopted by Resolution 97-7.*

Findings:

1. *The City of Coburg will be included in the Southern Willamette Valley Groundwater Management Area, designated by the Oregon Department of Environmental Quality in 2003.*
2. *There is evidence of high levels of nitrates in the groundwater around the Coburg area, as reported in the Southern Willamette Valley Groundwater Assessment 2000-2001 Nitrate Study, Final Report February 2003, ODEQ.*
3. *Agriculture practices and on-site septic systems contribute to high nitrate levels in the Southern Willamette Valley and the Coburg area.*
4. *The USEPA sets a maximum contaminant level (MCL) for nitrates (as nitrogen) at 10 mg/L for the maximum concentration allowed in public water systems as regulated by the Safe Drinking Water Act.*
5. *Nitrate levels over 10 mg/L is considered a health hazard to infants below the age of six months. Nitrates can interfere with the ability of the blood to carry oxygen. The result is called hemoglobinemia or "blue baby syndrome".*
6. *The City's domestic water supply depends on good groundwater quantity and quality.*
7. *The City desires to participate in managing groundwater contamination.*
8. *Serving properties with sanitary sewers and abandoning on-site septic systems in and around the Coburg area will reduce nitrate contamination in the groundwater.*

Public Facilities and services

1. *The city shall seek to expand the urban growth boundaries and annex the existing exception areas on the east side of Interstate 5 and provide city water and sewer, when available to reduce the groundwater contamination caused by septic systems.*

Water facilities

1. *The city shall construct water system improvements, in conformance with the Water Master Plan, Resolution 99-13.*
2. *The city shall expand the urban growth boundaries and city limits and provide city water service to existing exception areas east of Interstate 5, currently located outside the city limits.*
3. *The City shall implement the recommendations contained in Coburg's Drinking Water Protection Plan, Resolution 97-7.*

Sanitary facilities

1. *The city shall construct a wastewater facility, in conformance with the Wastewater Facility Plan, 2003-2.*
2. *The city shall plan to provide sanitary sewer service to properties within the city and within the city's urban growth boundary.*
3. *The city shall plan to provide sanitary sewer service to all developments within the urban growth boundary.*
4. *The city shall expand the urban growth boundary and city limits and provide sanitary sewer service, when available, to existing exception areas and to accommodate these uses.*
5. *The city shall work with the county, state and property owners to properly abandon septic systems as they are connected to sanitary sewer service.*

Findings:

1. *The City desires to provide clean drinking water for its residents, as well as for community members in the surrounding area.*
2. *Construction of a wastewater facility and abandonment of existing on-site septic systems will reduce nitrate loading to the groundwater.*
3. *Coburg's Drinking Water Protection Plan, 1997 identifies the exception areas to the east of Interstate 5 as "Commercial/Industrial High and Moderate Risk" rating for potential contamination to the groundwater.*
4. *Coburg's Drinking Water Protection Plan identifies residential densities higher than two units per acre as a "moderate to high risk because of the potential for elevated nitrate levels".*

COMMUNITY PROTECTION

The application proposes also to add the following policies to the Coburg Comprehensive Plan that relate to community protection:

Community Protection

1. *The city shall provide police protection to areas within and nearby the community to provide public safety to the residents of the community.*
2. *The city shall provide police protection along the Interstate 5 corridor.*
3. *The city shall continue to provide police protection to the exception areas east on Interstate 5 and along Interstate 5, as long as it is financially feasible, regardless of income generated, to protect the citizens of Coburg.*

Findings:

1. *The City of Coburg desires to provide public safety services, including police protection to its' residents and business owners within the Coburg area.*

2. *Many crimes are committed outside the urban growth boundary and have a large impact on the residents of the community.*
3. *The crime statistics for arrests outside the urban growth boundary are listed below:*
 - *Between 1999-June 2003, there were 42 reported crimes that the individual committing the crime parked his/her vehicle on the shoulder of Interstate 5, outside the city limits and committed the crime within the city limits.*
 - *For the exception area, outside the urban growth boundary, located to the east on Interstate 5, between 1999-June 2003 the City of Coburg Police responded to:*
 - *342 calls for City of Coburg police service*
 - *504 arrests*
 - *76 crime victims*
 - *214 seizures of stolen property and narcotics*
 - *13 recovered stolen vehicles*
 - *6 search warrants*
4. *The exception areas that are developed to an urban and suburban density have a higher crime rate and need more police protection.*
5. *In order to provide public safety protection to Coburg residents, police services are needed in the areas outside the urban growth boundary.*
6. *The City of Coburg provides police protection along the Interstate 5 corridor.*
7. *Fatality statistics relating to traffic accidents between 1999-2001 show that Lane County leads the state with 137 traffic fatalities. Many of these fatalities were associated with high speeds.*
8. *By providing police patrols on Interstate 5, the City of Coburg is contributing to public safety to the citizens of the State of Oregon along the Interstate corridor.*
9. *The City of Coburg is providing a high amount of police protection for areas outside the urban area.*
10. *In order for the City of Coburg to have more control over land that it currently provides urban services, these areas should be within the urban growth boundary and City limits so that these properties pay their fair share for police protection through taxes and the ability to participate in city government.*

TRANSPORTATION

The proposal is also to add the following transportation policies and findings:

Transportation

1. *The exception area east of Interstate 5, when included within the urban growth boundary and city limits, shall have an overlay zone placed on the property to assure that new development that increases trip generation*

from the site is required to go through a plan amendment application with the city.

2. *The exception area east of the Interstate 5 interchange shall have an established trip generation baseline upon annexation of the property. The trip generation, based on ITE Trip Generation Manual and inventory of uses is as shown in Exhibit C and is incorporated as policy by reference..*
3. *New development proposals in the exception area east of Interstate 5 that exceed the baseline trip generation established upon annexation shall be required to apply for a city plan amendment application and meet Statewide Goal 12, Transportation Planning Rule and develop a transportation analysis to determine the impact on the interchange.*
4. *In the event that ~~a updated~~ Interchange Refinement Management Plan is completed and adopted in the Coburg TSP or Interchange Area Management Plan is developed and adopted, the exception areas on the east side of Interstate 5 shall be included in the plans and shall be governed by the results of that plan.*

Findings:

1. *The Coburg Interstate 5 interchange is identified in Coburg's Transportation System Plan, Coburg-Interstate 5 Interchange Refinement Plan as needing reconstruction.*
2. *The area to the east of Interstate 5 was included in the refinement plan study.*
3. *Proposals for new development within the exception area to the east of Interstate 5 would increase traffic in the area, and will require analysis to determine if the proposal is consistent with Coburg's TSP and Statewide Planning Goal 12, Transportation.*

REMOVE POLICIES FROM PLAN DUE TO DEMONSTRATED CHANGE IN CIRCUMSTANCES

This application also proposes to delete the following policies because they are no longer applicable to the City due to demonstrated changes in circumstances. The adoption of the Wastewater Facility Plan, which provides a plan to eliminate septic systems for the community and the construction of a wastewater facility plan. The Water System Master Plan, which determined that the existing water system needed upgrading. The elimination of these policies also pertain to the studies conducted by the Department of Environmental Quality in the last 10 years that reveal that there are elevated levels of nitrates in the groundwater and drinking water of Coburg. The city's septic systems, as well other agricultural practices have contributed to contamination of the groundwater in the Southern Willamette Valley.

Water Facilities

Policy 3: The city has developed and maintains a water supply and distribution system which assures safe, potable supply of water which is

adequate for future domestic, commercial, industrial, fire protection and emergency requirements.

Sanitary Facilities

Policy 5: Community residential and commercial sewage disposal needs will continue to be met on an individual basis utilizing subsurface disposal systems (septic tanks).

Policy 6: Community industrial sewage disposal needs will be met either through the use of subsurface disposal systems or where soil conditions do not permit septic tanks, through the use of other means as defined in the Coburg Sewerage Facilities Plan Addendum.

Policy 7: The city will encourage proper maintenance of subsurface sewage disposal systems by developing a citywide public information program and septic maintenance program.

b. *Citizen review and comment.*

Citizens have adequate review and comment for this proposal through the notification and public hearing procedures and processes. A town hall meeting was held on August 19, 2003 to discuss the intent of the City to expand its urban growth boundary to include a portion of the adjacent freeway and the developed properties at the southeast quadrant of the Van Duyn/Interstate 5 Intersection. Review of the proposal by the Coburg Planning Commission and City Council was preceded by notification to all property owners within 500 feet of the subject properties. Each of these bodies held a public hearing on the proposed amendment.

c. *Applicable Statewide Planning Goals.*

Goal 1: Citizen Involvement: Statewide Planning Goal 1 provides for the development and implementation of a citizen involvement program. The proposed amendments to the Coburg Comprehensive Plan are a result of a post-acknowledgement plan amendment rather than a periodic review or plan update process so citizen involvement is primarily accomplished through the hearing process.

A town hall meeting was held on this matter on August 19, 2003 and all stakeholders of the Coburg Periodic Review, as well as the general public, were invited. Subsequent to this public meeting, public hearings were held on the proposed plan amendment by the Coburg Planning Commission, the body

designated as the Committee for Citizen Involvement (CCI) for Coburg, and the Coburg City Council. Public hearings will be held by the Lane County Planning Commission and the Lane County Board of Commissioners after the Coburg City Council has finished its decision-making process.

Conclusion: Public involvement associated with this proposed plan amendment complies with Statewide Planning Goal 1.

Goal 2: Land Use Planning: This goal requires that land use actions be consistent with comprehensive plans and that comprehensive plan changes be coordinated with affected governments. The requested urban growth boundary expansion is supported by proposed plan policy amendments that underwrite the city's commitment to addressing its groundwater contamination situation and the need for the extension of an urban level of police protection to the developed properties on the east side of the freeway.

As discussed elsewhere in this application, Coburg must develop a wastewater treatment system to address the contamination of the groundwater from subsurface disposal systems. The lagoon system that supports the commercial development at the southeast corner of the Van Duyn interchange also represents a substantial contributor of nitrates to the aquifer. Nitrates from this facility flow to the northwest toward the City.

Pursuant to ORS 197.298 the City of Coburg has reviewed all available options for expansion of the UGB. There are no designated urban reserve lands in the vicinity of Coburg. The property subject to this proposed plan amendment is an area acknowledged as a developed exception area that is adjacent to the existing urban growth boundary. There are no lands adjacent to the current UGB that are designated as marginal lands.

Oregon administrative rule 660-004-0020(2) implements Part II of Statewide Planning Goal 2 and provides language clarifying how the four exception standards are to be applied.³ The following is an analysis of how the four exception standards relate to the proposed plan amendment:

1. Reasons Justify Why The Current Rural Designations Should Not Continue:

The property subject to the proposed plan amendment currently is developed at urban densities and is located in an acknowledged exception area. It includes a hotel, two restaurants, a bar, a gas station, and a 126-unit recreational vehicle park (soon to be expanded to 160 units). These uses require an urban level of sewerage, currently provided by a sewage

³ Technically, an urban growth boundary exception is not necessary as the property subject to the expansion is irrevocably committed to nonresource uses however OAR 660-04-0010(1)(c)(B) requires that the four exception standards be addressed when an urban growth boundary is being changed.

lagoon system, experience water quantity problems in the Summer, and are exposed to an urban level of criminal activity.

The property subject to the proposed plan amendment produce an urban intensity of sewerage and criminal activity. The former adversely affects Coburg through the generation of nitrates, that migrate in a westerly-northwesterly direction, and threaten the current and future city well fields. The *Coburg Drinking Water Protection Plan* forecasts that it takes only ten years for the nitrates from the private lagoon system to reach central Coburg. The lagoon system has been in existence for over 20 years.

Statistics recorded by the Coburg Police Department strongly support a conclusion that the criminal activity that originates on the freeway and in the developed properties will spill over into the City if not addressed at its source. For instance, the property crime rate of Coburg businesses along the freeway have experienced a two-thirds reduction since the Coburg Police Department began patrolling Interstate 5. The magnitude of the number of direct calls for Coburg police service and number of arrests associated with these properties strongly support a conclusion that an urban level of police protection is necessary.

Having a source of affordable drinking water and reasonable security from property and personal crimes are important components in the livability of Coburg, a small, tight-knit community. The City's commitment to this concept are demonstrated through its commitment to the establishment of a sewer system and through the provision of police services without remuneration.

Conclusion: Replacing the current rural designations of the affected property through its inclusion within the Coburg Urban Growth Boundary, and ultimate annexation of the property to Coburg, will allow the city to provide the level of policing service required and reduce the threat of groundwater pollution to the city's well fields.

2. Areas Not Requiring An Exception Cannot Accommodate The Use:

Technically, the proposed urban growth boundary expansion does not require an exception to the statewide planning goals. Rather, a Goal 14 analysis, which incorporates the 4 exception factors of Goal 2, is required. The proposed expansion only includes land that is already developed or firmly committed to nonresource use and that has been subject to a "built upon or committed" exception that has been acknowledged by LCDC.

Conclusion: The proposed urban growth boundary is necessarily site-specific since it comprises properties that create circumstances that threaten the city's livability.

3. The Long Term Environmental, Economic, Social and Energy Consequences Favor The Proposal:

The proposed location represents the best alternative long term environmental, economic, social and energy consequences.

Environmental Consequences. The environmental consequences of approving the proposed plan amendment will be to eliminate a source of nitrate contamination that affects the groundwater of Coburg and the surrounding area. The corollary of not approving the plan amendment will be to allow the continued nitrate loading of the groundwater supply from the sewage lagoon on the subject property and possible contamination of the drinking water source that serves the city and surrounding residents.

No long term adverse environmental consequences from the proposed plan amendment have been identified.

Economic Consequences. The positive economic consequences of approving the proposed plan amendment are several. First, the provision of an urban level of sewerage to the affected properties will delay or perhaps eliminate the need to acquire new drinking water sources for the City. Second, the provision of an urban level of drinking water to the affected properties will prevent the need to drill deeper wells or find alternative rural sources of water. It should also reduce the cost of fire insurance to these properties because of the proposed "loop" system that the City intends to develop (with the assistance of an OCEDD grant). Finally, controlling the criminal activity that occurs on the freeway and on the developed properties will reduce property damage that occurs in that location and within the city. It will also allow the City to recoup some of its policing costs through increased property tax revenues because the City will be able to expand its tax base through annexation.

The economic consequences not approving the plan amendment include the cost of finding an alternative water source for the City as water treatment for nitrate-contaminated groundwater is prohibitively expensive. The economic consequences of not bringing the subject property into the urban growth boundary also include the continued nonreimbursed costs to city government for policing the property and the cost of increased property loss from inability to patrol the Interstate highway.

One adverse economic consequence of the proposed plan amendment will be that the affected properties will utilize a portion of the capacity of the first phase of the sewer system that was not anticipated. However, it can be argued that this impact is offset by the reduction of the per capita cost to the Coburg citizen as commercial and industrial uses pay a larger share of the total capital and operating costs than does a homeowner.

Social Consequence. The social consequences of not approving the proposal include an increase in criminal activity within Coburg because the city cannot afford to police the subject property and the adjacent freeway corridor to the level required to protect the community. The level of police service currently provided to the citizens of Coburg by the Coburg Police Department was discussed at the August 19, 2003 public meeting. It was a consensus of those present that one of the major "positive" livability factors of Coburg residency was the highly visible and effective police department.

It has been argued that the freeway represents a major "psychological" barrier to expansion of the City to the east and that expansion to the east may result in two disparate "Coburgs," with unknown social consequences. The answer to this argument is that the proposed plan amendment will be constrained to already developed properties and, through transportation-related policies, will not result in significant changes in use or intensities of use. The social and other consequences of growth to the east will be examined in depth through the City's ongoing periodic review process.

Energy Consequences. The energy consequences associated with approving the proposed plan amendment include the need to find less a convenient source of potable drinking water for the City, which probably would be associated with higher transportation costs. Other positive energy consequences would be that the presence of Coburg police on the freeway will reduce automobile and truck speeds to more efficient levels. No negative long-term energy consequences of the proposed plan amendment have been identified.

Conclusion: The positive long term environmental, economic, social and energy consequences of the proposed plan amendment far outweigh the few negative consequences that have been identified.

4. The Proposed Use Will Be Compatible With Adjacent Uses or will be so rendered through measures designed to reduce adverse impacts.:

The subject property is bordered on the north by the Van Duyn Interchange and road and on the west by Interstate 5. On the south and east it is bordered by low intensity farmland, generally used for the grazing of cattle. The agricultural land to the east and south is occupied by Bashaw clay soils. These soils are poorly drained and have an agricultural capability of IVw. They can and are used for pasture, primarily because the owner has irrigation water rights from the McKenzie River. The

agricultural land bordering the subject property is owned by the Knee Deep Cattle Company, which grazes cattle on the 108 acre parcel that borders the subject property on the east and south. This parcel is bordered on the east by land designated nonresource by Lane County in 2001.

The only identified conflict between the uses on the subject property and practices on the adjacent agricultural land occurred when the sewage treatment lagoon that served the recreational vehicle park polluted Little Muddy Creek. The creek borders the subject property on the east and was used by cattle as a drinking source. This problem was cured with the replacement of the old facility with a more modern sewage lagoon.

Conclusion: The subject property is already developed to an urban level of development and only one conflict, since cured, has been identified between these uses and bordering agricultural land. The existing development has otherwise been compatible with adjacent agricultural uses. Plan policies associated with this plan amendment will essentially freeze the scope and intensity of the existing uses.

Goal 3: Agriculture Lands: Except for a portion of the I-5 right-of-way, none of the land associated with this proposed plan amendment is designated as agricultural lands. As discussed above under the fourth exception standard, the subject property is already developed and does not adversely affect the adjacent low-intensity agricultural practices

Conclusion: The proposed plan amendment is consistent with Goal 3.

Goal 4: Forest Lands. No forest lands are associated with this proposed plan amendment.

Conclusion: This goal is not applicable.

Goal 5: Opens Space, Scenic and Historic Areas and Natural Resources. The property subject to this plan amendment is already developed for non-resource uses.

Conclusion: This goal is not applicable.

Goal 6: Air, Water, and Land Resource Quality: The Southern Willamette Valley is considered by DEQ to be a priority area for groundwater assessment and protection for several reasons including the severity and extent of nonpoint source groundwater contamination that has been documented through several studies, the vulnerability of shallow groundwater to land use impacts, the expectation of rapid population growth and the heavy reliance by residents on groundwater as a primary drinking source. ⁴ The Coburg Drinking Water Protection Plan⁵ indicates

⁴ Ibid, page 1.

that likely site for a future City well field located west of Industrial Way was a high risk within five to ten years of contamination from the sewage lagoon that services the Country Squire motel and the adjacent RV park. It is also possible that the lagoon poses a risk to City Well #2, which draws from the shallow aquifer.

Conclusion: This proposed plan amendment will eventually result in a reduction the number of subsurface pollution of the regional groundwater and will therefore is consistent with Goal 6.

Goal 7: Areas Subject to Natural Disasters and Hazards; Goal 8: Recreational Needs; Goal 9: Economic Development, and Goal 10: Housing. The eventual provision of urban services to the property subject to this plan amendment will probably not greatly enhance the redevelopment potential of the property as it will continue to be designated for highway commercial uses and existing uses and their intensities will remain unchanged.

Conclusion: These goals do not apply.

Goal 11: Public Facilities and Services: The existing public facility plans do not address the provision of service across the freeway to the east. However, plan policies and findings that accompany this urban growth boundary expansion do address the facility and service needs that have created the need for the proposed expansion of the urban growth boundary. These proposed policies commit the city to constructing a wastewater facility and improving its water system and providing the exception area to the east with sewer and water. Proposed policies also recognize the relationship between policing the Interstate 5 corridor and the exception area to the east and the public safety needs of the citizens of Coburg.

Conclusion: The proposed plan amendment is consistent with Goal 11.

Goal 12: Transportation. This proposal will have no adverse effect on the transportation system. The City's Transportation System Plan (TSP) has an element that addresses the Interstate 5 interchange, the Coburg-Interstate 5 Interchange Refinement Plan. The interchange is identified as needing reconstruction and requires coordination with Lane County, ODOT and the City of Coburg. The subject property is currently developed and committed to urban development. The site has a motel, two restaurants, a bar, gas pumps, a retail CB repair shop and a large recreational vehicle park.

The Transportation Planning Rule, as provided by OAR 012-0060(1), requires that amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility be consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of that facility. The City has chosen

⁵ Ibid, page 52.

to address this standard by limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility.

In order for the City to address future development and transportation impacts, the City is proposing to develop an overlay zone that will set a baseline trip generation for the subject property and allow redevelopment, provided the new uses do not increase the trip generation for the site. If new uses were proposed, a plan amendment would be required to address the transportation impacts on the interchange.

The trip generation analysis for the uses of the subject property is contained in Exhibit C to these findings. Utilizing the Institute of Transportation Engineers "Trip Generation" manual, the analysis computes the traffic currently generated by the existing uses. This analysis, which was verified through empirical observation by ODOT transportation engineers, will serve as a baseline for applications for use change or intensification that might be proposed after the subject property is annexed to the City of Coburg. Prior to reconstruction of the Van Duyn/Interstate 5 Interchange that will increase its capacity, use changes of intensifications that increase traffic generation above the baseline can only be approved through a change to the Coburg Transportation System Plan.

Conclusion: Proposed plan policies ensure that the proposed plan amendment will be consistent with Goal 12 and the Transportation Planning Rule.

Goal 13: The Energy Conservation Goal does not apply.

Goal 14: Urbanization. Goal 14 requires that the establishment and change of urban growth boundaries shall be based upon consideration of seven factors. Consistent with Goal 14 and applicable case law⁶, the City believes that the proposed expansion of the Coburg Urban Growth Boundary is justified by both the need to protect the livability of Coburg and because the property is committed to nonresource development that is in need of urban services. The following is an analysis of the seven Goal 14 factors as they apply to the proposed plan amendment:

1. ***Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.***

Conclusion: The need for the plan amendment is not based upon long-range population growth expectations.

2. ***Need for housing, employment opportunities, and livability;***

⁶ *City of Salem v. Families for Responsible Govt*, 64 Or. App. 238, 243, 668 P.2d 395 (1983), *rev'd on other grounds* 298 Or. 574, 694 P.2d 965 (1985).

The proposed plan amendment is based upon Coburg's desire to maintain its current level of livability; as measured by its security from criminal behavior and protection of water quality.

Community Protection. Proposed plan policies recognize the relationship between the public safety of Coburg residents and the ability to police the Interstate 5 corridor and the subject property. Over the past four and one-half years, the Coburg Police Department has received over 342 calls for service in the proposed urban growth area expansion area, resulting in over 504 arrests. Further, statistics have strongly suggested that patrolling of the Interstate 5 has substantially reduced property crimes to Coburg businesses located along that corridor and has diminished highway fatalities.

Water Quality Protection. Coburg lies within an groundwater area shown to have heavily polluted by nitrates. The City takes its potable water from two aquifers that have been shown by the City's Groundwater Protection Plan to be subject to various levels and sources of contamination. An area identified as a future City well site is directly impacted by nitrates from the sewage lagoon that services the use on the subject property.

Conclusion: The proposed plan amendment is necessary to address the negative impact that criminal element located on the freeway and on developed properties located east of the freeway have on the livability of Coburg. The proposed plan amendment also addresses the livability issue of solving the potential health hazard of contamination of the City's groundwater resources and of retaining the elementary school, as significant community resource.

3. ***Orderly and economic provision for public facilities and services;***

The proposed expansion of the urban growth boundary is the precursor to annexation and the provision of an urban level of police services to the Interstate freeway and an urban level of sewerage service to property currently served by a wastewater lagoon. The property subject to the proposed urban growth boundary expansion is located immediately adjacent to the existing urban growth boundary and services can be logically and efficiently extended. For instance, the inclusion of the freeway right-of-way will allow the City to create a loop system for its water distribution lines on the east side of the freeway. This loop system will allow for the continuation of water service despite a line rupture.

Conclusion: The property subject to the plan amendment also represents a location that can be as efficiently supplied with necessary urban services as any other alternative considered.

4. ***Maximum efficiency of land uses within and on the fringe of the existing urban area;***

As mentioned above, the proposed urban growth boundary is necessarily site-specific. The problems addressed by the expansion are associated with the properties included in the expansion. Because these properties are immediately adjacent to the existing urban growth boundary and because they are already intensely developed, this will not be a situation where vacant or underdeveloped properties will be leapfrogged by the proposal. The City of Coburg recognizes that the Van Duyn interchange currently experiences traffic problems. This proposed plan amendment includes policies that address this issue by requiring "no significant impact" analysis be performed for any change or intensification of use of the properties after they are brought within the urban growth boundary. If a significant impact is present then the change may only occur through an amendment to the Cities Transportation System Plan.

Conclusion: The plan amendment will promote maximum efficiency of land uses by providing sewage treatment and police protection to adjacent, developed land.

5. ***Environmental, energy, economic and social consequences;***

See the analysis under Goal 2, above.

6. ***Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and***

All of the land considered for the proposed urban growth boundary expansion is developed.

Conclusion: Agricultural lands will not be affected.

7. ***Compatibility of the proposed urban uses with nearby agricultural activities.***

The subject property is bordered on the east and south by land designated and zoned for agricultural use. The predominate agricultural use in the area is the growing of cattle grazing. This is a relatively low intensity agricultural use that does not require intensive land preparation, pesticide or herbicide application, or cultivation practices. The only known adverse impact from the subject property on the adjacent agricultural land has been related to the effluent discharge from a faulty sewage lagoon into Little Muddy Creek. Cattle that drank from that creek were sickened. The sewage lagoon has been replaced is not discharging untreated effluent into the creek. The replacement of the sewage lagoon with City sewerage will remove the potential of contamination to the creek from failure of that private system.

The subject property has been largely developed to its current intensity for over 20 years. The current proposal will freeze the intensity of existing development, in regard to transportation impacts, until the Van Duyn/Interstate 5 Interchange is upgraded. The uses on the subject property are oriented towards serving the highway-traveling public and will continue to be zoned for uses similar to those currently allowed.

Conclusion: The bordering agricultural uses will not have an adverse impact on the subject property associated with the proposed plan amendment and bringing the subject property into the urban growth boundary will not adversely affect adjacent or nearby agricultural activities.

d. *Input from affected governmental units and other agencies.*

Potentially affected governmental units, such as Lane County, and other agencies, are given input opportunities through notification procedures and hearing proceedings. City of Coburg and LCOG staff will send referrals and request input from appropriate governmental units and other pertinent agencies.

e. *Short-and long-term impacts of the proposed change.*

This proposal will have no short-term adverse impacts to the subject property, City of Coburg residents, or adjacent properties. This proposal will have positive long-term impacts to County residents by reducing a sewage lagoon nitrate contamination source from the groundwater. This proposal will also have a positive short- and long-term impact on policing on the Interstate 5 corridor, for the developed properties on the east side of the freeway and, in general, public safety for Coburg citizens.

f. *A demonstration of public need for the change.*

The identified public need concerns the protection of the regional groundwater supply, in general, and specifically as that groundwater supplies potable water to the residents of Coburg. This proposal will have positive long-term impacts to County residents by reducing the nitrate contamination from a private sewage lagoon.

A second area of public need concerns public safety. The need for the Coburg police to patrol the property subject to this proposed urban growth boundary expansion is documented through crime statistics for both the Interstate and the developed property on the east side of the freeway. In regards to the former, the Coburg Police Department made 64 drug-related arrests, 36 drinking under the influence and 33 warrant arrests while patrolling the freeway during 2002. Crime statistics also suggest that freeway patrols substantially reduce crimes against Coburg businesses located along Interstate 5. Because of State budget constraints,

Oregon State Police coverage of the freeway has been drastically cut back and is non-existent during the early morning hours.

Public safety concerns regarding the developed property on the east side of the freeway have also been extensively documented. Because the Lane County Sheriff's Department and the Oregon State Police do not have sufficient resources, the law enforcement agency most often called regarding problems in this area is the Coburg Police Department. As documented above, The Coburg Police Department was responded to 336 service calls to this area over the last four and one-half years. These service calls resulted in over 560 arrests.

g. *A demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.*

The alternatives to reducing the nitrate contamination of the aquifer from which Coburg's drinking water comes are twofold. One option is to employ sophisticated filtering equipment. The filtration of nitrates is extremely expensive and a system to purify nitrate contaminated water would be prohibitively expensive for a city the size of Coburg. The other option is to identify new well fields. Assuming alternative well fields can be found in the area, this option would be expensive as land and water rights would have to be acquired and wells drilled.

The alternative to including the freeway and the developed property on the east side of the freeway into the Coburg Urban Growth Boundary is that eventually Coburg will not be able to devote unreimbursed police resources to this area and personal and property crimes in and around Coburg will increase. Currently, a portion of cost of freeway coverage is recouped through fines collected in Municipal Court. Recently enacted legislation will remove this revenue from that court unless a portion of the freeway is annexed to the city. By the same token, without annexation, no reimbursement for policing of the developed property on the east side of the freeway will occur and may substantially lessen due to fiscal constraints.

h. *Additional information as required by the Planning Commission or City Council.*

No additional information was required by either the Coburg Planning Commission or the Coburg City Council.

i. *In lieu of f. and g. above, demonstration that the Plan was adopted in error.*
This criterion is not applicable.

4. Statewide Planning Goals

See the analysis under the examination of Article X.G.2 of the Coburg Zoning Ordinance

5. **OAR 660-012-0060(1)-(2) –Transportation Planning Rule**

Subsection (1) of this portion of the Transportation Planning Rule requires that amendments to acknowledged comprehensive plans and land use regulations that significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of that facility. Subsection (2) provides that a plan amendment significantly affects a transportation facility if it:

- (a) *Changes the functional classification of an existing or planned transportation facility;*
- (b) *Changes standards implementing a functional classification system;*
- (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or*
- (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.*

The Oregon Department of Transportation (ODOT) and the City of Coburg officials are both concerned that providing the developed property on the east side of the freeway with an urban level of sewer and water service will allow intensification or changes in use that will cause an increase of usage of the Van Duyn interchange. The capacity of the interchange is currently so overwhelmed at certain times of the day that Coburg police must facilitate traffic exiting the freeway.

In order to address subsection (1) of OAR 660-012-0060, the City has proposed comprehensive plan policies and a zoning overlay district that will require the applicant of any proposal change or intensify a use in the developed property on the east side of the freeway to demonstrate that no additional traffic will be generated. If any additional traffic is generated then the applicant must amend the Coburg Transportation System Plan.

With the proposed comprehensive plan policies and overlay zoning district, it can be concluded that this proposal is consistent with OAR 660-012-0060(1)-(2).

The proposal does not significantly affect the Interstate 5 or Van Duyn Road transportation facilities. Coburg's TSP did not identify this area as significantly impacting the interchange. No new development or traffic will be generated by this urban growth boundary expansion. In order to allow for existing uses on the property to continue, an overlay "holding zone" will be placed on the property.

An overlay zone for the subject property will allow for review of any new traffic generated by new development on this site and the impact on the transportation system. Rather than completing a detailed analysis at this time, the City is proposing to inventory the existing uses on the site and establish a "holding"

overlay zone. The overlay zone will allow for establishment of a baseline trip generation on the site and allow redevelopment of portions of the site if the trips generated do not exceed the established baseline. In the event the property owner requests to intensify development on the site, which would result in increased trip generation, a plan amendment would be required, which would then allow the review of a traffic analysis to determine the impact on the interchange. The Transportation Planning Rule, Goal 12 would apply to proposals that increase the trip generation from the baseline established by this application. The baseline information will be contained within a comprehensive plan policy, so that changes will require the applicant to address compliance with not only the city's comprehensive plan, but compliance with Oregon Planning Goals, including Goal 12. The proposed trip generation baseline is outlined in Exhibit C.

The City is proposing to develop an overlay zone and defer the transportation analysis until a specific development is proposed for the property or a comprehensive update study on the interchange be completed. Because the Interstate interchange is not under the jurisdiction of the City, project planning and coordination must be led by ODOT, and coordinated with Lane County and the City of Coburg.

6. ORS 197.298 Priority of land to be included within urban growth boundary

This statute requires that the following priorities be followed with a city is considering adding land to its urban growth boundary:

- a. Urban Reserve Land. There is no urban reserve land designated within the Coburg Urban Growth Boundary.
- b. Exception areas/Nonresource Land. The lands subject to this proposal lie within a developed and committed exception area.

C. CONCLUSIONS

Based on the findings stated above, the application meets all the criteria for an amendment to the Coburg Comprehensive Plan .

D. Based on the findings stated above, the Coburg Planning Commission finds that the applicant meets the requirements for a plan amendment to expand the urban growth boundary for the property described in A.1, above. The Coburg Planning Commission recommends approval to the Coburg City Council. This recommendation of approval shall be forwarded to the Coburg City Council for public hearing and final decision.

Katie Thiel, Chair
Coburg Planning Commission

Date

FINDINGS AND RECOMMENDATION
of the
COBURG PLANNING COMMISSION

PA-2-03 /City of Coburg

A. The Coburg Planning Commission finds the following:

1. The Coburg Planning Commission has reviewed all material relevant to the Plan Amendment that has been submitted by the applicant and staff regarding this matter for property shown in Exhibit 1, including the criteria, findings, and conclusions within the findings and recommendation and attached staff report.
2. On February 4, 2004, the Coburg Planning Commission held a public hearing and reviewed the plan amendment application for City of Coburg after giving the required notice as per O.R.S. 197.195(3) and Coburg Zoning Ordinance No. A-133, Article X.B.

B. The Coburg Planning Commission recommends approval to the Coburg City Council for a plan amendment for the above mentioned parcels based on the following findings of fact:

The following are findings of fact and state whether or not the proposed application satisfies the required criteria (in *italics*) found in the Coburg, Oregon Zoning Ordinance, Ordinance No. A-133, Article X, Section G, Comprehensive Plan Amendment Procedures and Criteria

Comprehensive Plan Amendment Procedures and Criteria

1. Procedures for Amending the Comprehensive Land Use Plan

A proposal to amend the Comprehensive Land Use Plan including text, policies, Urban Growth Boundary, or map designations may be initiated by the Planning Commission, City Council or by petition of owners. Such proposals shall be considered under Type II procedures as outlined in ARTICLE X.B.13 or by legislative action as provided for in ARTICLE XI.B.

Proposals for Comprehensive Plan Amendments may be considered only on a pre-scheduled semi-annual basis as determined by the Planning Commission and City Council. In determining that an emergency situation does exist, the Council must adopt findings that the public interest would be best served by initiating a Comprehensive Plan amendment request.

RESPONSE: the City deems the proposal an emergency situation. The provision for city water service is of immediate nature, due to the time limitation on the

funding sources to provide the water service to the subject property. The public interest would be best served by initiating this request to allow for the property owners and city to share in the cost of providing safe drinking water and adequate fire flows for fire protection to the buildings on the subject property.

2. **Plan Amendment Criteria**

In reaching a decision on a Comprehensive Plan Amendment proposal, the Planning Commission and City Council shall adopt findings in consideration of the following:

- a. ***Conformance with goals and policies of the Plan or demonstration of change in circumstance which would necessitate a change in the goal and/or policies.***

Finding: The proposal is consistent with several policies and objectives of the Coburg Comprehensive Plan. The proposal also demonstrates there should be a change in several policies of the comprehensive plan, due to a demonstrated change in circumstances, described below.

The proposal is in conformance with the following objectives and policies in the Coburg Comprehensive Plan:

Goal 6 Air, Water and Land Resource Quality

Coburg Objective: To insure the continued quality of air, water and land resources within the City and its area of influence.

Policy 7: The City shall maintain water quality through cooperation with all appropriate federal and state agencies, including, but not limited to DEQ.

Goal 12 Transportation:

Coburg Objective: To provide for the transportation needs of all Coburg residents compatible with county and state plans and promoting the greatest possible energy efficiency.

- 2.1 ***All development proposals plan amendments, or zone changes shall conform to the adopted Transportation System Plan.***
- 2.2 ***Protect the function of existing and planned transportation systems as identified in the Transportation System Plan through application of appropriate land use regulations. When making a land use decision, the City shall consider the impact on the existing and planned transportation facilities.***

Policy 13: Improve the Coburg-Interstate 5 Interchange safety and transportation operations.

13.1 *The City shall adopt and coordinate with ODOT and Lane County to implement the ODOT Coburg-Interstate 5 Interchange Refinement Plan, which includes but is not limited to:*

- *A preferred interchange alternative,*
- *An interchange access management plan,*
- *A recommended TDM program that shall be fully implemented before and interchange reconstruction, and*
- *An assumption that current City and County comprehensive land use designations at and near the interchange are constant for the next 20 years.*

Finding: Air, Water and Land Resource Quality This proposal to include existing developed and committed land in the urban growth boundary is consistent with the above stated policies. The City desires to provide clean, safe drinking water to the city and the area of influence. The proposal will provide city water to these areas.]

The City is working closely with the DEQ on water quality issues in the area. As discussed further below, the city will be included within a Groundwater Management Area, to be declared by the DEQ, due to the elevated nitrates found in the groundwater.

Finding: Transportation The proposal is also consistent with the above stated transportation policies in the TSP. The proposal will be in compliance with the TSP and coordinate with ODOT for the land use designations on the subject property. The proposal will also protect the function of transportation system with land use designations. The proposal, described further below, will utilize a plan amendment process that is essentially a "holding zone" to assure that additional trips created by new development will address the impact on the interchange. Recent improvements along Pearl Street by Lane County, which are different than the plan that was adopted in Coburg's TSP and planned safety projects by ODOT for the northbound off ramp, require that additional studies and coordination be completed within this area. Therefore, the proposal is consistent with portions of the TSP; there have been changes in circumstances in transportation project designs and priorities that necessitate changes to the plan.

CHANGE IN CIRCUMSTANCES THAT NECESSITATES A CHANGE IN POLICIES

Air, Water and Land Resource Quality: The City of Coburg will soon be included within the Southern Willamette Valley Groundwater Management Area by the Oregon Department of Environmental Quality because Coburg's

groundwater, as well as other areas in the southern Willamette Valley have been found to have elevated levels of nitrates.

Nitrates result from septic tanks and agricultural practices. Elevated nitrates have been found to cause negative health effects, such as “blue baby syndrome”, which results in the blood not being able to carry as much oxygen as needed, developing fetuses and children under the age of six months are at the most risk. Recently, there have been studies that show other health risks from elevated nitrates in drinking water for adults.

In order to meet the comprehensive plan objective to provide continued or better quality of water resources within the area of influence, the City desires to provide city water service to the subject property, which is within its area of influence.

In addition, Coburg’s Comprehensive Plan does not reflect the recent changes to the City’s plans for the construction of a wastewater treatment facility and domestic water system improvements. The city adopted a Wastewater Facility Master Plan, resolution 2003-2 and Water System Master Plan, resolution 99-13. Both of these facility master plans anticipate the city needing additional infrastructure to serve the community and future growth. The construction of a wastewater treatment facility will also allow the abandonment of existing on-site septic systems within the city. These issues are not addressed within the comprehensive plan.

Transportation

Recent improvements on Pearl Street completed in 2002 by Lane County and planned safety improvements by ODOT on the northbound off ramp are changes in circumstances that necessitate changes to the plan. The specific changes include the final design of Pearl Street is different than the design in the Coburg TSP, Appendix I. The lane configurations, driveway access points and median locations are different. In addition, ODOT’s planned safety improvements for the northbound off-ramp of Interstate 5 was not included in the TSP as a planned project.

The subject property located on the east side of the Interstate 5 interchange. This application will be closely coordinated with Oregon Department of Transportation (ODOT) to assure that traffic impacts from the subject property does not significantly impact the interchange, as required by Goal 12 Transportation Planning Rule. Van Duyn Road is under Lane County jurisdiction. The Interstate 5 interchange is under the jurisdiction of ODOT. Coburg’s Transportation System Plan (TSP) includes an Interstate 5 refinement plan, Appendix I, adopted in 1999. The refinement plan included the subject property in the study for future construction needs at this location. The TSP refinement plan also identified the interchange and needed projects

for the effective functioning of the interchange. This project will require intergovernmental coordination between ODOT, Lane County and City of Coburg because of the multi-jurisdictional roads within the project area.

An element of this application will be to develop a plan amendment review process that will address any new traffic generated by new development on this site and the impact on the transportation system. Rather than completing a detailed analysis at this time, the City is proposing to inventory the existing uses on the site and establish this criterion for review for any new development. The plan amendment review process will allow for establishment of a baseline trip generation on the site and allow redevelopment of portions of the site if the trips generated do not exceed the established baseline. In the event the property owners request to intensify development on the site, which would result in increased trip generation, a plan amendment would be required; this would then allow the review of a traffic analysis to determine the impact on the interchange. The Transportation Planning Rule, Goal 12 would apply to proposals that increase the trip generation from the baseline established by this application. The baseline information will be contained within a comprehensive plan policy, so that changes will require the applicant to address compliance with not only the city's comprehensive plan, but compliance with Oregon Planning Goals, including Goal 12.

The City is proposing to develop the plan amendment review process and defer the transportation analysis until a specific development is proposed for the property or a comprehensive update study on the interchange be completed. Because the Interstate interchange is not under the jurisdiction of the City, project coordination must occur between Lane County, Coburg and ODOT.

PROPOSED NEW PLAN POLICIES AND SUPPORTING FINDINGS

Due to changes in circumstances described above, this application also proposes to add the following policies and findings to the Coburg Comprehensive Plan text:

Air, Water and Land Resource Quality

- 1. The city shall provide sanitary sewer and abandon existing septic systems as a way to lessen the impact on groundwater contamination within the city and exception areas immediately east of the city, outside the urban growth boundaries.*
- 2. The city shall participate in the future Southern Willamette Valley Groundwater Management Area process with the Oregon Department of Environmental Quality to deal with ground water contamination issues in the area.*

3. *The City shall implement policies contained the Coburg's Drinking Water Protection Plan, adopted by Resolution 97-7.*


Findings:

1. *The City of Coburg will be included in the Southern Willamette Valley Groundwater Management Area, designated by the Oregon Department of Environmental Quality in 2003.*
2. *There is evidence of high levels of nitrates in the groundwater around the Coburg area, as reported in the Southern Willamette Valley Groundwater Assessment 2000-2001 Nitrate Study, Final Report February 2003, ODEQ.*
3. *Agriculture practices and on-site septic systems contribute to high nitrate levels in the Southern Willamette Valley and the Coburg area.*
4. *The USEPA sets a maximum contaminant level (MCL) for nitrates (as nitrogen) at 10 mg/L for the maximum concentration allowed in public water systems as regulated by the Safe Drinking Water Act.*
5. *Nitrate levels over 10 mg/L is considered a health hazard to infants below the age of six months. Nitrates can interfere with the ability of the blood to carry oxygen. The result is called hemoglobinemia or "blue baby syndrome".*
6. *The City's domestic water supply depends on good groundwater quantity and quality.*
7. *The City desires to participate in managing groundwater contamination.*
8. *Serving properties with sanitary sewers and abandoning on-site septic systems in and around the Coburg area will reduce nitrate contamination in the groundwater.*

Public Facilities and services

1. *The city shall seek to expand the urban growth boundaries and annex the existing exception areas immediately east of Interstate 5 and provide city water and sewer, when available, to reduce the groundwater contamination caused by septic systems.*

Water facilities

- 
1. *The city shall construct water system improvements, in conformance with the Water Master Plan, Resolution 99-13.*
 2. *The city shall expand the urban growth boundaries and city limits and provide city water service to existing exception areas immediately east of Interstate 5, currently located outside the city limits.*
 3. *The City shall implement the recommendations contained in Coburg's Drinking Water Protection Plan, Resolution 97-7.*

Sanitary facilities

- 1. The city shall construct a wastewater facility, in conformance with the Wastewater Facility Plan, 2003-2.*
- 2. The city shall plan to provide sanitary sewer service to properties within the city and within the city's urban growth boundary.*
- 3. The city shall plan to provide sanitary sewer service to all developments within the urban growth boundary.*
- 4. The city shall expand the urban growth boundary and city limits and provide sanitary sewer service, when available, to existing exception areas, immediately east of the Interstate and other appropriate areas to accommodate these uses.*
- 5. The city shall work with the county, state and property owners to properly abandon septic systems as they are connected to sanitary sewer service.*

Findings:

- 1. The City desires to provide clean drinking water for its residents, as well as for community members in the surrounding area.*
- 2. Construction of a wastewater facility and abandonment of existing on-site septic systems will reduce nitrate loading to the groundwater.*
- 3. Coburg's Drinking Water Protection Plan, 1997 identifies the exception areas immediately east of Interstate 5 as "Commercial/Industrial High and Moderate Risk" rating for potential contamination to the groundwater.*
- 4. Coburg's Drinking Water Protection Plan identifies residential densities higher than two units per acre as a "moderate to high risk because of the potential for elevated nitrate levels".*

TRANSPORTATION

The proposal is also to add the following transportation policies and findings:

Transportation

- 1. The exception area immediately east of Interstate 5, when included within the urban growth boundary and city limits, shall have a process for transportation review criteria placed on the property to assure that any new development or redevelopment on the property that increases trip generation from the site is required to go through a plan amendment application with the city and will be required to address the requirements of Section 0060 of the TPR regarding impacts to state, county, and city transportation facilities. The property owner or applicant may be required to complete a traffic impact analysis, road dedications, and road improvements for affected County Roads, consistent with the Lane County*

Transportation System Plan goals and policies and with County requirements for roads in Lane Code 15.

2. *The exception area immediately east of the Interstate 5 interchange shall have an established trip generation baseline upon annexation of the property. The trip generation baseline shall be for average daily trips (ADT), weekday AM peak and weekday PM peak trips, based on ITE Trip Generation Manual and inventory of uses is as shown in Exhibit 2 and is incorporated as policy by reference.*
3. *All new development proposals and/or redevelopment proposals in the exception area immediately east of Interstate 5 that exceed the baseline trip generation established upon annexation shall be required to apply for a city plan amendment application and meet Statewide Goal 12, Transportation Planning Rule, in particular Section 0060, and develop a transportation analysis to determine the impact on the interchange and on County Roads. The County may require a traffic impact analysis and road improvements consistent with the Lane County Transportation System Plan goals and policies and with County requirements for roads in Lane Code 15. The new site development or redevelopment shall be required to measure the following trip impacts for all three of the following:*
 - *Weekday PM peak hour trips between 4:00 pm and 6:00 pm*
 - *Weekday AM peak hour trips between 6:00 am and 9:00 am*
 - *Average Daily trips for the entire area in question.*
4. *In the event that Interchange Refinement Plan is completed and adopted in the Coburg TSP or Interchange Area Management Plan is developed and adopted, the exception areas immediately east of Interstate 5 shall be included in the plans and shall be governed by the results of that plan. Notwithstanding this provision, a traffic impact analysis, road dedications and road improvements may be required for new development affecting County roads in this area.*

Findings:

1. *The Coburg Interstate 5 interchange is identified in Coburg's Transportation System Plan, Coburg-Interstate 5 Interchange Refinement Plan as needing reconstruction.*
2. *The area immediately east of Interstate 5 was included in the refinement plan study.*
3. *Inclusion of the existing urban uses in exception areas immediately east of Interstate 5 into the Coburg urban growth boundary will not add any new traffic impacts to the Interstate 5/Van Duyn Road interchange.*
4. *Under Statewide Planning Goal 12, OAR 660-012-0060, the inclusion of the existing urbanized exception areas immediately east of Interstate 5 will have No Significant Impact on the transportation facilities of the state, county and city.*
5. *Proposals for new development within the exception area immediately to the east of Interstate 5 that would increase traffic in the area will be required to prepare a traffic analysis to determine if the proposal is*

consistent with Coburg's TSP and Statewide Planning Goal 12, Transportation.

REMOVE POLICIES FROM PLAN DUE TO DEMONSTRATED CHANGE IN CIRCUMSTANCES

This application also proposes to **delete the following policies** because they are no longer applicable to the City **due to demonstrated changes in circumstances**. The adoption of the Wastewater Facility Plan, which provides a plan to eliminate septic systems for the community and the construction of a wastewater facility plan. The Water System Master Plan, which determined that the existing water system needed upgrading. The elimination of these policies also pertain to the studies conducted by the Department of Environmental Quality in the last 10 years that reveal that there are elevated levels of nitrates in the groundwater and drinking water of Coburg. The city's septic systems, as well other agricultural practices have contributed to contamination of the groundwater in the Southern Willamette Valley.

Water Facilities

Policy 3: The city has developed and maintains a water supply and distribution system which assures safe, potable supply of water which is adequate for future domestic, commercial, industrial, fire protection and emergency requirements.

Sanitary Facilities

Policy 5: Community residential and commercial sewage disposal needs will continue to be met on an individual basis utilizing subsurface disposal systems (septic tanks).

Policy 6: Community industrial sewage disposal needs will be met either through the use of subsurface disposal systems or where soil conditions do not permit septic tanks, through the use of other means as defined in the Coburg Sewerage Facilities Plan Addendum.

Policy 7: The city will encourage proper maintenance of subsurface sewage disposal systems by developing a citywide public information program and septic maintenance program.

b. Citizen review and comment.

The proposal will receive adequate citizen review and comment. The proposal will have two public hearings at the City of Coburg, one before the Planning Commission and one before the City Council. The proposal will also have a public hearing before the Lane County Planning Commission and one public hearing before the Lane County Board of Commissioners. In addition,

property owners within 250 and 500 feet of the proposal will receive mailed notice and notice of the public hearings will be published in the local newspaper.

c. ***Applicable Statewide Planning Goals.***

Goal 1: Citizen Involvement: Numerous public hearings, public work sessions and public meetings have been held on the sewer project. The proposed Plan amendment have been reviewed public hearings before the Planning Commission and the City Council

Goal 2: Land Use Planning: This goal requires that land use actions be consistent with comprehensive plans and that comprehensive plan changes be coordinated with affected governments. The requested urban growth boundary expansion is supported by proposed plan policy amendments that underwrite the city's commitment to addressing its groundwater contamination situation and the

As discussed elsewhere in this application, Coburg must develop a wastewater treatment system to address the contamination of the groundwater from subsurface disposal systems. The lagoon system that supports the commercial development at the southeast corner of the Van Duyn interchange also represents a substantial contributor of nitrates to the aquifer. Nitrates from this facility flow to the northwest toward the City.

Pursuant to ORS 197.298 the City of Coburg has reviewed all available options for expansion of the UGB. There are no designated urban reserve lands in the vicinity of Coburg. The property subject to this proposed plan amendment is an area acknowledged as a developed exception area that is adjacent to the existing urban growth boundary. There are no lands adjacent to the current UGB that are designated as marginal lands.

Goal 3: Agriculture Lands: None of the land associated with this proposed plan amendment is designated as agricultural lands.

Goal 4: Forest Lands. No forest lands are associated with this proposed plan amendment.

Goal 5: Opens Space, Scenic and Historic Areas and Natural Resources. The property subject to this plan amendment is already developed for non-resource uses.

Goal 6: Air, Water, and Land Resource Quality: This proposal will eventually result in a reduction the number of septic systems polluting the regional groundwater and will therefore have a positive effect in compliance with Goal 6.

The Southern Willamette Valley is considered by DEQ to be a priority area for groundwater assessment and protection for several reasons including the severity and extent of nonpoint source groundwater contamination that has been documented through several studies, the vulnerability of shallow groundwater to land use impacts, the expectation of rapid population growth and the heavy reliance by residents on groundwater as a primary drinking source.¹ The Coburg Drinking Water Protection Plan² indicates that a proposed City well field located west of Industrial Way was a high risk within five to ten years of contamination from the sewage lagoon that services the Country Squire motel and the adjacent RV park. It is also possible that the lagoon poses a risk to City Well #2, which draws from the shallow aquifer.

Goal 7: Areas Subject to Natural Disasters and Hazards; Goal 8: Recreational Needs; Goal 9: Economic Development and Goal 10: Housing, do not directly apply. The eventual provision of urban services to the property subject to this plan amendment will eventually improve economic redevelopment potential of the property, and in that way comply with Goal 9. The other goals are not applicable.

Goal 11: Public Facilities and Services: The existing public facility plans do not address the provision of service across the freeway to the east. However, plan policies and findings that accompany this urban growth boundary expansion do address the facility and service needs that have created the need for the proposed expansion of the urban growth boundary.

Goal 12: Transportation. This proposal will have no adverse effect on the transportation system. Proposed changes in use, scope or intensity of the uses on the property subject to the plan amendment will have to be consistent with Transportation Planning Rule and the adopted Coburg Transportation System Plan.

Conformance with OAR 660-0120-060

(1) Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and performance standards (e.g. level of service, volume to capacity ratio, etc) of the facility. This shall be accomplished by either:

(a) Limiting allowed land uses to be consistent with the planned function, capacity and performance standards of the transportation facility;

¹ Ibid, page 1.

² Ibid, page 52.

- (b) *amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;*
 - (c) *Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or*
 - (d) *Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multi-modal travel choices are provided.*
- (2) *A plan or land use regulation amendment significantly affects a Transportation facility if it:*
- (a) *Changes the functional classification of an existing or planned transportation facility;*
 - (b) *Changes standards implementing a functional classification system;*
 - (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or*
 - (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.*

Finding: The proposal does not significantly affect the Interstate 5 or Van Duyn Road transportation facilities. Coburg's TSP did not identify this area as significantly impacting the interchange. No new development or traffic will be generated by this urban growth boundary expansion. In order to allow for existing uses on the property to continue, a plan amendment process and review criteria for any new development will be placed on the property.

This plan amendment process for the subject property will allow for review of any new traffic generated by new development on this site and the impact on the transportation system. Rather than completing a detailed analysis at this time, the City is proposing to inventory the existing uses on the site and establish a plan amendment process. The plan amendment process will allow for establishment of a baseline trip generation on the site and allow redevelopment of portions of the site if the trips generated do not exceed the established baseline. In the event the property owner requests to intensify development on the site, which would result in increased trip generation, a plan amendment would be required; this would then allow the review of a traffic analysis to determine the impact on the interchange.

The Transportation Planning Rule, Goal 12 would apply to proposals that increase the trip generation from the baseline established by this application. The baseline information will be contained within a comprehensive plan

policy, so that changes will require the applicant to address compliance with not only the city's comprehensive plan, but compliance with Oregon Planning Goals, including Goal 12. The proposed trip generation baseline is outlined in Exhibit 2.

The City is proposing to develop a plan amendment review process for any new development on the property and defer the transportation analysis until a specific development is proposed for the property or a comprehensive update study on the interchange be completed. Because the Interstate interchange is not under the jurisdiction of the City, project planning and coordination must be led by ODOT, and coordinated with Lane County and the City of Coburg.

Goal 13: Energy Conservation. This goal is not applicable to this proposal.

Goal 14: Urbanization. Goal 14 requires that the establishment and change of urban growth boundaries shall be based upon consideration of two "need factors" and five "locational factors." However, in some situations a local government does not have to show a need for additional land to expand its urban growth boundary. *City of Salem v. Families for Responsible Government, Inc.*, 64 Or App 238 (1983) Thus, where adjacent land has been committed to urban use it may be included within an urban growth boundary if necessary to avoid illogical development or service patterns. In this regard, the following analysis of the "locational factors" of Goal 14 demonstrates that the property subject to this amendment is committed to urban use.

1. ***Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals.***
2. ***Need for housing, employment opportunities and livability;***

The first two factors do not apply to this application. The proposed expansion areas are already developed and will not accommodate long-range urban population growth. The area is already developed in commercial uses, so will not add any new housing or employment opportunities to the area.

3. ***Orderly and economic provision for public facilities and services;***

The proposed expansion of the urban growth boundary is the precursor to annexation and the provision of an urban level of domestic water service and urban level of sewerage service to property currently served by a wastewater lagoon. The property subject to the proposed urban growth boundary expansion is located immediately adjacent to the existing urban growth boundary and services can be logically and efficiently extended to serve this area. For instance, the inclusion of the freeway right-of-way will allow the City to create a loop system for its water distribution lines on the east side of the freeway. This loop system will allow for the

continuation of water service despite a line rupture and also provide for better fire flow protection for the subject property.

Conclusion: The property subject to the plan amendment also represents a location that can be as efficiently supplied with necessary urban services as any other alternative considered.

4. *Maximum efficiency of land uses within and on the fringe of the existing urban area;*

As mentioned above, the proposed urban growth boundary is necessarily site-specific. The problems addressed by the expansion are associated with the properties included in the expansion. Because these properties are immediately adjacent to the existing urban growth boundary and because they are already intensely developed, this will not be a situation where vacant or underdeveloped properties will be leapfrogged by the proposal. The proposed plan policies state that these areas are to be served by City water and sewer services when available after the urban growth boundary and annexation occur.

The City of Coburg recognizes that the Van Duyn interchange currently experiences traffic problems. This proposed plan amendment includes policies that address this issue by requiring “no significant impact” analysis be performed for any change or intensification of use of the properties after they are brought within the urban growth boundary. If a significant impact is present then the change may only occur through an amendment to the City’s Transportation System Plan.

Conclusion: The plan amendment will promote maximum efficiency of land uses by providing sewage treatment and domestic water to adjacent, developed land.

5. *Environmental, energy, economic and social consequences;*

Environmental: There will be positive environmental consequences by allowing this expansion of the urban growth boundary. The City’s wastewater treatment facility will treat effluent that would otherwise be placed into the groundwater through the sewage lagoon on the east side of the freeway. This will eliminate the addition of nitrates to the groundwater from several uses on the east side of the freeway, thereby providing positive environmental consequences

Energy: There will be no significant energy consequences with this proposal.

Economic: There will be economic consequences with the proposed expansion of the urban growth boundary. One economic benefit will be providing urban services to the developed properties on the east side of the freeway which will result in greater economies of scale for the Coburg sewer and water delivery systems.

Social: The social consequences related to the proposed expansion of the urban growth boundary will be including the subject property owners into the City limits. These business owners, property owners and residents will benefit from becoming members of Coburg, which will allow for involvement in City decisions for the future. They will also be provided with City services, which include safe drinking water, adequate sewage disposal, safe and an efficient transportation system.

Conclusion: The proposed Plan amendment will not have any significant adverse environmental, energy, economic or social impacts on the City, the property subject to the proposed urban growth boundary expansion or activities adjacent to the latter.

6. *Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and*

All of the land considered for the proposed urban growth boundary expansion is developed and is not designated as agriculture lands.

Conclusion: Agricultural lands will not be affected.

7. *Compatibility of the proposed urban uses with nearby agricultural activities.*

Adjacent uses include agricultural lands on the south and east and across the Van Duyn to the north. Interstate 5 and the highway commercial section of the City of Coburg are adjacent to the west. The only documented adverse impact from the urbanized area on the adjacent agricultural activities concerned contamination of Little Muddy Creek by the RV Park's lagoon system that sickened cattle that drank from that creek. The lagoon system has been upgraded, is operating under a current NPDES permit, and has not further contaminated local surface waters.

To date, there have been no documented adverse impacts on the urbanized area proposed for the urban growth boundary expansion and the adjacent agricultural uses. The latter are of a low intensity, comprised primarily of cattle grazing, and produce no dust, noise or odor impacts that would be incompatible with commercial activities.

Conclusion: The proposed urban growth boundary expansion will not increase the intensity of commercial activities located on the subject property and these uses currently do not adversely impact the adjacent agricultural activities. The adjacent agricultural activities are not intense and do not adversely affect the commercial uses on the subject property.

d. *Input from affected governmental units and other agencies.*

Potentially affected governmental units, such as Lane County, and other agencies, are given input opportunities through notification procedures and hearing proceedings. City of Coburg and LCOG staff will send referrals and request input from appropriate governmental units and other pertinent agencies.

e. *Short-and long-term impacts of the proposed change.*

This proposal will have no short-term adverse impacts to the subject property, City of Coburg residents, or adjacent properties. This proposal will have positive long-term impacts to County residents by reducing a sewage lagoon nitrate contamination source from the groundwater.

f. *A demonstration of public need for the change.*

The identified public need concerns the protection of the regional groundwater supply, in general, and specifically as that groundwater supplies potable water to the residents of Coburg. This proposal will have positive long-term impacts to County residents by reducing the nitrate contamination from a private sewage lagoon. Provision of City water to these areas will also provide for long term safety for fire protection, as well as domestic water supply.

g. *A demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.*

The proposal will best meet identified public needs for providing city water, which will provide safe drinking water, adequate fire flow protection for current structures, eventual provision for sanitary sewer service, which will provide protection of further degradation of the groundwater quality from nitrate loading.

h. *Additional information as required by the Planning Commission or City Council.*

No additional information was required by either the Coburg Planning Commission or the Coburg City Council.

i. *In lieu of f. and g. above, demonstration that the Plan was adopted in error.*

This criterion is not applicable.

4. Statewide Planning Goals

See the analysis under the examination of Article X.G.2 of the Coburg Zoning Ordinance

5. OAR 660-012-0060(1)-(2) -Transportation Planning Rule

Subsection (1) of this portion of the Transportation Planning Rule requires that amendments to acknowledged comprehensive plans and land use regulations that significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of that facility. Subsection (2) provides that a plan amendment significantly affects a transportation facility if it:

- (a) *Changes the functional classification of an existing or planned transportation facility;*
- (b) *Changes standards implementing a functional classification system;*
- (c) *Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or*
- (d) *Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.*

The Oregon Department of Transportation (ODOT) and the City of Coburg officials are both concerned that providing the developed property on the east side of the freeway with an urban level of sewer and water service will allow intensification or changes in use that will cause an increase of usage of the Van Duyn interchange. The capacity of the interchange is currently so overwhelmed at certain times of the day that Coburg police must facilitate traffic exiting the freeway.

In order to address subsection (1) of OAR 660-012-0060, the City has proposed comprehensive plan policies and review criteria that will require the applicant of any proposal change or intensify a use in the developed property on the east side of the freeway to demonstrate that no additional traffic will be generated. If any additional traffic is generated then the applicant must amend the Coburg Transportation System Plan.

With the proposed comprehensive plan policies, review criteria requiring a plan amendment and establishment of baseline trip generation, it can be concluded that this proposal is consistent with OAR 660-012-0060(1)-(2).

The proposal does not significantly affect the Interstate 5 or Van Duyn Road transportation facilities. Coburg's TSP did not identify this area as significantly

impacting the interchange. No new development or traffic will be generated by this urban growth boundary expansion. In order to allow for existing uses on the property to continue, a baseline trip generation and plan amendment process will be placed on the property.

An establishment of baseline trip generations, review criteria that require an amendment to the plan and addressing the Transportation Planning Rule for the subject property will allow for review of any new traffic generated by new development on this site and the impact on the transportation system. Rather than completing a detailed analysis at this time, the City is proposing to inventory the existing uses on the site and establish a process for review that functions as a "holding" overlay zone. The review criteria will allow for establishment of a baseline trip generation on the site and allow redevelopment of portions of the site if the trips generated do not exceed the established baseline.

In the event the property owner requests to intensify development on the site, which would result in increased trip generation, a plan amendment would be required, which would then allow the review of a traffic analysis to determine the impact on the interchange. The Transportation Planning Rule, Goal 12 would apply to proposals that increase the trip generation from the baseline established by this application. The baseline information will be contained within a comprehensive plan policy, so that changes will require the applicant to address compliance with not only the city's comprehensive plan, but compliance with Oregon Planning Goals, including Goal 12. The proposed trip generation baseline is outlined in Exhibit 2.

The City is proposing to the review criteria and baseline traffic generation and defer the transportation analysis until a specific development is proposed for the property or a comprehensive update study on the interchange be completed. Because the Interstate interchange is not under the jurisdiction of the City, project planning and coordination must be led by ODOT, and coordinated with Lane County and the City of Coburg.

6. ORS 197.298 Priority of land to be included within urban growth boundary

This statute requires that the following priorities be followed with a city is considering adding land to its urban growth boundary:

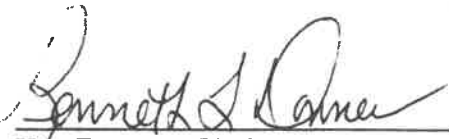
- a. Urban Reserve Land. There is no urban reserve land designated within the Coburg Urban Growth Boundary.
- b. Exception areas/Nonresource Land. The lands subject to this proposal lie within a developed and committed exception area.

C. CONCLUSIONS

Based on the findings stated above, the application meets all the criteria for an amendment to the Coburg Comprehensive Plan.

D. FINAL RECOMMENDATION TO COBURG CITY COUNCIL

Based on the findings stated above, the Coburg Planning Commission finds that the applicant meets the requirements for a plan amendment to expand the urban growth boundary for the property described in A.1, above. The Coburg Planning Commission recommends approval to the Coburg City Council. This recommendation of approval shall be forwarded to the Coburg City Council for public hearing and final decision.



Ken Donner, Chair
Coburg Planning Commission

02.10.04
Date

2/9/04

PROPOSED UGB EXPANSION AREA II

EXHIBIT 1

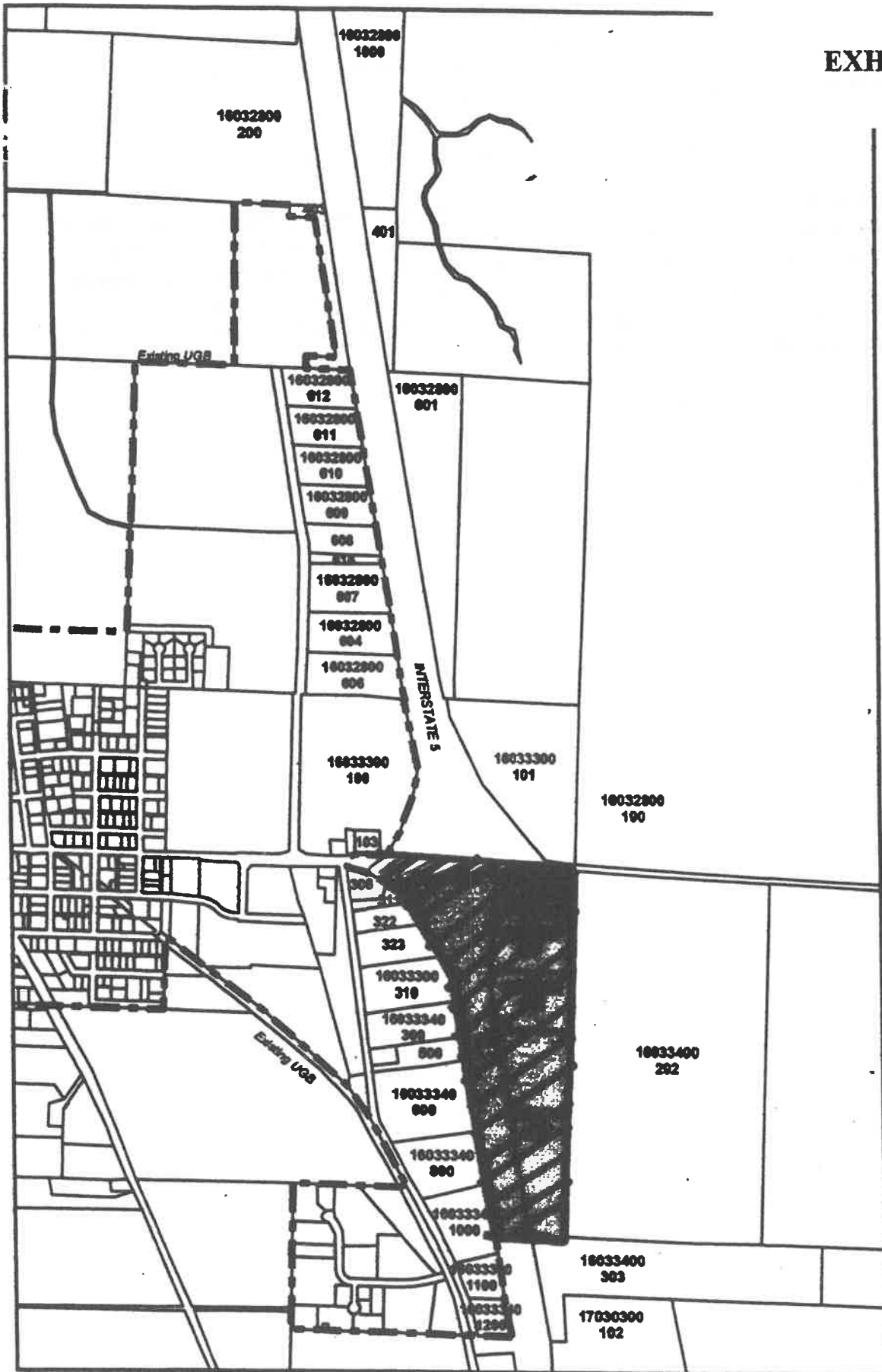


EXHIBIT 2

All trips are the estimated number occurring within the weekday, peak P.M. hour.

Tax lot 100/200:

i. 156 RV spaces 83 trips

Tax lot 201:

i. Gasoline service station/convenience store
13 pumps, no car wash 177 trips

Tax lot 202:

i. CB/radio repair store, retail, 1380 sq. ft gross leasable area 7 trips

Tax lot 203

i. Hotel/motel, 106 rooms, conference facility, restaurant/bar 65 trips
ii. High turnover, sit-down restaurant,
5535 sq ft. (est.) gross floor area 108 trips
iii. (Proposed) RV Sales, 1000 sq ft floor area/max 10 employees 6 trips

Taxlot 210

i. Restaurant/bar, 3344 sq ft. gross floor area 52 trips

Trip generation by Land Use for Taxlots in the Proposed UGB Expansion Area of Coburg

SUMMARY

Method:

- Taxlots within the region under consideration were examined using RLID, aerial photographs (circa 1994/95), and the Lane parcel data. (Section I)
- For all developed taxlots, existing land uses were determined through personal inspection by the City of Coburg planner, and building details were obtained from the Lane County Assessment and Taxation department. (Section I)
- The ITE manual, "Trip Generation" (6th edition), was consulted to determine the average number of trips generated by standardized land use categories that were the best match for the observed land uses. (Section II; Table 1). Only those formulae that used readily available data (gross area, number of pumps, number of rooms) were selected; other formulae requiring quantities that would need further and more detailed research such as number of *occupied* rooms, or number of employees, were not used.
- In some cases, an average was taken of trip estimates for two categories of land use when it seemed that neither category was a good match for the actual situation.
- Since the trip information was most complete only for weekday peak hours (Table 1), and since a peak traffic load seems most relevant to the capacity of the intersection, only weekday traffic estimates are provided below.

Results:

Estimated Average Trips

Property-taxlots	Use by ITE category	Weekday, peak hour of adjacent street traffic, one hour between 7 and 9 am	Weekday, peak hour of adjacent street traffic, one hour between 4 and 6 pm	Weekday, A.M. peak hour of generator	Weekday, P.M. peak hour of generator
100, 200	RV park ¹	53	74.5	59	83
201	Gasoline/Service Station	131	174	138	177
202	Specialty Retail Center ²	2	5.5	8	7
203	Hotel ³	60	65	56	65
	High turnover restaurant ⁴	52	61	81	108
	RV Sales ⁵	2	3	4	6
210	Drinking Place	0	39	0	52
TOTAL		300	422	346	498

¹ An average of land uses characterized by "Trip Generation" categories "RV Park" and "Mobile Home Park," based on the type of use that this business appears to encompass.

² An average of land uses characterized by "Specialty Retail Center" and "Hardware/Paint Store." No category in "Trip Generation" adequately matched the characteristics of a small repair store.

³ "Hotel" was chosen over "Motel" as typical of the expected traffic due to the presence in "Hotel" of a convention center, restaurant/bar.

⁴ Trips related to a "High turnover (sit-down) restaurant" were included based on the observation that there were two restaurants associated with the business on taxlot 203.

⁵ An average of the estimated trips calculated by number of employees and by gross floor area.

Table 1. Summary of Average Trips for Specified Land Uses

Property - taxlots	Use	Weekday, peak hour of adjacent street traffic, one hour between 7 and 9 am	Weekday, peak hour of adjacent street traffic, one hour between 4 and 6 pm	Weekday, A.M. peak hour of generator	Weekday, P.M. peak hour of generator	Saturday, peak hour of generator	Sunday, peak hour of generator	Week day	Saturday	Sunday
100, 200	RV Park Mobile Home Park	43 63	61 88	50 68	75 91	85	78	751	776	678
201	Gasoline/Service Station	131	174	138	177			2117		
202	Specialty/Retail Center Hardware/Paint Store	2	4 7	9 7	7 7	16	14	57 71	59 114	29 95
203	Motel Hotel High turnover restaurant RV Sales Office (by sq ft) RV Sales Office (by employees)	48 60 52 2	50 65 61 3	47 56 81 2	60 65 108 3	111 3	103	597 873 722 38	869 877 21 106	631 730 10 53
210	Drinking Place		39		52					

Numbers in italics indicate highest hourly rate

This table summarizes the data listed in Section II for the parcels described in Section I.

I. Property Description (see attached map)

(Note on map: aerial photograph is dated 1994/1995)

Map/taxlot 16-03-33-40-00100 and Map/taxlot 16-03-33-40-00200 – RV Park and extension

- Current uses shown are RV Park (taxlot 100) and vacant commercial land (taxlot 200).⁶
- Reported future use as RV Park with 156 RV spaces⁷.

Map/taxlot 16-03-333-00-00201 – GAS STATION/convenience store

This taxlot contains a building complex consisting of⁸:

- Under canopy: 2 above ground gas tanks: 10 gas pumps
- Side of property: 1 diesel tank: 1 gas pump
1 propane tank: 1 pump
1 gasoline tank: 2 pumps
- 4 modular buildings: 2 buildings which together compose a convenience store
1 restroom
1 storage building

Total number of gas pumps is 13.

Map/taxlot 16-03-333-00-00202 – CB/radio repair store

This taxlot contains a building consisting of⁹

- Retail store, with total floor area of 1380 sq. ft

Map/taxlot 16-03-33-40-00203 – MOTEL/Restaurants/Bar/Conference facility

This taxlot contains a building consisting of¹⁰

- 2 story motel with a total of 106 rooms for accommodation (53 per floor) and a total floor area of 47,844 sq. ft. (first floor: 23,404 sq. ft; second floor: 24440 sq. ft.)
- a conference facility located on the second floor, occupying 8,977 sq. ft.
- a coffee shop, restaurant and bar on the first floor, occupying 11,070 sq. ft. Assume that half of this area is open at any one time, and qualifies as a "high-volume (sit down) restaurant," separate from the "hotel" facility.
- PROPOSED RV Sales, occupying 1000 sq ft of first floor (this is to occupy part of the area currently used as restaurant/bar, and employing a maximum of 10 employees.¹¹

Map/taxlot 16-03-333-00-00210 – BAR/restaurant

This taxlot contains a building consisting of¹²:

- Restaurant and bar with a total floor area of 3344 sq. ft.

⁶ RLID and report by City of Coburg planner, Anita Yap

⁷ Pers. Comm., Anita Yap, 7/23/03

⁸ Land use survey by Anita Yap, City of Coburg planner, 7/22/03

⁹ Lane County Tax/Assessor office, building inspector report, reviewed 7/22/03

¹⁰ Lane County Tax/Assessor office, building inspector report, reviewed 7/22/03

¹¹ Land Use Application PA03-6309, 1/29/04

¹² Lane County Tax/Assessor office, building inspector report, reviewed 7/22/03

II. Trip generation statistics for selected land uses¹³

Recreational RV Park

Land use 416: Campground/Recreational Vehicle Park

Description: "Campgrounds and recreational vehicle parks are recreational sites that accommodate campers, trailers, tents, and recreational vehicles on a transient basis. They are found in a variety of locations and provide a variety of facilities, often including rest rooms with showers, recreational facilities such as a swimming pool, a convenience store and a laundromat."

(Ref: ITE, 1997; pg. 630)

Average vehicle trip ends per occupied camp site
(2 studies; data sets covers 21 to 23 camp sites)

Definition	Average	Range	Std. Dev.	156 sites
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	0.27	0.19 - 0.35	--	43
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	0.39	0.33 - 0.43	--	61
Weekday, A.M. peak hour of generator	0.32	0.29 - 0.35	--	50
Weekday, P.M. peak hour of generator	0.48	0.38 - 0.57	--	75

Land use 240: Mobile Home Park

Description: "Mobile home parks generally consist of trailers that are sited and installed on permanent foundations and typically have community facilities such as recreation rooms, swimming pools, and laundry facilities."

(Ref: ITE, 1997; pg. 408)

Average vehicle trip ends per occupied dwelling unit
(19 - 37 studies; data sets covers 25 to 800 occupied units)

Definition	Average	Range	Std. Dev.	156 units
Weekday	4.81	2.29 - 10.42	2.60	751
Saturday	4.97	2.12 - 10.93	2.73	776
Sunday	4.34	1.86 - 8.98	2.47	678
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	0.40	0.16 - 1.00	0.66	63
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	0.56	0.33 - 1.04	0.76	88
Weekday, A.M. peak hour of generator	0.43	0.29 - 1.00	0.67	68
Weekday, P.M. peak hour of generator	0.58	0.35 - 1.07	0.77	91
Saturday, peak hour of generator	0.54	0.38 - 1.13	0.74	85
Sunday, peak hour of generator	0.50	0.29 - 1.47	0.72	78

¹³ (Reference : Institute of Transportation Engineers, 1997. Trip Generation. 6th Edition. Volumes. 1-3. Washington, D.C.)

Gasoline Service Station

Land use 845: Gasoline/Service with Convenience Market

Description: "...This land use includes service stations with convenience markets where the primary business is the fueling of motor vehicles, although they may have facilities for servicing and repairing motor vehicle. Some commonly sold convenience items are newspapers, coffee or other beverages, and snack items that are usually consumed in the car. This land use does not include stations with car washes."

(Ref: ITE, 1997; pg. 1464)

Average vehicle trip ends per vehicle fueling position
(11 - 37 studies with number of fueling positions from 4 to 20)

Definition	Average	Range	Std. Dev.	13 pumps
Weekday	162.78	90.67 - 299.50	68.16	2117
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	10.06	3.50 - 33.40	6.01	131
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	13.38	4.25 - 57.80	7.98	174
Weekday, A.M. peak hour of generator.	10.56	3.50 - 33.40	6.15	138
Weekday, P.M. peak hour of generator	13.57	4.25 - 57.80	7.94	177

CB/Radio Repair Shop

Land Use 814: Specialty Retail Center

Description: "Specialty retail centers are generally small strip shopping centers that contain a variety of retail shops and specialize in quality apparel; hard goods; and services such as real estate offices, dance studios, florists and small restaurants."

(Ref: ITE, 1997; pg. 1223)

Average vehicle trip ends per 1000 sq ft of gross leasable area
(2 - 3 studies; data set consists of stores with 15,000 to 45,000 sq ft)

Definition	Average	Range	Std. Dev.	1380 sq ft.
Weekday	40.67	21.30 - 50.94	13.70	57
Saturday	42.04	22.57 - 54.47	13.97	59
Sunday	20.43	6.96 - 32.82	10.27	29
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	2.59	2.03 - 5.16	1.74	4
Weekday, A.M. peak hour of generator.	6.41	5.40 - 8.85	--	9
Weekday, P.M. peak hour of generator	4.93	4.59 - 5.75	--	7

Land use 816, Hardware/Paint Store

Description: "Hardware and paint stores are generally free-standing buildings with off-street parking."
(Ref: ITE, 1997; pg. 1252)

Average vehicle trip ends per 1000 sq ft of gross floor area
(3 – 4 studies; data set consists of stores with 10,000 to 60,000 sq ft)

Definition	Average	Range	Std. Dev.	1380 sq. ft.
Weekday	51.29	43.58 – 74.09	14.43	71
Saturday	82.52	75.30 – 109.09	15.27	114
Sunday	68.65	64.00 – 87.45	11.63	95
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	1.08	0.42 – 3.50	1.53	2
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	4.42	1.52 – 7.36	2.70	7
Weekday, A.M. peak hour of generator.	4.91	4.45 – 7.17	2.37	7
Weekday, P.M. peak hour of generator	4.74	3.98 – 8.27	2.55	7
Saturday, peak hour of generator	11.18	10.33 – 14.45	3.61	16
Sunday, peak hour of generator	9.81	8.77 – 13.27	3.54	14

Motel/Restaurant/Bar/Conference Facility

Land use 320: Motel

Description: "Motels are places of lodging that provide sleeping accommodations and often a restaurant. Motels generally offer free-on site parking and provide little or no meeting space." (Ref: ITE, 1997; pg. 552)

Average trip ends per room
(10 – 27 studies; data set consists of motels with 20 – 550 rooms)

Definition	Average	Range	Std. Dev.	106 rooms
Weekday	5.63	3.47 – 10.04	3.31	597
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	0.45	0.15 – 0.97	0.70	48
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	0.47	0.20 – 1.69	0.72	50
Weekday, A.M. peak hour of generator.	0.44	0.18 – 1.33	0.69	47
Weekday, P.M. peak hour of generator	0.56	0.24 – 1.83	0.81	60

Land use 310: Hotel

Description: "Hotels are places of lodging that provide sleeping accommodations, restaurants, cocktail lounges, meeting and banquet rooms or convention facilities, and other retail and service shops. Some of the sites included in this land category are actually large motels providing the facilities of hotel noted above."

(Ref: ITE, 1997; pg. 502)

Average vehicle trip ends per room
(8 – 34 studies; data set consists of motels with 100-1900 rooms)

Definition	Average	Range	Std. Dev.	106 rooms
Weekday	8.23	3.47 – 9.58	3.38	873
Saturday	8.19	6.35 – 9.79	3.13	869
Sunday	5.95	4.01 – 8.48	2.89	631
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	0.56	0.20 – 1.03	0.78	60
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	0.61	0.21 – 1.03	0.81	65
Weekday, A.M. peak hour of generator.	0.52	0.16 – 1.42	0.75	56
Weekday, P.M. peak hour of generator	0.61	0.20 – 1.23	0.81	65

Land Use 832: High-Turnover (Sit-down) restaurant

Description: "This land use consists of sit-down eating establishments with turnover rates of approximately one hour or less. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours a day. Some facilities contained within this land use may also contain a bar area for serving food and alcoholic drinks."

(Ref: ITE, 1997; pg. 1375)

Average vehicle trip ends per 1000 sq. ft gross floor area
(3 – 34 studies; data set consists of sites with 3000 – 11500 sq ft gross floor area)

Definition	Average	Range	Std. Dev.	5535 sq. ft. ¹⁴
Weekday	130.34	73.51 – 246.00	43.77	722
Saturday	158.37	144.60 – 172.71	(small sample size)	877
Sunday	131.84	119.38 – 143.80	(small sample size)	730
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	9.27	0.53 – 25.60	7.46	52
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	10.86	2.80 – 62.00	9.83	61
Weekday, A.M. peak hour of generator.	14.62	3.00 – 54.09	10.49	81
Weekday, P.M. peak hour of generator	19.38	5.60 – 69.20	14.39	108
Saturday, peak hour of generator	20.00	10.80 – 50.40	16.54	111
Sunday, peak hour of generator	18.46	9.79 – 43.20	13.74	103

¹⁴ Half of the area indicated as café/restaurant/bar in the motel (see section I) (11,070 / 2 = 5535 sq. ft.)

Restaurant and Bar

Land Use 836: Drinking Place

Description: "A drinking place contains a bar where alcoholic beverages and snacks are served and possibly some type of entertainment such as music, television screens, video games, or pool tables."
(Ref: ITE, 1997; pg. 1423)

Average vehicle trip ends per 1000 sq. ft gross floor area
(8 - 11 studies; data set consists of sites with 1000 - 6500 sq ft gross floor area)

Definition	Average	Range	Std. Dev.	3344 sq. ft.
Weekday, peak hour of adj. street traffic, one hour between 4 - 6pm	11.54	3.73 - 29.98	8.30	39
Weekday, P.M. peak hour of generator	15.49	3.73 - 29.98	8.63	52

RV Sales

Land use 841: New Car Sales

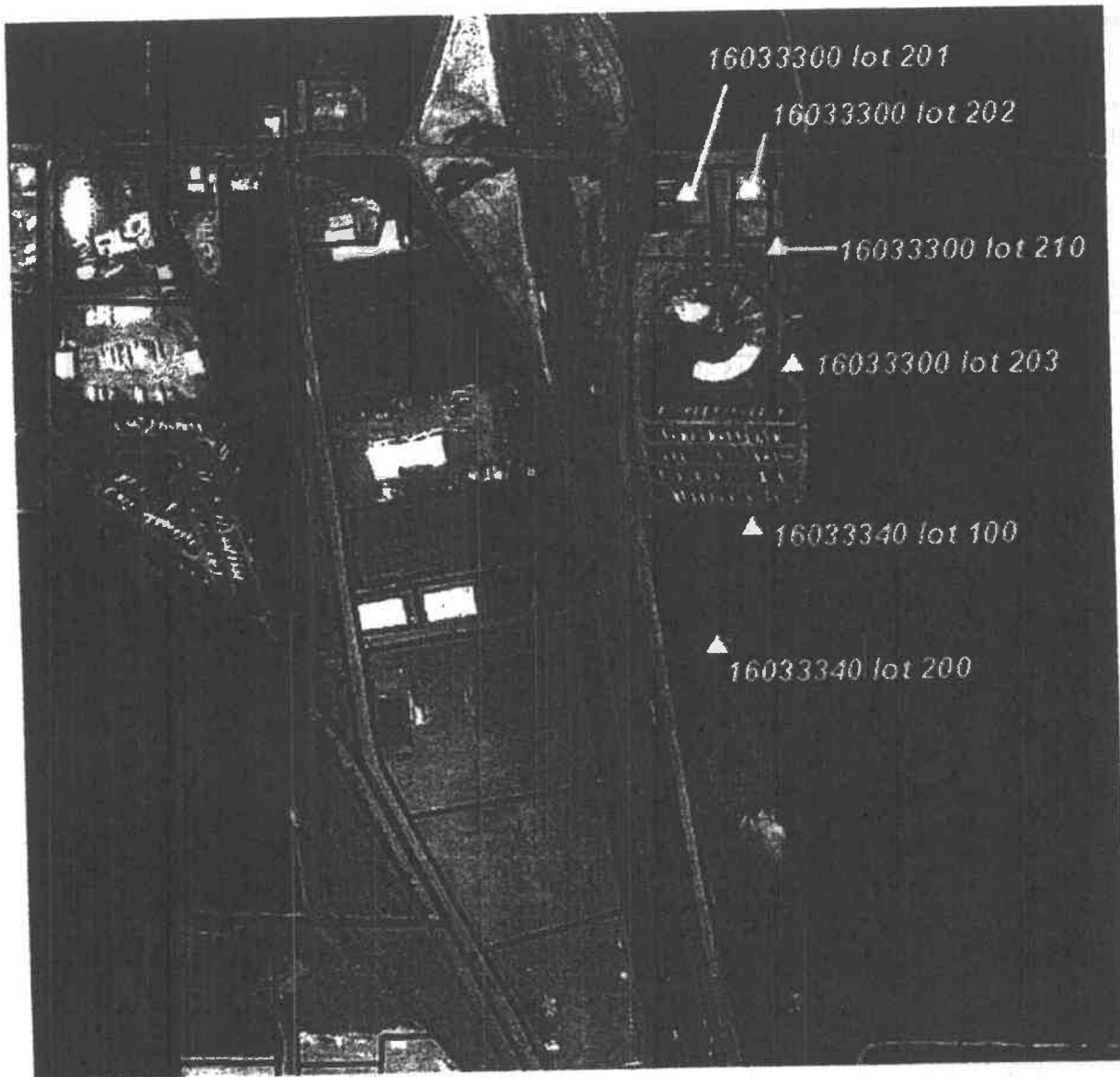
Description: "...Automobile services, part sales and substantial used car sales may also be available. Some dealerships also include leasing options and truck sales and servicing."
(Ref: ITE, 1997; pg. 1436)

Average vehicle trip ends per 1000 sq. ft gross floor area
(3 - 28 studies; data set consists of sites with 590 - 79000 sq ft gross floor area)

Definition	Average	Range	Std. Dev.	1000 sq. ft
Weekday	37.5	15.64 - 79.66	24.92	38
Saturday	21	15.47 - 34.12	9.38	21
Sunday	10.48	7.82 - 17.90	5.23	10
Weekday, peak hour of adj. Street traffic, one hour between 7 and 9 a.m.	2.21	0.75 - 6.17	1.92	2
Weekday, peak hour of adj. Street traffic, one hour between 4 and 6 p.m.	2.80	1.49 - 5.81	2.02	3
Weekday, A.M. peak hour of generator.	1.84	0.59 - 6.00	1.79	2
Weekday, P.M. peak hour of generator	2.50	0.89 - 5.41	1.98	3
Saturday, peak hour of generator	2.97	1.41 - 4.64	2.15	3

Average vehicle trip ends per employees
(3 - 7 studies; data set consists of sites with 42 - 62 employees)

Definition	Average	Range	Std. Dev.	10 employees
Weekday	21.14	10.82 - 38.55	10.91	211
Saturday	10.55	8.50 - 11.60	3.45	106
Sunday	5.26	2.66 - 8.95	3.37	53
Weekday, A.M. peak hour of generator.	0.67	0.35 - 1.13	0.85	7
Weekday, P.M. peak hour of generator	0.96	0.48 - 1.93	1.06	10



*LCOG: L:\SMALL CITY PLANNING\COBURG\UGB EXPANSION\TRIP GENERATION_LANDUSE EAST OF 15\COBURG
TRIPS_UPDATEDJAN04.DOC
Last Saved: January 30, 2004*

→ A NON POLLUTANT DISCHARGING EFFLUENT SYSTEM
NPDES Permit

It is a

LANE COUNTY PLANNING COMMISSION
STAFF REPORT

GRAVEL RECIRCULATING SEWER TREATMENT PLANT OPERATING UNDER

HEARING DATE: March 2, 2004

FILE No. PA 03-5883

REPORT DATE: February 20, 2004

I. PROPOSAL DESCRIPTION

A. Owners

Grand Field Corp., Frank Tien
Joe Landeros
Paul Williams

Applicant

City of Coburg
Mike Huston/City Administrator
P.O. Box 8316
Coburg, OR 97408

Correct Record

Full Compliance with DEQ

Fully Monitored / Delta Environmental

Not a single well

Gary Darnielle/Agent

Lane Council of Governments (LCOG)
99 E. Broadway
Eugene, OR 97401

Gov
Policies
are ours

B. Proposal

1. The City of Coburg proposes to expand the Coburg Urban Growth Boundary (UGB) eastward, across and including Interstate 5 and the developed and committed properties south of Van Duyn Road, and to change Coburg Comprehensive Plan policies to support extension of urban services to the subject properties to improve groundwater quality.

2. This proposal includes a change to the Plan designation from Commercial/Park & Recreation (Lane County) to Highway Commercial (Coburg).

3. Rezoning of the subject properties from RC Rural Commercial and RPR Rural Park & Recreation (LC Chapter 16) to CT Tourist Commercial (LC Chapter 10) is also proposed.

II. RECOMMENDATION

The proposal as presented extends the UGB to include a developed and committed exception area east of Interstate 5 and the portion of the freeway right of way that connects to the existing UGB on the west. Groundwater quality in Coburg is declining, and a study is underway investigating on-site sewer systems that may be a source of pollution that is contributing to the decline in groundwater quality that is reaching a critical level in the Southern Willamette Valley.

Planning staff concurs with the need to provide municipal sewage treatment and water service to the developed and committed area east of I-5, and that these services are logically to be provided by the city of Coburg. Expansion of the UGB to include these properties is the first step in annexation into the city and the subsequent provision of urban levels of these services to the subject property.

III. SITE AND PLANNING PROFILE

A. Location

The subject property, located east of Interstate 5, is commonly known as Country Squire Inn and RV Park. The proposed expansion also includes the parcels where the sewage lagoons that serve the property are located and some Interstate 5 right-of-way.

Tax lots : 16-03-33, tax lots 200, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211;
16-03-40, tax lots 100 and 200.

B. Zoning

Plot Map #381. Total 36.09 acres.

24.41 ac. RC Rural Commercial, and 11.68 ac. RPR Rural Park & Recreation.

C. Proposal / Background

The Groundwater Management Plan for the Southern Willamette Valley identifies Coburg as one of three municipalities with elevated nitrate levels, and the city is addressing the problem by constructing a municipal sewage treatment facility and a city-wide collection system. Providing an urban level of wastewater treatment is necessary to eliminate a major source of the groundwater pollution caused, in part, by numerous on-site sewage treatment systems in this city and its surrounding rural fringe. The Lane County Board of Commissioners, on November 12, 2003, approved an expansion of the Coburg UGB northward on the west side of the freeway to include property proposed for the location of the wastewater treatment plant.

This request (Coburg UGB 'II') is to expand the UGB eastward, which would provide city jurisdiction to properties that have a documented history of contributing to the groundwater contamination through leaching from the on-site sewage treatment system which serves the commercial uses and the 160 unit RV Park on the site.

This proposal also includes text amendments to the Coburg Comprehensive Plan for new policies that commit the city to providing municipal sewerage and water service and eliminating previous text that supported on-site septic systems as the preferred method. Expanding the Urban Growth Boundary is the first step to move the subject property into the city to facilitate the provision of municipal services to the developed lands east of the freeway. The city's financial commitment for water system improvements with the Oregon Economic and Community Development Department (OECDD) is for the first phase of the necessary improvements to the current water system. Additional funding will be necessary and most likely available from OECDD to serve whatever additional needs would be generated by including these properties on the system.

D. Site Characteristics

The subject properties are developed & committed exception areas. Existing uses include a hotel, two restaurants, gas station, tavern, and semi-permanent RV Park. A two-basin sewage lagoon is located on the southernmost property that currently provides wastewater treatment for the RV Park and Hotel.

Interstate 5 right-of-way currently on the eastern boundary of the city would be included in the Coburg UGB upon approval of this expansion as presented. The Interstate is a high-speed, four-lane freeway with wide grassy shoulders and center median.

E. Surrounding Area

The east side of I-5 in the Coburg area is agricultural land (ranching, grass seed) below the Coburg Hills, and a combination of agricultural and forest lands on the foothills, which recently were rezoned into RR10, Rural Residential 10 acre lots, which are served by a private community well system for water and on-site septic tanks for sewage treatment. The city of Coburg extends to the west side of the Interstate in this area.

F. Services

Fire Suppression: Coburg Rural Fire Protection District

Police: Lane County Sheriff/State Police

Sewer: On-Site Lagoons

Water: On-Site well

School: Eugene School District 4J

Power: Emerald People's Utility District, EPUD

Phone: Qwest

Access: Van Duyn Road is included in the expansion proposal where it borders the property on the north. A portion of I-5 is included in the proposed expansion. The freeway is currently the boundary between the city of Coburg and the subject property.

G. Referral Comments Received

No comments were received from the public by Lane County prior to the Planning Commission Public Hearing. State and County Transportation Planning staff and County Sanitation staff have provided comments that are incorporated into this report.

IV. APPROVAL CRITERIA & ANALYSIS

A. Character of the Request

The request for expansion of the UGB is based on a need to serve developed and committed property with urban levels of municipal services, especially drinking water and sewage treatment. The need for future residential land will not be met with this request because the property is now, and will remain, in commercial activity.

The city of Coburg's request to expand the UGB east of I-5 is characterized by a need for improvements to drinking water quality and the local government acknowledgement that they are the logical provider of the urban level of municipal services necessary to improve groundwater quality for human health. The subject properties use on-site septic treatment that is identified as a primary source of the nitrate loading that may contribute to the groundwater pollution.

B. Statement of Criteria

Plan Amendment

1. Oregon's Statewide Planning Goals 2, 11, 12, 14
2. Lane County Rural Comprehensive Plan Policies
3. Lane County Rural Comprehensive Plan Amendment Process 12.050 & 16.400

Zone Change

1. Lane Code 10.315 Procedures for Zoning and Rezoning
2. Lane Code 10.166 Tourist Commercial (CT).

C. Analysis/Evaluation

The above criteria are addressed below. The Planning Goals that are not addressed in detail are not affected by this proposal.

Goal 2: Land Use Planning

This goal is intended to be instructive, directional and positive, not limiting local government to a single course of action when some other course of action would achieve the same result. Citizens in the area and the affected governmental unit have had

opportunity to review and comment on this proposal through the city process. An exception for the subject property was taken upon adoption of the Lane County Rural Comprehensive Plan as shown by the commercial designation and zoning category applied to the developed portion of the subject property. The Parks and Recreation category was also an appropriate designation for a commercial RV Park and sewage lagoons, due to the outdoor nature of these components of the commercial venture.

ORS 197.298(1)(b) lists the categories of land to be included in UGB's, and this property meets the second priority for land to be included within an urban growth boundary. This property is land adjacent to a UGB that is identified in an acknowledged comprehensive plan, the Lane County Rural Comprehensive Plan, as an exception area on non-resource land.

Goal 11: Public Facilities and Services

The planning guidelines under this goal address the rural and urban levels of public facilities, and the necessary coordination between jurisdictions when transitioning to urban uses. The city of Coburg, in addition to expanding the UGB to include this exception area, will revise their Comprehensive Plan Policies and findings to ensure Plan consistency with construction of a municipal sewage system, participation in the DEQ Southern Willamette Valley Groundwater Management Area Program, and elimination of on-site septic systems once the municipal system comes on-line. The city of Coburg has determined that expanding the UGB to include the subject property would be beneficial to the city, and would not have significant effect beyond the immediate area.

Goal 12: Transportation

The intersection of Interstate-5 and Van Dune Road is heavily traveled at certain times of the day due to the large number of commuters employed in the RV industry in Coburg. The Oregon Department of Transportation is constructing an extra refuge lane on the northbound side of the freeway and is installing directional signals and traffic flow controls that will ease the morning and evening commuter traffic at this intersection. The interchange improvements are a significant upgrade to the transportation system at this intersection, and state and county transportation planners have expressed concerns about any new development on the subject property potentially increasing the traffic volume soon after this large capital outlay.

To address these concerns, Coburg will develop a Plan Amendment Review Process that will address any new traffic generated by new development on this site and the potential impact that would have on the transportation system. The city provides a baseline trip generation analysis for the site (included in the attached application). In the event the property owner requests to intensify development on the site, a Transportation System Plan Amendment would be required that would include a detailed traffic analysis at that time.

Goal 14: Urbanization

State goal 14 requires that the establishment and change of urban growth boundaries shall be based upon consideration of the following seven factors. Appropriate responses to these factors drive the need for the UGB to be expanded.

1. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals. and

2. Need for housing, employment opportunities, and livability;

The relevance to the proposal under these two factors would be the availability of employment opportunities because the property will remain committed to commercial uses. The need for housing for long term population growth and livability do not apply.

3. Orderly and economic provision for public facilities and services;

The city of Coburg is constructing a municipal wastewater treatment and collection system, and is concurrently working to complete major upgrades to their municipal water system to meet current and future needs in the city. The subject property, in order to be included in the necessary calculations to determine capacity of the municipal systems, must be brought into the city in order to be part of those critical calculations used to develop the appropriate size of system. Therefore, expansion of the UGB to initiate the annexation meets the criteria for orderly and economic provision for public facilities and services.

4. Maximum efficiency of land uses within and on the fringe of the existing urban area;

The property is developed for commercial uses, it is located at the fringe of the existing urban area of Coburg, and due to human health concerns, needs urban levels of water and sewer service. Expanding the UGB to include this exception area is in keeping with efficient land use. The uses will remain the same.

5. Environmental, energy, social and economic consequences (EESA);

The environmental consequence of expanding the UGB is neutral. Eliminating groundwater pollution by moving from rural to urban type systems for sewage treatment is positive, and will be the eventual result of including the property in the city. The energy consequences of expanding the UGB are also neutral. Social consequences would be beneficial to public health, commercial activities on the site include those with a social nature, restaurants, etc. The economic consequence is probably positive due to the location and commercial nature of the property. An additional economic benefit will be to have the property participating in the revenue generation for the municipal water and wastewater system costs for upgrades and construction.

6. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and

7. Compatibility of the proposed urban uses with nearby agricultural activities.

The proposal has no effect on agricultural land surrounding the subject property because only the developed and committed area and the sewage lagoons that serve the commercial activities on the site are included in the proposed expansion. Nearby agricultural activities are expected to remain the same. No comments to the contrary have been received by the city or the county.

Lane County Rural Comprehensive Plan Policies

The County Policies are intended to guide actions and decisions that affect land use throughout the County. The policies are formatted parallel to the statewide goals, and cover the same broad range of topics. Policies 11, Public Facilities and Services, and 14, Urbanization, are most relevant to this proposal.

The County seeks agreement with each city to commonly determine the location of UGB's, and each city is regarded as the logical and ultimate provider of urban services within its UGB, and the County does not encourage contrary activities. It is also the County's position that urban levels of density should occur only where all essential public facilities and services are or will be shortly available.

Goal 11: Public Facilities and Services Policy

1. Lane County shall provide an orderly and efficient arrangement for the provision of public facilities, services and utilities. The commercial activities of the subject property will not change with an expansion of the UGB. Expanding the UGB allows the orderly and efficient arrangement for water service at this time and wastewater treatment in the future to this property.

5. Lane County shall participate in the coordination of planning and development for various public facilities and utility services. The primary means of affecting this policy shall be through a system whereby land use applications are referred and coordinated with the various providers of services. The City of Coburg provides water service, and is the logical provider of water to the urbanized property. The City has adopted this proposed amendment to its Comprehensive Plan and is referring this request for Lane County to co-adopt the text and diagram amendments.

Goal 12, Transportation Policy

Lane County shall strive for a coordinated and balanced transportation system which complies with LCDC Goal 12 and is responsive to the economic, social and environmental considerations, and which will work toward the following objectives.

1.c. A transportation system responsive to changing needs and conditions. and

1.f. Coordination with the development of statewide comprehensive transportation plans.

The freeway interchange improvements underway are in response to the changing needs and conditions. County transportation concerns regarding additional impacts to the county road in this area are addressed in the proposal to expand the UGB by the establishment of a baseline trip analysis completed by the city planning staff and the commitment to conduct a transportation analysis at such time uses change on the property.

3.h. ...coordinate implementation of new highway facilities with land development needs to minimize stimulation of untimely land development. The 'holding zone' policy language incorporated into Coburg's Comprehensive Plan should be adequate to address county transportation concerns. The coordination with state and city transportation planners is essential and has been proven successful at this location.

Goal 14: Urbanization Policy

2. The County shall provide for orderly and efficient transition from rural to urban land use while ensuring the supply of housing, employment, livability and other amenities, in order to accommodate the long-range growth of each city.

The proposal supports and assists in the orderly transition from rural to urban land use.

3..The county shall provide for a cooperative UGB management process between the County and the cities in the County by...

- a. *establishing and periodically revising urban growth boundaries and the planning and implementation of common policies and procedures within the boundaries, and*
- b. *coordinated establishment approaches are desired.*

This proposal provides for orderly and efficient transition from a rural service level to an urban service level to address water quality issues of a regional magnitude that are directly impacted by the treatment methodology used on this property.

4. *The county shall continue to comply with the planning coordination requirements and the urban growth management program requirements of LCDC.*

This proposal is made through the provisions of Lane Code for co-adoption of an amendment consistent with Statewide Goals and Coburg's Comprehensive Plan.

5. *The County will seek agreement with each city to commonly determine the location of UGB's and the interim and long-term land use designations and public improvement project designations within the UGB's.*

The land use designation for the subject property will remain commercial, for the interim and for the long-term, due to location and existing improvements to the property.

6. *Each city is regarded as the logical and ultimate provider of urban services within its UGB; Lane County will not approve any development nor encourage the establishment of urban services or facilities within the city's UGB that are contrary to city policy or agreement.*

Coburg provides municipal water service at this time, and is developing a city wide wastewater treatment system that will be constructed in the near future. In order to comply with this section, Lane County supports the expansion of the Coburg UGB to include the developed and committed area east of the Interstate.

9. *Any County approval of land activities within a UGB will be consistent with the applicable city plan. If necessary, the County may take one or more of the following actions to land outside the city's jurisdiction:*

- b. *determining that the design and operation of an interim land use will allow for later conversion.....will not otherwise pre-empt the subject property from the future orderly provision of urban services and facilities.*

By not changing the plan designations from commercial, this policy remains consistent with the proposal and the property will not be pre-empted from urban levels of service in the future.

Lane County Rural Comprehensive Plan Amendment Process

Lane Code 12.050 (2) The Board may amend or supplement the comprehensive plan upon a finding of:

- (b) *changed circumstances affecting or pertaining to the plan;*

The change in circumstances affecting the plan is the identification of Coburg as one of three municipalities that provide drinking water and the possibility of on-site sewage systems possibly contributing to the increasing nitrates in the groundwater. The policies and findings to be adopted by the city as part of this project will ensure application of improved practices throughout the city.

- (d) *change in public need based on a reevaluation of factors affecting the plan; provided, the amendment or supplement does not impair the purpose of the plan as established by LC 12.005.*

Policies and findings are now needed to address the groundwater management practices that are being reevaluated and possibly contributing to groundwater pollution in this area. In addition, adoption of the proposed change to the Coburg UGB will allow an intensely developed property currently outside their jurisdiction to be connected to the municipal systems. Adoption of this amendment will not impair the purpose of the Rural Comprehensive Plan.

Lane Code 16.400 (6)(h)(iii) Method of Adoption and Amendment

(aa) requires that the adoption of amendments to the Rural Comprehensive Plan meet all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

See the Statewide Planning Goals discussion above. The Oregon Administrative Rules relating to Transportation and land use are included under the relevant goals.

(bb) (ii-ii) requires minor amendments to be necessary to fulfill an identified public or community need for the intended result of the component or amendment;

Coburg has identified the need for providing urban levels of water and sewer service to the subject property due to increasing public health risk due to groundwater pollution. The county supports cities meeting their own needs, as discussed in the policies above. This proposal is consistent with the Statewide Goals, the Coburg Comprehensive Plan upon adoption of the text changes, the Lane County Rural Comprehensive Plan, and the provisions for Plan Amendments in Lane Code.

Lane County Zoning Criteria

Lane Code 10.315 states that rezoning shall be enacted to achieve the general purpose of Chapter 10 and shall not be contrary to the public interest. Zoning shall also be consistent with the specific purposes of the Zone District Classification proposed, applicable comprehensive plan elements and components, and statewide planning goals.

The proposed zone district for the subject property is 10.166 Tourist Commercial District (CT). This district is intended to provide for accommodations and facilities serving tourists, the motoring public, and other travelers and to provide basic local services for permanent and seasonal residents. This zone is appropriately located at freeway interchanges. The current uses on the property meet either permitted or conditional uses allowed by Lane Code in this district. The city plans to eventually annex the subject property, and at that time the property would become Highway Commercial, a Coburg designation.

V. CONCLUDING COMMENTS

A. Summary Remarks

Coburg has provided sufficient information to determine that expansion of the Coburg UGB to include the exception area east of I-5 will provide for the orderly and efficient provision of urban levels of infrastructure to the subject property, and will not negatively impact farm or forest land surrounding the city. Staff concurs with the proposal, and recommends that the Planning Commission forward a recommendation to approve the request to the Board of County Commissioners.

B. Attachments

1. Application from City of Coburg



Oregon

Lane County Local Government Boundary Commission

99 East Broadway

Suite 400


Eugene, OR 97401-3111

(541) 682-4425

FAX (541) 682-2635

August 3, 2004

TO: Boundary Commission Members; Lane County Commissioners; Lane County Land Management Division; Lane County Environmental Health Division; City of Coburg; Coburg Rural Fire Protection District; Paul D. Williams, LLC; Grand Field Corporation; Dorothy Landeros and José Landeros; and James and Mary Murphy, trustees for the Kilcrease Family Trust and Wanlass Trust

FROM: Paula L. Taylor, Executive Officer 

SUBJECT: EC CB 04 – 40 (Expedited Procedure)
ANNEXATION OF TERRITORY TO THE CITY OF COBURG
(Grand Field Corporation, et al./Interstate 5)

Enclosed is a copy of the staff analysis for this proposal. It is sent to you as required by ORS 199.466. Please read the analysis carefully. The proposal is recommended for approval without a public hearing or further staff study.

There are two alternatives:

1. If you agree with this recommendation, you need do nothing.
2. If you feel that a public hearing is needed, you must request, in writing by August 13, 2004, that a hearing should be set. The request must be in the commission's office by 5:00 p.m., August 13th. You must use the form that is provided at the end of the staff analysis to request a hearing. For units of government, the form should be signed by the chairman/mayor or other authorized person. If you or your unit of government requests a public hearing, the boundary commission asks that you attend the requested public hearing. If a hearing is requested, it will be set for the next available boundary commission public hearing.

IF YOU HAVE ANY QUESTIONS REGARDING THE PROPOSAL OR PROCEDURE, PLEASE CONTACT OUR OFFICE (541-682-4425).

Attachments

pt: LCBC: L:\ABC\EXP\MEMO\2004\ECB0440 MEM.DOC
Last Saved: August 3, 2004

EXPEDITED PROCEDURE - STAFF ANALYSIS

LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

Annexation of Territory to the City of Coburg (Grand Field Corporation, et al./Interstate 5)

1. BC File EC CB 04 – 40
Initiated by City of Coburg Resolution No. 2004-09
Action under ORS 199.466 and 199.490(1)(a) of boundary commission law
Received July 19, 2004
Public hearing requests by August 13, 2004

Description

Located east of the City of Coburg, east of I-5, south of Van Duyn Road

Property owners: Grand Field Corporation (33100 Van Duyn Rd, Eugene); Paul D. Williams, LLC (33616 Firdale Rd, Cornelius, OR); Dorothy and José Landeros (33616 Ewing Rd, Springfield)

Tax lots: 200, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, T16S R03W S33; 100, 200, T16S R03W S33 Map 40

Acres: ± 68.41 (± 36.41 acres in tax lots; ± 32 acres in road right-of-way)

Estimate of existing population: 50 (one permanent residence, 156 RV spaces)

Existing land use: Gas station, motel, RV park, restaurants, convenience store, road right-of-way

Existing zoning in Lane County: CT, tourist commercial

Applicable comprehensive plan: Coburg Comprehensive Plan (acknowledged in December 1982 and has been subsequently amended)

Existing public services to the property: Fire (Coburg Rural Fire Protection District), police (Oregon State Police, Lane County Sheriff), electricity (EPUD), roads (State of Oregon, Lane County, City of Coburg), school (Eugene School District #4J)

Reason for Annexation

The City of Coburg initiated this annexation in order to bring the properties into the city to prepare for the extension and provision of city services. Annexation to the City of Coburg is required prior to the provision of urban services.

This annexation proposal was filed with the boundary commission on July 19, 2004, in accordance with ORS 199.490(1)(a), initiated by city council resolution, and ORS 199.466 (expedited procedure).

ORS 199.466 authorizes approval of annexations without a public hearing or adoption of a final order if requested by the principal petitioner. Under the expedited procedure, the boundary commission executive officer must prepare an analysis of the proposal within 15 days from its receipt. If, after 25 days from the filing date (in this case, August 13th), no written objections are received from direct recipients of this staff analysis, the request is approved. However, if any direct recipient of this staff analysis does object, the proposal is scheduled for the next regular boundary commission public hearing.

Under Oregon law, when the following conditions are met, an annexation's effective date is delayed: when the effective date falls within the period between the election filing deadline and the election day, the election is a primary or general election, and there are electors registered within the proposal area. This annexation request meets these three conditions; therefore, the annexation will not be effective until the day after the November 2004 election. If no public hearing is requested and the annexation is approved, this annexation will be effective November 3, 2004.

The annexation was initiated by the City of Coburg by resolution (Resolution No. 2004-09) on June 24, 2004, by unanimous consent. Prior to initiating the annexation, the city contacted all of the property owners within the annexation area to explain that the city was initiating the annexation. Each property owner provided written support for the annexation. The city also contacted some of the electors registered within the annexation area and each provided written support for the annexation. At the time the city contacted the electors, Lane County elections records showed there were 26 electors registered. The method used by the city to initiate the annexation process is authorized by ORS 199.490(1)(a) and does not require the city to obtain consents from property owners or electors. The written support statements from the property owners and electors do provide evidence for support of the annexation.

The area proposed for annexation was included in the Coburg Comprehensive Plan's urban growth boundary (UGB) earlier this year through the plan amendment process. Action by the City of Coburg was taken on February 17, 2004 (file number PA-2-03, Ordinance No. A-131-P). The deadline for appeals of this action to the Oregon Land Use Board of Appeals (LUBA) was March 9, 2004. No appeals were filed and the adoption of Ordinance No. A-131-P is final.

Action on the plan amendment by Lane County was taken on April 28, 2004 (file number PA 03-5883, Ordinance No. PA-1200). The deadline for appeals for this action to LUBA was May 21, 2004. No appeals were filed and the adoption of Ordinance No. PA-1200 is final.

The City of Coburg supported the plan amendment because the properties were designated exception areas and were already developed and committed in the Lane County Rural Comprehensive Plan. In addition, the Oregon Department of Environmental Quality (DEQ) has designated Coburg and its environs as a Water Quality Management Area because of high nitrate loading. An existing lagoon system located east of Interstate 5 (I-5) serves many of the properties proposed for annexation. The lagoon system is currently operating within DEQ permit standards—although that has not always been the case. The city is concerned about continued nitrate loading of the aquifer that provides potable water to the city. The Coburg Drinking Water Protection Plan indicates that pollutants entering the groundwater on the east side of the freeway would migrate under the freeway towards the locations of existing and potential city well fields. The city wishes to provide wastewater service to the annexing properties to prevent pollution of the groundwater table from failure of the private lagoon system.

The existing development within the area to be annexed is served by two wells. During the summer months, the amount of potable water often is insufficient and water pressure for fire protection is inadequate.

The City of Coburg intends to provide city water and wastewater service to the annexing properties as part of the city's updated public facilities plan. Updates to the 1999 Water System Master Plan and 1999 Wastewater Facilities Plan will be completed in 2004 as part of the city's periodic review process. Additionally, the current Water System Master Plan identifies a need for a 1,000,000 gallon reservoir in the hills adjacent to the annexing properties. The city is in the process of seeking easements and property location for the future reservoir.

The current level of development will remain and only after a plan amendment to allow intensification of uses will more development be allowed. Throughout the recent plan amendment process, the city indicated its intent to annex the area brought into the UGB and to provide municipal water and wastewater services. I-5 right-of-way was included in the plan amendment and is included in the annexation area. Inclusion of I-5 will facilitate the provision of urban services to the properties east of I-5. It will also facilitate the coordination of any improvements needed at the I-5 interchange that provides access to the properties east of I-5.

The proposed annexation involves 13 tax lots (T16S R03W S33 tax lots 200, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211; T16S R03W S22 Map 40 tax lots 100 and 200; refer to Maps No. 1 and 2) totaling approximately 36½ acres and about 32 acres of I-5 right-of-way. The annexation area totals approximately 68½ acres. The annexation area is developed with a 106 room motel with conference facility and convenience store; restaurant with bar and high turnover sit-down restaurant; gas service station and convenience store; a separate restaurant and bar; and an RV park. The portion of I-5 adjacent to the tax lotted properties is included in the annexation area.

The privately owned properties within the annexation area are in the following ownerships. This annexation was initiated by city council resolution without consents from the property owners. The property owners did provide written support for the annexation indicating their knowledge of and support for the annexation.

Property Owners	Tax Lot Numbers
Grand Field Corporation	16-03-33 TLs 200, 201, 202, 203, 204, 207, 211
Paul D. Williams, LLC	16-03-33 TLs 209, 210
Dorothy Landeros and José Landeros	16-03-33 TLs 206, 208 16-03-33-40 TLs 100, 200

The privately owned properties within the annexation area are zoned CT, tourist commercial, in Lane County. They are designated highway commercial in the Coburg Comprehensive Plan. If the annexation is approved and when it is effective, the annexation area will be zoned consistent with the plan designation. The annexation is within the urban growth boundary in the acknowledged Coburg Comprehensive Plan and is coterminous with the annexation area along the north, east, and south boundaries.

The proposed annexation will create an islanded area located west of I-5, south of Pearl Street, east of Roberts Avenue (part of tax lot 306, T16S R03W S33; refer to Map No. 2). An islanded area is an area totally surrounded by properties in the city. Tax lot 306 is owned by Kilcrease Family Trust and Wanlass Trust (James Murphy Trustee and Mary Murphy, Trustee), 344 Singing Brook Circle, Santa Rosa, California. Prior to initiating the annexation, city staff attempted to contact the two trusts that own this property to determine if there was interest in

including the portion of tax lot 306 not in the city in the annexation area. Those efforts were unsuccessful. The portion of the tax lot not part of the proposed island is already inside the City of Coburg. **The portion of the tax lot that will be islanded is not included in the proposed annexation.** The property owners were sent a copy of this staff report.

Oregon law allows a city to initiate the annexation of "island" areas without the consent of the property owners or electors. The City of Coburg has not used the island provisions to initiate an annexation and supports annexation where the property owners are in support. The property owners of the islanded area will continue to have the option of applying for annexation when the owner wishes to do so.

Following is a brief analysis of each of the boundary commission standards.

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 chief petitioner requested the proposal be processed using the expedited procedure.

This staff analysis was sent to the Lane boundary commission members; Lane County commissioners; Lane County Land Management Division; Lane County Environmental Health Division; Coburg Rural Fire Protection District (RFPD); City of Coburg; Paul D. Williams, LLC; Grand Field Corporation; Dorothy Landeros and José Landeros; and James and Mary Murphy, trustees for the Kilcrease Family Trust and Wanlass Trust.

The annexation area is in the Coburg RFPD. Following annexation to the city, the area will remain in the district because the city is a part of the fire district and it will continue to be provided service by the fire district. The annexation area is approximately 1-1/8 miles east of the Coburg RFPD fire station located in northwest Coburg at the intersection of Coburg Road North and Van Duyn Road (91232 Coburg Road N).

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 annexation area is located within the acknowledged UGB of the Coburg Comprehensive Plan. The UGB is coterminous with the boundaries of the annexation area. Territory within the UGB in the area of the annexation proposal ultimately will be within the City of Coburg. The annexation area is contiguous to the City of Coburg along its westerly boundary.

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 proposed annexation area is a logical extension of the city limits. The affected area is within the adopted UGB.

This proposal to annex territory to the City of Coburg 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 annexation area is inside the acknowledged urban growth boundary (UGB) of the Coburg Comprehensive Plan, which was acknowledged by the Land Conservation and Development Commission (LCDC) in December 1982 and has been subsequently amended.

The proposed annexation area is zoned CT, tourist commercial, in Lane County and is designated highway commercial in the Coburg Comprehensive Plan. If the annexation is approved, the property will be zoned consistent with the comprehensive plan designation. The proposed uses are consistent with the plan designation.

The following services are either available or can be extended to the annexation area.

Water – The City of Coburg indicates that the city's 1999 Waster Master Plan listed a one million gallon reservoir on the east side of I-5. The city is currently underway with discussions

with property owners for a reservoir site. Once the reservoir is constructed, a 16-inch water transmission main will cross the interstate and also be able to provide domestic and fire services to the annexation area. The city anticipates that the distribution system will provide a minimum of at least 8-inch sized water lines and adequate fire hydrants for fire protection. The existing wells on the annexing properties will provide additional system back up. The city plans to construct water lines from south Roberts Road across I-5 easterly to serve city properties located east of I-5.

Electricity – The annexation area is within Emerald People’s Utility District (EPUD) and will continue to be provided with electric service by EPUD following annexation to the city.

Police services – City staff indicates that the annexation area will benefit from increased police service by being in the city. The City of Coburg has been patrolling the I-5 area since 1995 through an intergovernmental agreement with the Lane County sheriff’s office. The agreement has since changed; however, the city continues to provide services along this corridor because the activity occurring in the area greatly affects the safety of the residents of Coburg. Following annexation, the Coburg police department will respond to all calls originating in the annexation area. Further, regular patrols of the area by the Coburg police department, a service that was to be discontinued, will continue following annexation.

Fire and emergency services – Fire protection is currently provided to the area by the Coburg 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 Coburg. The annexation area is east of the fire station approximately 1-1/8 miles located at the intersection of Coburg Road North and Van Duyn Road. Installation of water lines and fire hydrants will provide a reliable source of water through connection to the city water system.

Emergency medical transport (ambulance) services have long been provided on a regional basis by Eugene and Springfield to central Lane County, including the Coburg 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 newly 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.

Schools – The annexation area is served by the Eugene School District #4J and will continue to receive school services from this school district following annexation.

Wastewater – The city notes that public wastewater service will be provided to the annexation area once the municipal wastewater system is constructed and is operational. The City of Coburg does not currently provide municipal wastewater service to properties within the city limits—onsite wastewater disposal systems are the method of waste treatment. The city continues to work toward the most economical and efficient method for providing municipal wastewater service to territory within the city. It is expected that 8-inch wastewater lines will be extend across I-5 to serve properties in the city located east of I-5. The existing wastewater treatment systems serving the annexation area will continue in service until the municipal wastewater

system is extended. I-5 right-of-way is included in the annexation area to facilitate the extension of wastewater service to properties in the city east of I-5.

Stormwater – Stormwater services are provided to the annexing properties through existing natural drainage ways. New development within the annexation area is not expected and can only occur after a plan amendment process addressing service needs justifying increased development.

Streets – The annexation area is adjacent to I-5 and takes access from the I-5 interchange. The privately owned properties are currently developed and no additional development is proposed at this time. Access will continue to be provided as is currently provided; however, if any access issues arise in the future they will be addressed by the appropriate service agencies. The portion of I-5 adjacent to the privately owned properties is included in the annexation area to allow for coordinated jurisdictional review for interchange management planning, to establish a contiguous city limits, and to provide for adequate city services to the annexation area as well as police protection of I-5 and adjacent properties.

Land use controls – The annexation area is within the urban growth boundary and is contiguous to the Coburg 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 boundary commission 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 Coburg Comprehensive Plan and is an incremental step in implementing the plan. The urban growth boundary, land uses, and policies in the comprehensive plan were developed to meet the future needs of the Coburg community. The existing uses are consistent with the long-range plans for the area.

This request is consistent with this boundary commission standard.

Recommendation

The boundary commission staff recommends that the proposed annexation to the City of Coburg (EC CB 04 – 40) be approved without the hearing and staff report as required by ORS 199.466.

If a public hearing is requested, the proposal will be heard at the next available boundary commission public hearing. If none is requested it will be approved August 13, 2004 (ORS 199.466) and effective November 3, 2004 (ORS 199.519).

#

*Sign and return to boundary commission office ONLY if you desire that a public hearing be held.
Office: 99 East Broadway, Suite 400, Eugene, Oregon 97401-3111*

Pursuant to ORS 199.466, I REQUEST THAT A PUBLIC HEARING and STAFF STUDY be conducted on an annexation of territory to the City of Coburg (Grand Field Corporation, et al.; T16S R03W S33 tax lots 200, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211; T16S R03W S22 Map 40 tax lots 100 and 200, and a portion of I-5 right-of-way), EC CB 04 – 40, as required by ORS 199.461. This form must be filed in the commission office no later than 5:00 p.m., August 13, 2004.

Reason for public hearing: _____

Date

Signature

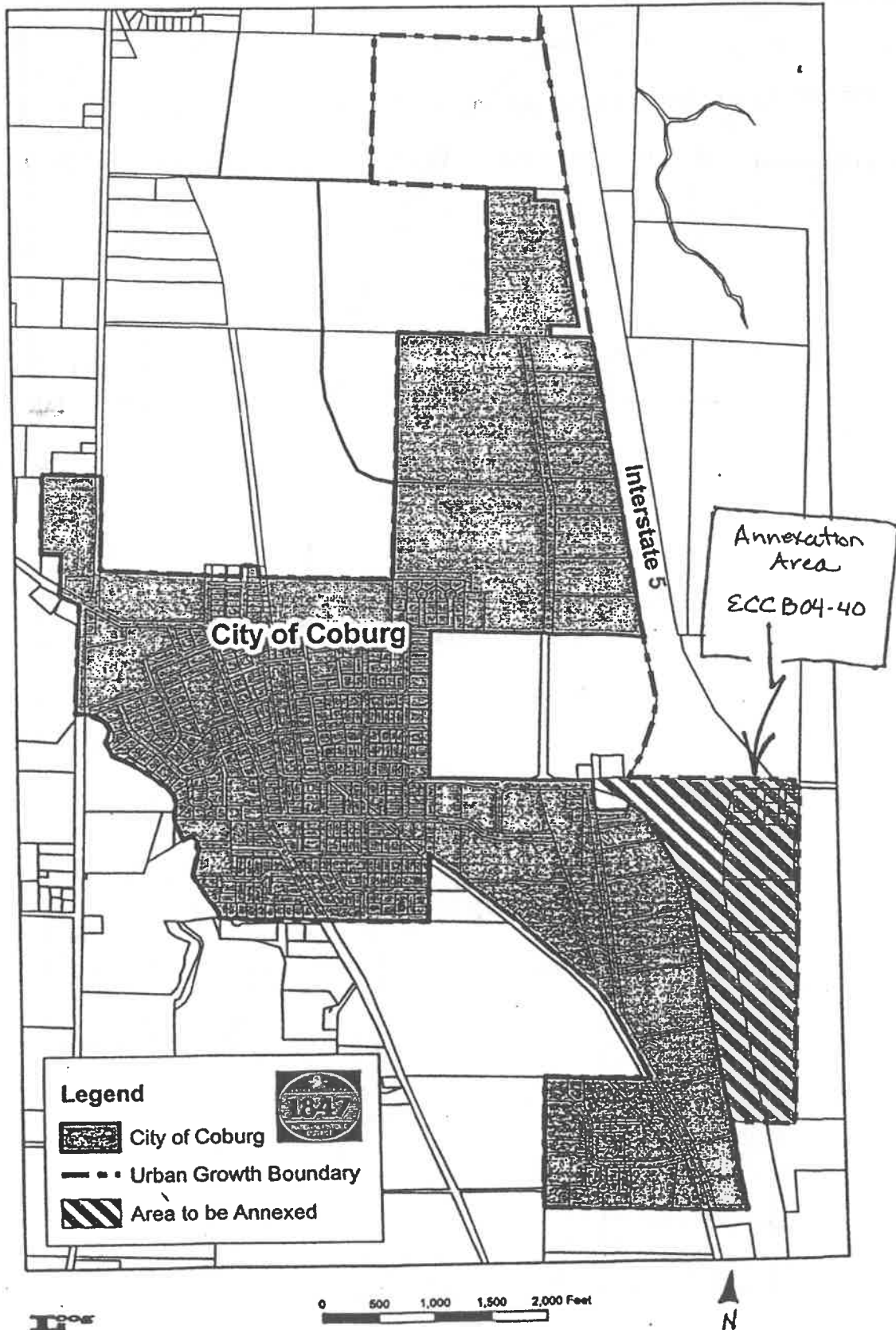
Title

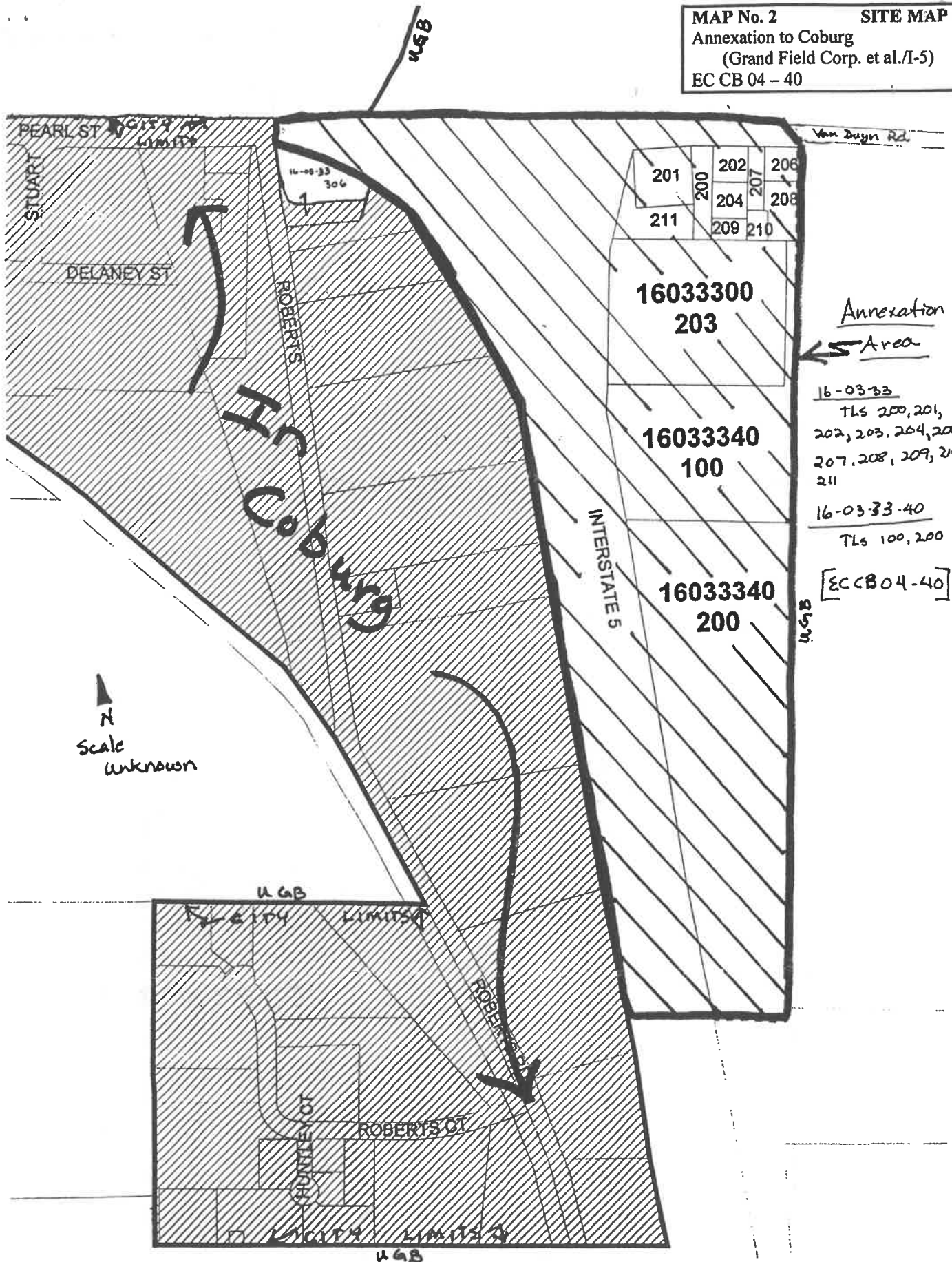
Representing

Note: If you or your agency request a public hearing, the commission asks that you attend the requested hearing.

*pt: LCBC: L:\BC\EXP\2004\ECB0440 SN.DOC
Last Saved: August 3, 2004*

MAP No. 1 VICINITY MAP
Annexation to Coburg
(Grand Field Corp., et al./I-5)
EC CB 04 - 40





Annexation Area
 16-03-33
 Tls 200, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211
 16-03-33-40
 Tls 100, 200
 [EC CB 04-40]

N
 Scale unknown

Paul Williams

Presentation to Coburg City Council

4.7.09

I have three minutes.

Not sufficient time to even begin to address the issues. I know that you do not really want to dialogue with me. You have structured this meeting so that your stakeholders have no opportunity for any meaningful give and take.

You have an awesome responsibility. You are making decisions that will affect the economic well being of every citizen for years to come.

I only want to make one point. Your financial model is fatally flawed. My handout tells you part of the reason why but there are others. In the past you promised you would look into a population study. To my knowledge that has not been done. On three occasions you have promised me to get back to me for clarification or to put me in touch with your consultants. You have never done that. You are acting on bad information but won't accept help in getting better information.

In good faith you have made a series of decisions based on bad information and unrealistic assumptions.

I don't know the source of that bad information and I am not here to affix blame.

You are going to bring financial Armageddon on to me personally and to the city. Your actions to date will result in an increase in costs to Premier that will cause the value of our business to decline by at least \$1,000,000. It is certain that the sewer bills for all citizens are going to be at the high end of your projections. (about \$150 per month per EDU) I think there are some of you at the front tables that know that. You have a duty to speak.

Every citizen of Coburg is going to see a decrease in the value of their property if the sewer program goes forward as now planned.

It is certain that the city will either have to default on loans, take bankruptcy or increase sewer rates to a level that devalues your property and mine.

Madame Mayor, You have often said that sewers are going to be your legacy. I agree with that. The question is will it be a good legacy or a bad one. I agree that the West side of town needs a sewage solution but not at any price.

Coburg City Counsel 6.10.2014

I haven't spoken at one of these meetings for a long time. My grandfather used to tell me that when you are in a hole, stop digging. Tonight we are meeting in a new space that is a reflection that the City of Coburg seems to just keep digging.

Four years ago you started your sewer project and the first phase came in above budget. But you kept digging.

Myself and at least one of your counsel members warned you that your accounting was not accurate and that you actually had a much bigger general fund debt. But you ignored us and kept digging.

Your consultant Ray Bartlett gave you projections that in hindsight look very accurate but you didn't like them so you kept digging and let his contract expire.

Your engineers made a major mistake on the I-5 Crossing Dig. But you kept digging.

I among others questioned in writing whether the city was financially strong enough to buy a city hall building. But you kept digging.

The promises this city made to us to induce us to be annexed have not been met. No Water, High Cost Sewer, Low level police protection and Zoning that means nothing because the city cannot provide the needed services for development. In short the city is not a reliable partner. We cannot take you at your word and we can't depend on you.

Now we are all in a huge hole. I appeal to you to start listening to some voices other than the ones who have helped you dig this huge hole. I think that myself and others have some valuable experience and ideas we can share to help the city get out of this hole. I would prefer to collaborate with you but if there is no appetite for collaboration then I have to protect my business. It would be refreshing if the city would simply ask the question "what do you think" and give stakeholders input at the front end of decisions rather than make decisions behind closed door and force the community to accept the consequences or to fight legal battles.

From: Paul Williams [mailto:pandywilliams@msn.com]

Sent: Friday, July 07, 2017 11:06 AM

To: HEATH Anne <anne.heath@ci.coburg.or.us>; Ray Smith <coburgray@gmail.com>; HARMON Brian <brian.harmon@ci.coburg.or.us>; Dave and Lisa Hill <Indteetime19@sbcglobal.net>; Kevin Hunt <kevin@deltaesi.com>

Subject: Coburg Plan for Water on East side of Freeway

Hello all,

Yesterday I spoke with Jay McPherson who is working on the certification of our new domestic water well. He asked me if I knew that the city was bringing a new water line to the East side of the freeway. That came as quite a shock to me as no one from the city has breathed a word to me about this. He claims that the city has already applied for the loan, has selected a route for the pipe (apparently through our property), has completed the engineering and that he is confident that the city will get the loan approved.

I am writing to get confirmation of this. If it is, I am surprised that no one from the city has contacted us since we represent about 75% of the land east of the Freeway that is currently in the city of Coburg. Mr. McPherson told me that the only reason a loan would not be approved would be if the affected land owners objected.

I do not want to thwart the cities' plan but I do want a written understanding regarding the route of the pipe, compensation for any landscaping or buildings or paving that will be disturbed and most importantly that we have the cities express approval to continue to use our wells for irrigation purposes in perpetuity. We have spent well over \$50,000 in the last year to assure that we had adequate water for the new addition to our resort. This included drilling a new domestic water well on the resort property, a new irrigation well on the 40 acres that we formerly owned south of Reed Road (which we retained water rights to) and installation of new water storage tanks and a pumping and chlorinating system. I think it would be fair to allow us to use the existing system for 5 years before requiring us to hook up to the city water. We should have a chance to amortize those costs over a reasonable period of time. I am confident, that our water costs will show a dramatic increase when city water is used. The only property that is substantially favorably impacted by this decision is the Alaska Seafood and the Truck Stop and any new lands annexed to the city on the east side of the freeway. I want those properties to be developed because they are such an eye sore and that would be my main reason for giving support to the project if we can reach an accommodation regarding the items listed above.

To be candid, it really feels unfair to me that the city would move forward with this type of improvement that will impact our property in multiple ways (some good, some bad) and not involve the property owners in the discussion. This happened on the sewer system many years

ago and I would have thought we all would have realized by now the importance of clear communication on major proposed capital improvements.

I would like to propose a meeting as soon as possible so that I can be brought up to speed on what the city is proposing. It is not my intent to oppose the funding if we can come to agreements to protect our investment but if that is not done I will have no choice than to contact the funding agency and object to the loan.

Regards,

Paul Williams
Managing Member
Eugene Premier RV Resort, LLC

From: Lisa []
Sent: Thursday, May 2, 2019 3:58 PM
To: HEATH Anne
Cc: 'Paul Williams'
Subject: RE: Eastside water Line

Anne,

Thank you so much for this information. I will talk to Paul about it and I am hoping that we can schedule a meeting which he would be willing to attend as well. This month is looking extra busy for me, but it would be great if we could meet with you at some point in June. Are there any days in June that would work better for you than others? - Lisa

From: HEATH Anne < >
Sent: Wednesday, May 1, 2019 3:36 PM
To: ; Paul Williams < >
Subject: Eastside water Line

Lisa,

I wanted to reach out to you because I made a promise to your dad that I would keep Premier RV apprised of the water project.

It has taken a bit of time to get the project started due to requirements of foundational paperwork required by the funding company. Oh the red tape.

It is likely that the I-5 bore will go to bid in early June with it being completed in late summer or fall of 2019. What that means is that a water line would be crossing I-5 after the bore is completed and Premier RV will have access to City water within the next six months if things work as planned.

I know that your dad wanted to discuss some options that Premier might have for how you hook up to the water line so when you want to discuss this just let me know and I'm happy to sit down with you. While I most likely can't make any decisions over your requests, I can and would bring your requests to our City Council.

Hope all is going well as you gear up for the summer. The park looks great from the freeway.

Anne Heath
City Administrator
City of Coburg

Various Payments to The City of Coburg 2014 to through sewer due 7/1/24

Utility & Street Improvement Fees		YTD through 7/1/24
2024	27,243.36	
2023	53,953.88	
2022	55,573.28	
2021	47,744.52	
2020	45,116.50	
2019	32,942.95	large credit this year for overbilling in past - did not cover all amounts overbilled
2018	55,459.00	
2017	93,169.82	
2016	44,161.87	
2015	53,196.00	
2014	15,249.87	
Total Sewer/Street Fees		523,811.05

LID for Sewer	
2015	216,553.00
LID Total	216,553.00

Property Taxes		
2023-2024	33,503.13	
2022-2023	33,015.57	includes Coburg Urban Renewal, Coburg Fire District, Coburg RFPD, City of Coburg
2021-2022	31,774.82	
2020-2021	31,365.36	
2019-2020	30,697.49	
2018-2019	30,153.38	
2017-2018	28,957.69	this tax bill did not have Coburg Fire District, but did have a RFPD bond
2016-2017	18,262.82	pre-expansion property tax bill
2015-2016	16,602.66	
2014-2015	16,156.46	
Prop Tax Totals:		270,489.38

Total of All Payments To City of Coburg 1,010,853.43



MINUTES

Coburg City Council Meeting
January 10th, 2023 at 6:00 P.M.
91136 N Willamette Street
Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, John Fox, John Lehmann, Kyle Blain, Cathy Engebretson, Alan Wells

MEMBERS ABSENT: None

STAFF PRESENT: City Administrator Anne Heath, City Recorder Sammy Egbert, City Attorney Anne Davies, Chief of Police Larry Larson, Public Works Director Brian Harmon

GUESTS: Paul Williams of Premier RV

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL TO ORDER

Mayor Bell called the meeting to order at 5:59 pm.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge of Allegiance.

OATH OF OFFICE

Ms. Egbert administered the Oath of Office to Mayor Bell; to Councilors Engebretson, Lehmann, and Wells; and to City Administrator Heath.

STATE OF THE CITY

Mayor Bell thanked the voters, staff, volunteers and Council. She reported on the state of the city, indicating that the community was thriving.

Claire Smith was awarded Citizen of the Year by Mayor Bell.

Ms. Heath gave a city update.

Sarah Athey was awarded Employee of the Year.

Officer Kevin Wilson was given the Employee Longevity award.

Mayor Bell announced a recess at 6:30.

City Council reconvened at 6:40 pm.

MAYOR COMMENTS

Mayor Bell related that all notes taken by Council members must be entered into record. She handed out notebooks for the purpose.

1. Elect Council President

MOTION: Councilor Lehmann moved to elect Kyle Blain as Council President for a term ending on December 31, 2024, seconded by Councilor Wells. The motion passed 4:0:1. Councilor Blain abstained from voting for himself.

AGENDA REVIEW

Ms. Egbert noted that Item 8 had moved to the end of the Agenda.

CITIZEN TESTIMONY

None.

RESPONSE BY CITY COUNCIL

None.

CONSENT AGENDA

2. Minutes December 13, 2023

MOTION: Councilor Fox moved to accept the December 13th Minutes as presented, seconded by Council President Blain. The motion passed unanimously -- 5:0:0.

SPECIAL GUEST

3. Paul Williams, Premier RV Resort Inc.

Mr. Williams provided history on the annexation of the Premier RV property, stating that he understood there to be a promise of a reciprocal connection to city water, which had not been delivered on. He requested that the Council provide a definitive date for hook-up.

Mayor Bell explained that an exact date could not be provided. Ms. Heath noted that the City was waiting on the approval of permits that had been filed with the State. She further stated that Mr. Williams had the option to connect on the south end of the property in the spring.

Councilor Wells asked if Mr. Williams had a contract verifying the promise of water. Mr. Williams didn't know.

↓
Spring 2023

ORDINANCES AND RESOLUTIONS

4. Second Reading

ORDINANCE A-199-I AN ORDINANCE AMENDING THE COBURG COMPREHENSIVE PLAN MAP

ORDINANCE A-200-M AN ORDINANCE AMENDING THE COBURG OFFICIAL ZONING MAP

Ms. Winner presented, noting that the first change was to add the Downtown District overlay that was adopted by Council on September 27th, 2022. The second change was to remove a strip of Parks, Rec And Open Space (PRO) zoning from three parcels near City Hall, believed by Staff to be incorrectly labeled. Ms. Winner cited Map 8 of the 1980 Comprehensive Plan, where the lots were zoned both PRO and Central Business District.

Some minor clarifications were requested by Councilors Engebretson, Wells, and Blain. They were provided.

MOTION: Councilor Fox moved to accept the Second Reading of Ordinances A-199-I and A-200-M as presented, seconded by Council President Blain. The motion passed unanimously -- 5:0:0.

5. RESOLUTION 2023-01 A RESOLUTION APPLYING A CONSTRUCTION COST INFLATION FACTOR TO EXISTING SYSTEM DEVELOPMENT CHARGES

Ms. Winner explained that the inflation factor was an annual item, currently at 5.6% as researched by Branch Engineering.

Councilor Wells requested clarification on how costs were calculated.

MOTION: Councilor Lehmann moved to approve Ordinance 2023-01 as presented, seconded by Councilor Fox. The motion passed unanimously -- 5:0:0.

COUNCIL ACTION ITEMS

6. Park Tree Committee Appointment for 2023 Calendar Year

Mr. Harmon requested that the Council recommend that the Mayor reappoint the current Park and Tree Committee members for 2023.

MOTION: Council President Blain moved to recommend that the Mayor reappoint Mary Mosier, Tom Beatty, Lonna Meston, Joe Morneau, Coleen Marshall, Claire Smith, and Karen Coury as the seven voting members of the Park and Tree Citizen Advisory Committee for calendar year 2023, seconded by Councilor Engebretson. The motion passed unanimously -- 5:0:0.

Mayor Bell appointed Mary Mosier, Tom Beatty, Lonna Meston, Joe Morneau, Coleen Marshall, Claire Smith, and Karen Coury as the seven voting members of the Park and Tree Citizen Advisory Committee for calendar year 2023.

ADMINISTRATIVE INFORMATION REPORTS

7. Administration Monthly Report

Ms. Heath presented, reminding the Council of the upcoming work session on the 24th of January and the Council Retreat on February 4th.

Councilor Wells requested clarification on the Oregon Mayors Association funding.

Councilor Lehmann wanted to know if a Council liaison would be attending the interviews for Finance Director.

Councilor Fox inquired about sign standardization. Mr. Harmon said it was in process. He also invited the Council members to tour the treatment plant.

Councilor Engebretson raised the question of tailoring street lights to suit Dark Sky efforts as well as citizen lighting needs. Mayor Bell noted that while the building code did not require the installation of street lights in new development, it did require that conduit be laid.

Councilor Lehmann wondered about the Council Retreat Agenda. Mayor Bell requested that suggestions be submitted via email.

8. Council Vacancy and Recruitment

Ms. Egbert explained that the Council was required to declare a vacancy.

MOTION: Councilor Wells moved to declare a City Council Vacancy, seconded by Councilor Fox. The motion passed unanimously -- 5:0:0.

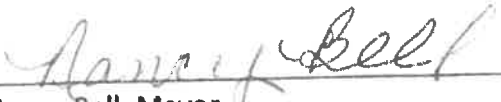
COUNCIL COMMENTS

Ms. Heath asked the Council how they would prefer to receive the upcoming audit information. The decision by consensus was to have the auditor present to the Finance/Audit Committee and hear their recommendations. Councilor Engebretson was asked to act as pro tem liaison.

ADJOURNMENT

Mayor Bell adjourned at 7:40 pm.

APPROVED by the City Council of the City of Coburg on this 14th day of February, 2023.


Nancy Bell, Mayor

ATTEST: 
Sammy L. Egbert, City Recorder

Coburg City Council

Remarks 2-10-23

1. Thanks for listening
2. Brief History covered by my email which I understand you have
3. We were mislead not once but multiple times
4. It has been 15 years since we were first promised city water as an inducement to allow our property to be annexed
5. What have we gotten for that?
 - a. A very expensive Sewer bill About \$40,000 per year
 - b. Property Taxes of \$53,000
 - c. A junk yard neighbor
 - d. A moving target on when and how the water will be connected.

ASK: A definitive date by which we will be hooked up and some consideration for all the funds we have had to expend making temporary improvements in our water source (wells).

The East side of the Freeway is now no-mans land. It needs to stop. We deserve to have a city government that pays attention to the buildings that have become junk and the tenants who store junk.

Alternative: A lawsuit seeking to reverse our property annexation.



MINUTES

Coburg City Council Meeting
February 14th, 2023 at 6:00 P.M.
91136 N Willamette Street
Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, John Fox, John Lehmann, Cathy Engebretson

MEMBERS ABSENT: Kyle Blain, Alan Wells

STAFF PRESENT: City Administrator Anne Heath, City Recorder Sammy Egbert, Chief of Police Larry Larson, Public Works Director Brian Harmon

GUESTS: Park | Tree Committee, Chair Mosier; Planning Commission, Chair Bell

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL TO ORDER

Mayor Bell called the meeting to order at 6:16 pm.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge of Allegiance.

ROLL CALL

Ms. Egbert called roll. A quorum of three was present.

MAYOR COMMENTS

Mayor Bell announced that the appointment of liaisons would be moved to the March Agenda. After thanking the Council for a great retreat, she noted that the official resignation of the City Administrator could be found in the red folders. She thanked Ms. Heath for the written notice.

AGENDA REVIEW

Ms. Egbert noted that the red folders contained Agenda Item 5.1, an IGA (Inter-governmental agreement) for the recruitment of a City Administrator, as well as an informational copy of the Quarterly Finance Report.

CITIZEN TESTIMONY

None.

RESPONSE BY CITY COUNCIL

None.

CONSENT AGENDA

1. Heritage Committee Appointment - Ronald Spores
2. Minutes January 10, 2023 City Council
3. Minutes January 24, 2023 City Council Work Session

Councilor Fox stated the title on the January 24, 2023 meeting should be changed, the wording should be changed from City Council "Meeting" to "Work Session".

MOTION: Councilor Engebretson moved to accept the Consent Agenda as amended, seconded by Councilor Lehmann. The motion passed unanimously -- 3:0:0.

Mayor Bell officially appointed Ronald Spores to the Heritage Committee for the remainder of the term expiring in March of 2024.

SPECIAL GUEST

Park | Tree Committee, Chair Mosier

Ms. Mosier presented an update on the Park & Tree Committee's activities and projects. The Committee requested that the Council consider funding for the planned Veterans Memorial, with an estimate to be provided by May for inclusion in the conceptual budget.

Planning Commission, Chair Bell

Commissioner Bell stated that the Planning Commission had adopted the same goals for 2023 as it had for 2022. He mentioned that the Commission had a vacancy to be filled. Commissioner Bell brought up narrow legacy streets and increased traffic, particularly the Weichert subdivision, as a subject for further consideration.

ORDINANCES AND RESOLUTIONS

4. RESOLUTION 2023-02 A RESOLUTION AUTHORIZING GRANT PROPOSAL TO THE REGIONAL FIBER CONSORTIUM FOR EXTENDING FIBER LINE TO THE SEWER PLANT AND NORTH COBURG ROAD

MOTION: Councilor Lehmann moved to adopt Resolution 2023-02 as presented, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

COUNCIL ACTION ITEMS

5. Audit | Annual Finance Report through 6/30/2022

Ms. Heath presented, noting that the Council had chosen to let the Finance/Audit Committee receive the audit. Their recommendation was to accept the audit as presented.

MOTION: Councilor Engebretson moved to accept the Audit | Annual Finance Report through 6/30/2022 as presented, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

5.1 Lane Council of Governments (LCOG) Local Government Personnel Services (LGPS)
IGA

Council discussed the topic of City Administrator Recruitment, noting that the Council had considered three recruitment options and had chosen LCOG LGPS. Councilor Lehmann noted an inconsistency in the language of the contract and requested that paragraph 3 be amended to "not to exceed \$8500."

MOTION: Councilor Lehmann moved to approve the IGA with LCOG for Local Government Personnel Services to provided cruitment services for the City Administrator position with a "Not to exceed \$8,500" added to IGA, seconded by Councilor Fox. The motion passed unanimously -- 3:0:0.

ADMINISTRATIVE INFORMATION REPORTS

6. Public Works Operations Building Update

Mr. Harmon presented, stating that the new Public Works building was 90% planned, with the bidding process expected to begin in May or June.

7. American Rescue Fund Update

Ms. Heath requested that the Council consider how to allocate \$130,000. She gave the recommendations of lost revenues, Main Streets, safe routes to school and food banks as possible options.

8. Citizen Inquiry Quarterly Report

Ms. Egbert explained the process of Citizen Inquiry. She said the noise reports were being monitored.

9. Police Department Quarterly Presentation

Chief Larson presented, noting that the third quarter was high due to ODOT traffic stops. He also noted that an officer had been out of service due to medical reasons.

Councilor Lehmann asked if the majority of stops were residents. Chief Larson said the majority were travelers. Councilor Lehmann requested information on physical contact. Chief Larson stated that all contact was reported in Level of Resistance forms and he would provide that data. Councilor Lehmann wondered about the use of body cams and chokeholds. Chief Larson said that body cams were used regularly and that Oregon law forbade the use of chokeholds.

10. Finance Quarterly Presentation

Ms. Heath presented.

11. Administration Monthly Report

Ms. Heath brought to the Council's attention a letter from Paul Williams of Premiere RV, requesting that the City extend a water line to the south end of his property at the City's expense. The estimated cost was \$175,000 - 180,000 with a 20% contingency. The decision by consensus was to add a Staff Report to the March Agenda including any documentation, distances and the City's legal obligations.

2023

Ms. Heath shared that public feedback on Macy Street was divided equally between no changes and adding speed cushions and sidewalks. The Council's direction to Mr. Harmon was to work with the engineers for a final design that might include future traffic calming solutions.

Ms. Heath outlined a timeline for moving forward with a utility fee increase.

- Council suggestions to be sent and received by February 22nd
- Informational material to be mailed and posted on social media before March 14th
- Public hearings on March 14 and April 11th
- Decision to be made no later than May for inclusion in the new budget in July

Lehmann requested the inclusion of the Consumer Price Index (CPI) in the informational material.

COUNCIL COMMENTS

Councilor Lehmann wanted to add discussing a stipend for the position of Mayor to the Agenda. He wondered how the City of Eugene's ban on natural gas might affect Coburg.

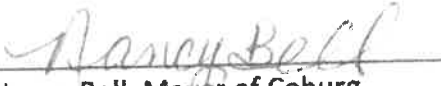
Councilor Fox noted that the new Heritage Committee member was the great-grandson of Jacob Spores. He recommended microphone checks for the benefit of those attending remotely.

Councilor Engebretson thanked the Staff for their work.

ADJOURNMENT

Mayor Bell adjourned at 8:45 pm.

APPROVED by the City Council of the City of Coburg on this 14th day of March, 2023.


Nancy Bell, Mayor of Coburg

ATTEST: 
Sammy L. Egbert, City Recorder



MINUTES

Coburg City Council Meeting
March 14th, 2023 at 6:00 P.M.
91136 N Willamette Street
Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, John Fox, John Lehmann, Kyle Blain, Alan Wells (via Zoom, 6:15)

MEMBERS ABSENT: Cathy Engebretson

STAFF PRESENT: City Administrator Anne Heath, City Attorney Anee Davies, City Recorder Sammy Egbert, Chief of Police Larry Larson, Public Works Director Brian Harmon, Megan Winner, Coburg Planning

GUESTS: Russ Hayworth, Main Streets

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL THE CITY COUNCIL MEETING TO ORDER
Mayor Bell called the meeting to order at 6:02 pm.

PLEDGE OF ALLEGIANCE
Counselor Blain led the Pledge.

ROLL CALL
Ms. Egbert called roll. A quorum was present.

MAYOR COMMENTS
1. Arbor Day Proclamation
Mayor Bell proclaimed April 28th, 2023 as Arbor Day.

2. Child Abuse Prevention Proclamation

Mayor Bell proclaimed April, 2023 as Child Abuse Prevention Month.

AGENDA REVIEW

Ms. Egbert stated that the Council's red folders contained a staff report regarding an OLCC license for The Greenhouse on page 66, under Action Items. The Employee Housing Agreement listed under the Consent Agenda was moved to Action Items, as well.

CITIZEN TESTIMONY

3. Written Testimony Premier RV

4. Written Testimony Chief Minter

RESPONSE(S) BY CITY COUNCIL

None

CONSENT AGENDA

5. Minutes February 14, 2023, City Council

Councilor Lehmann requested that Item 5.1 be amended to read "Councilor Lehmann noted" rather than "she noted."

MOTION: Councilor Fox moved to accept the Consent Agenda as amended, seconded by Councilor Blain. The motion passed unanimously -- 4:0:0.

SPECIAL GUEST

7. Coburg Main Streets - Russ Hayworth

Mr. Hayworth gave an update on Main Street, noting it was now an established 501c3. He detailed current and upcoming projects and requested that the Council make a financial commitment of \$25,000 plus benefits for the position of Main Street Executive Director. He praised the work of Tracey Pugh.

8. Financial Consulting Solutions Group, Inc. - UTILITY RATE Presentation, Doug Gabbard

Mr. Gabbard presented a slide show detailing utility rate basics and what had changed in the rate analysis with the addition of the \$8.7 million water project.

Councilor Fox wondered why Springfield was not on the list of comparison rates. Mr. Gabbard did not know.

Councilor Lehmann asked if the projections included the subdivision. Ms. Heath said yes, but that the development was taking longer than originally anticipated.

Councilor Wells asked if the projection could be forecast further into the future to show a leveling off of costs. Mr. Gabbard explained that there were too many unknowns.

Councilor Lehmann requested to know the dollar amount per year on the debt service. Ms. Heath said she would provide the information.

After discussion, Council directed Staff to update the public on the rate increases being considered.

COUNCIL ACTION ITEMS

9. Junction City Intergovernmental Agreement for Police Chief

Chief Larson presented a request for one less 10-hour shift per week in order to lend assistance to Junction City Police Department. Rather than an IGA, the decision by consensus was that Chief Larson could take on the request as a personal service agreement for 3.5 months.

MOTION: Councilor Lehmann moved to permit Chief Larson to enter into a personal services contract with the city of Junction City for 20 hours per week, reducing his time in Coburg by 10 hours per week, for a period of 3.5 months, seconded by Councilor Blain. The motion passed -- 3:1:0. Councilor Fox voted nay, citing stretched resources.

10. Planning Commission Recommendations to Council

Ms. Winner presented the Planning Commission's recommendations that the City Council ensure that planned improvements to Macy St., N. Willamette St. and Harrison St. were completed before the developer connected the subdivision, and that the City Council formally address the issue of the intersection of N. Willamette and Van Duyn.

Mr. Harmon spoke to the recommendations.

Mayor Bell noted that the issues would be addressed by the Transportation Group. No action was taken.

12. Budget Officer 2023-24

MOTION: Councilor Blain moved to appoint Ms. Anne Heath as Budget Officer, seconded by Councilor Fox. The motion passed unanimously -- 4:0:0.

13. Council Goals and Work Plan 2023-24

Ms. Heath relayed the Finance/Audit Committee's request to merge with the Budget Committee.

Mayor Bell noted that in Item 12, page 64, the word "law" should be corrected to "lawn."

MOTION: Councilor Fox moved to adopt the preamble goals for fiscal year 2023-24 as amended, seconded by Councilor Blain. The motion passed unanimously -- 4:0:0.

9. Greenhouse OLCC License - 91070 N. Willamette

MOTION: Councilor Blain moved to recommend that OLCC grant The Greenhouse a full on-premises liquor license for the property located at 91070 N. Willamette, seconded by Councilor Fox. The motion passed -- 3:0:1. Councilor Wells recused himself from the vote.

9. Employee Housing Agreement - Stallings Lane

Ms. Heath proposed renting city-owned housing to Public Works employees.

MOTION: Councilor Lehmann moved to approve the employee housing agreement pending review by City attorney Anne Davies and City Administrator Anne Heath, seconded by Councilor Fox. The motion passed unanimously -- 4:0:0.

ADMINISTRATIVE INFORMATION REPORTS

14. Administration Monthly Report

Ms. Heath presented.

City Administrator recruitment would be open until April 10th.

Premier RV was invited to the March 28th work session.

Two candidates were being considered for the Finance Department.

15. Local Government Basics

Ms. Heath encouraged the Council to read the provided insert.

Councilor Blain asked for an update on Douglas Fiber. Ms. Heath said she would provide that information.

COUNCIL COMMENTS

16. Liaison Appointments 2023

Councilor Wells - Audit/Finance

Councilor Engebretson - Heritage, backup for ACT

Councilor Fox - Lane ACT, backup for Heritage

Councilor Blain - Planning Commission

Councilor Lehmann - Police
Mayor Bell - LCOG, MPO, Main Street, Park | Tree

ADJOURNMENT

Mayor Bell adjourned at 8:33 pm.

APPROVED by the City Council of the City of Coburg on this 11th day of April, 2023.



Nancy Bell, Mayor of Coburg

ATTEST: 

Sammy L. Egbert, City Recorder

WRITTEN TESTIMONY TO CITY COUNCIL
CITY COUNCIL WORK SESSION SCHEDULED 3/28/2023

**Premier RV Resorts, LLC
Eugene Premier RV Resort, LLC
33620 SW Firdale Rd.
Cornelius, Or. 97113**

January 30, 2023

Anne Heath
City Administrator
91136 N. Willamette Street,
Coburg OR 97408

RE: Domestic water to Eugene Premier RV Resort, LLC

33022 Van Duyn Rd, Eugene, OR 97408

Dear Ms. Heath,

Thank you for the productive meeting with your staff concerning the extension of the city water line to our property.

Based on our discussion with you and your staff we propose the following:

1. The City of Coburg extend the water line the approximately 71 feet to reach our south property line at its cost.
2. The city installs a water meter (which shall be paid for by Eugene Premier RV Resort LLC) sized to serve our resort as determined by our engineer.
3. Eugene Premier RV Resort will hire an engineer at its expense to determine the size of meter, and supply pipe needed to service the resort and the required back flow device to meet the city standards.
4. The city will keep us apprised of the progress in getting the state permit and will review our engineering as we wait for the state permit so that we can begin construction of our water line as soon as the state permit is issued.

Time is of the essence for this project. We cannot predict how long our domestic water wells will have sufficient flow to provide the potable water for our resort.

Please share this letter with the mayor and council members.

We remind the city that we have been promised water for almost 18 years and the proposed hook up date has been moved back at least 4 times in the last 4 years.

We do not want to have to litigate this issue but are prepared to do so should the city again fail to perform as promised.

Very Truly Yours,

Paul Williams

Managing Member Eugene Premier RV Resort, LLC



AGENDA

CITY COUNCIL WORK SESSION

91136 N Willamette Street & ZOOM Video

541-682-7852 | coburgoregon.org

Tuesday, March 28, 2023 at 6:00 PM

Join this meeting in-person at City Hall, or by Zoom. To participate by Zoom pre-register with the City by 3PM the day of the meeting. Council meetings are recorded and live stream both available at coburgoregon.org

CALL THE CITY COUNCIL WORK SESSION TO ORDER

ROLL CALL

WORK SESSION DISCUSSION TOPICS

1. Premier RV Resort - Water Service
2. Alley Encroachment and Vacation
3. Tree Fee

ADJOURNMENT

The City of Coburg will make reasonable accommodations for people with disabilities. Please notify City Recorder 72 hours in advance at 541-682-7852 or sammy.eqbert@ci.coburg.or.us

All Council meetings are recorded and retained as required by ORS 166-200-0235.

Recording of meeting online

1:09 - 26:00

our testimony

Annexed in 2004



MINUTES

Coburg City Council Meeting

May 9th, 2023 at 6:00 P.M.

91136 N Willamette Street

Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, John Fox, John Lehmann, Kyle Blain, Claire Smith

MEMBERS ABSENT: Cathy Engebretson, Alan Wells

STAFF PRESENT: City Administrator Anne Heath, City Attorney Anee Davies, City Recorder Sammy Egbert, Chief of Police Larry Larson, Public Works Director Brian Harmon, City Accountant Gregory Peck

GUEST: Robert Killen, Regional Accelerator & Innovation Network (RAIN)

RECORDED BY: Angela Kern, Lane Council of Governments (LCOG)

CALL THE CITY COUNCIL MEETING TO ORDER

Mayor Nancy Bell called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

Counselor John Fox led the Pledge.

ROLL CALL

City Recorder Sammy Egbert called roll. A quorum was present.

MAYOR COMMENTS

Mayor Bell thanked the Council and audience. She then read the Public Works Week Proclamation, proclaiming the week of May 21 - 27, 2023, as National Public Works Week. She noted that Coburg Public Works had a new lawn tractor.

AGENDA REVIEW

Item 10, listed as informational only, would instead be an Action Item.

CITIZEN TESTIMONY

1. Written Testimony Joshua Briegl - Public Hearing on Utility Rates

RESPONSE(S) BY CITY COUNCIL

None

CONSENT AGENDA

2. Minutes April 11, 2023 City Council
3. Minutes April 25, 2023 City Council Work Session
4. Planning Commission Appointment - Jerry Behney
5. RESOLUTION 2023-07 A RESOLUTION 2023-07 DESIGNATING SIGNING AUTHORITY WITH KEY BANK AND OREGON TREASURY LOCAL GOVERNMENT POOL ACCOUNTS

MOTION: Councilor Fox moved to accept the Consent Agenda as presented, seconded by Councilor Blain.

The motion passed unanimously -- 4:0:0.

SPECIAL GUEST

Robert Killen, Deputy Director of RAIN, presented the organization's annual report as a slideshow and answered Council questions. He suggested that alternative funding might be found if the City wished to finish out the MOU for a fifth year. Entrepreneur Gina Moran spoke positively about her experience with RAIN.

Counselor Blain asked for more examples of RAIN's work with entrepreneurs. Project Manager Aqsa Khan provided some.

ORDINANCES AND RESOLUTIONS

Mayor Bell moved Item 7, Resolutions 2023-05 and 2023-06, to Item 6.

6. Public Hearing

- RESOLUTION 2023-05 ADOPTING RATES FOR WASTEWATER EFFECTIVE JULY 1, 2023
- RESOLUTION 2023-06 ADOPTING WATER RATE SCHEDULE EFFECTIVE JULY 1, 2023

Mayor Bell opened the Public Hearing at 6:31 p.m.

Ms. Heath provided a Staff Report.

Citizen testimony: Larry Vonsieger, speaking on behalf of the Pioneer Valley Estates (PVE), requested that the Council take accountability for PVE. He pointed out that the 40-home suburb had no representation and had outdated water infrastructure. He wished to know what improvements the PVE could expect after the rate increases.

Mayor Bell closed the Public Hearing at 6:45 p.m.

Councilor Blain expressed that raising the utility rates was a difficult decision, which the Council had taken very seriously.

MOTION: Councilor Fox moved to adopt Resolutions 2023-05 and 2023-06, effective July 1st, 2023, as presented, seconded by Councilor Blain.

The motion passed unanimously -- 4:0:0.

7. Public Hearing | First Readings

-ORDINANCE A-171-C AN ORDINANCE AMENDING ORDINANCE A-171, AS AMENDED BY A-171-A AND A-171-B, AN ORDINANCE ESTABLISHING CITY PARK REGULATIONS
-ORDINANCE A-246-A AN ORDINANCE AMENDING ORDINANCE A-246, AN ORDINANCE CONTROLLING VEHICULAR AND PEDESTRIAN TRAFFIC

Mayor Bell opened the Public Hearing at 6:49 p.m.

Ms. Heath provided a Staff Report.

Councilor Blain inquired about funding. Mayor Bell said funding had been requested by the OMA (Oregon Mayors' Association) but hadn't been established.

Councilor Smith wanted unhoused campsites to maintain a reasonable distance from children's play areas. She also suggested that personal belongings remain within the footprint of a vehicle or tent.

Mayor Bell closed the Public Hearing at 7:09 p.m., noting that the Second Hearing would take place on June 13th, 2023.

COUNCIL ACTION ITEMS

8. Jones Drilling Co. Inc, Secondary Wellfield Project Contract

Mr. Harmon presented.

MOTION: Councilor Blain moved to approve the contract as presented, seconded by Councilor Fox.

The motion passed unanimously -- 4:0:0.

9. Land Lease Agreement with Coburg Fire District

Mr. Harmon presented, providing background.

MOTION: Councilor Lehmann moved to approve the contract as presented, seconded by Councilor Blain.

The motion passed unanimously -- 4:0:0.

ADMINISTRATIVE INFORMATION REPORTS

10. Premier RV Water Service

Mr. Harmon presented.

MOTION: Councilor Blain moved to approve the installation of Premiere RV water service subject to the approval of necessary easements and permits, seconded by Councilor Fox.

The motion passed unanimously -- 4:0:0.

The Council requested information on the infrastructure issues in Pioneer Valley Estates. Mr. Harmon furnished the details.

11. Finance Quarterly Presentation

Ms. Heath reported.

Councilor Lehmann asked about the Tree Fee. Ms. Heath said no decisions had been made.

Ms. Heath introduced the City's new accountant, Gregory Peck.

12. Police Department Quarterly Report

Chief Larson delivered the quarterly report.

Councilor Fox wondered why traffic stops were in a decline. Chief Larson said an officer was out.

13. Administration Monthly Report

Ms. Heath presented. She informed the Council that a City Administration candidate had been signed and would begin on July 31st. Regarding the Water Project, an LOI (Letter of Intent) had been filed with Business Oregon and the Oregon Water Resources grant needed to be updated. Ms. Heath noted that the Parks | Tree Committee would meet with the designer soon. The Coburg Loop Path was now projected to cost \$300,000 more than anticipated. Other options were discussed.

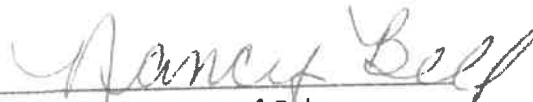
COUNCIL COMMENTS


Councilor Lehmann wished to see written evaluations from RAIN's partners. Councilor Fox thought that RAIN needed better outreach. Councilor Blain said he'd rather focus on Main Street. Councilor Smith noted that Main Street had great ideas but lacked the processes to follow through. Ms. Heath inquired if the Council would finish the contract if RAIN found other funding. The consensus was yes.

ADJOURNMENT

Mayor Bell adjourned at 8:07 pm.

APPROVED by the City Council of the City of Coburg on this 13th day of June, 2023.


Nancy Bell, Mayor of Coburg

ATTEST: 
Sammy L. Egbert, City Recorder



MINUTES

Coburg City Council Meeting
August 8th, 2023 at 6:00 P.M.
91136 N Willamette Street
Hybrid Meeting in-person or via Zoom

MEMBERS PRESENT: Mayor Nancy Bell, Kyle Blain, Cathy Engebretson, John Fox, John Lehmann, Claire Smith, Alan Wells

MEMBERS ABSENT: None

STAFF PRESENT: City Attorney Anne Davies, City Administrator Adam Hanks, Anne Heath, City Recorder Sammy Egbert, Chief of Police Larry Larson, Finance Director Greg Peck, Public Works Director Brian Harmon

RECORDED BY: Jackie Low, Lane Council of Governments (LCOG)

CALL THE CITY COUNCIL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:01 pm.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge.

ROLL CALL

Ms. Egbert called roll. A quorum was present.

MAYOR COMMENTS

Mayor Bell welcomed City Administrator Adam Hanks, who started in this role on July 31st. Ms. Egbert conducted swearing in ceremony for City Administrator Hanks. Mayor Bell thanked City Administrator Anne Heath for her service to the city and announced retirement party for Ms. Heath at City Hall on Thursday, August 31st from 3:00 to 6:00 pm. Ms. Heath will continue to work with the city through August to assist with the city audit.

AGENDA REVIEW

Amended Minutes for June 13, 2023 and July 11, 2023 for consideration under the consent agenda.

Remove Agenda Item 5 Wildish Building Company Contract.

CITIZEN TESTIMONY

None.

CONSENT AGENDA

1. Minutes June 13, 2023, City Council
2. Minutes July 11, 2023, City Council

MOTION: Councilor Fox moved, seconded by Councilor Wells, to accept the consent agenda as amended.

The motion passed unanimously – 6:0.

ORDINANCES AND RESOLUTIONS

3. Second Reading

ORDINANCE A-163-U AN ORDINANCE ADOPTING THE OREGON CRIMINAL CODE, OREGON UNIFORM CONTROLLED SUBSTANCES ACT, OREGON LIQUOR CONTROL ACT, AND THE OREGON MOTOR VEHICLE CODE; REPEALING CONFLICTING ORDINANCES

MOTION: Councilor Lehmann moved seconded by Councilor Blain to adopt Ordinance A-163-U An Ordinance Adopting the Oregon Criminal Code, Oregon Uniform Controlled Substances Act, Oregon Liquor Control Act, and the Oregon Motor Vehicle Code; repealing conflicting ordinances,

The motion passed unanimously- 6:0.

4. **RESOLUTION 2023-13** A RESOLUTION APPROVING THE ORIGINAL ART MURAL POLICY

Member comments and questions included clarification of the definition of mural, approval criteria, and who would be responsible for approving or denying proposals. Mural was defined as an original art not intended to advertise. Criteria for approval include color, size, materials, workmanship, and themes on a content neutral basis. Ms. Winner informed the Council the policy was written in alignment with Type 1 Land Use review and proposals in public spaces would be required to go through the process for donations for public spaces policy in addition to the Type 1 review.

Councilor Lehmann expressed concern of the responsibility and liability placed on city administration staff to approve or deny proposals.

Mr. Hanks advised that as the policy is written, Type 1 review may be forwarded to the appropriate committees. Discussion was held to determine if Type 2 review may be more appropriate for this policy.

Mr. Hanks proposed adopting resolution as it is written with direction for discussion between Council and staff at a future date, potentially the Council's upcoming work session in September.

MOTION: Councilor Fox moved, seconded by Councilor Engebretson to adopt Resolution 2023-13 A Resolution approving the Original Art Mural Policy.

The motion passed 4:1 with Councilor Lehmann voting against because he wasn't ready to make final decision. Councilor Smith abstained.

Councilor Engebretson recommended staff consider changing policy to Type 2 from Type 1 and to include language for murals on City buildings.

Councilor Lehmann recommended staff compare mural and sign ordinances for consistency of definitions and approval criteria.

COUNCIL ACTION ITEMS

5. Wildish Building Company Contract to Build an Operations and Storage Building

This item was removed from the agenda. Ms. Heath noted that the City issued an intent to award to Wildish Building Company and, consistent with both state and local procurement laws, a protest of the intent to award was filed by one of the bidders. Staff is working with the City's legal team to ensure the protest process is addressed and resolved prior to Council making the formal contract award. Councilor Fox appreciated the review attention given to the lowest bid and the acknowledgement of issues.

6. Branch Engineering Contract and Rates

Ms. Heath presented a 1 year contract renewal with Branch Engineering explaining there is a proposed rate increase of 25% on current projects in process, and a 40% increase on any new projects that begin under this contract.

Council comments and questions included acknowledgement of impact of rate increases on the budget and inquired with staff on the ability to develop a Request for Proposal (RFP) for engineering services prior to the expiration of this new contract renewal in July of 2024. Mr. Hanks advised Council that an RFP could be developed for a number of different engineering service scenarios and suggested that staff could provide Council with several different options and highlight anticipated pro's and con's associated with the different options.

MOTION: Councilor Blain moved, seconded by Councilor Fox to approve the contract with Branch Engineering Inc. as City Engineer.

The motion passed unanimously 6:0:0.

ADMINISTRATIVE INFORMATION REPORTS

5. Finance Quarterly Presentation

Mr. Peck presented the finance quarterly report.

Councilor Engebretson asked about the Water Fund revenue versus expenses. Mr. Peck clarified that reports are preliminary, and Ms. Heath stated reimbursements are expected.

Councilor Lehmann asked if the previous warning of the outlook for Personal Services still stood from two months ago. Ms. Heath shared the City needs to continue to generate revenue for the General Fund to accommodate increasing costs and clarified that water revenues will not be going into the General Fund.

Mayor Bell shared Budget Committee has asked how revenue can be increased and Council is tasked with evaluating ways to increase revenue. Mr. Peck shared this is a statewide trend.

Councilor Wells asked clarification if the city is running at a deficit each year. Ms. Heath shared the General Fund absorbs departments, such as Parks, that do not generate revenue which impacts deficit. Councilor Wells asked how to fund a deficit. Ms. Heath emphasized that report is preliminary and there is approximately \$800,000 in reimbursement from the water fund that is still expected.

Councilor Lehmann asked if funds are received from use of parks for events. Ms. Heath advised revenue is very minimal and Council can evaluate how revenues are serving the community and impact on Public Works.

6. Total Maximum Daily Load Annual Update

Mr. Harmon presented.

Councilor Fox asked for clarification of the period of the report. Mr. Harmon stated this report is for the year 2022.

7. Administrative Monthly Report

Ms. Heath presented. She informed the Council that the Water Project well drill is not completed. Ms. Heath advised Premier RV delineation is still in process with a letter sent to the governor's office. The city can apply for a temporary hook up to water through OHA which will have its own application process. Mr. Harmon will work with Premier RV to determine the seriousness of the situation and timeline in order to determine if temporary line should be placed.

Mayor Bell asked if liaison assignments are working for the Council. Consensus to continue with current assignments.


COUNCIL COMMENTS

Mayor Bell asked if Ms. Heath has had an opportunity to follow up with citizen inquiries about the post office. Ms. Heath shared she has tried to contact the post office without success and is still investigating.

ADJOURNMENT

Mayor Bell adjourned at 8:30 pm.

APPROVED by the City Council of the City of Coburg on this 12th day of September, 2023.



Nancy Bell, Mayor of Coburg

ATTEST: 

Sammy L. Egbert, City Recorder



MINUTES
City Council Meeting
December 12, 2023
Coburg City Hall
91136 N Willamette Street

MEMBERS PRESENT: Nancy Bell; Mayor, John Fox, Alan Wells, Cathy Engebretson, Claire Smith, John Lehmann

MEMBERS ABSENT: none

STAFF PRESENT: Adam Hanks; City Administrator, Sammy Egbert; City Recorder, Brian Harmon; Public Works Director, Greg Peck; Finance Director, Larry Larson; Chief of Police

RECORDED BY: Lynn Taylor; Lane Council of Governments (LCOG)

CALL TO ORDER

Mayor, Nancy Bell called the meeting to order at 6:01pm.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge of Allegiance.

ROLL CALL

City Recorder, Sammy Egbert called roll. A quorum was present.

MAYOR COMMENTS

Mayor Bell shared:

- The Christmas in Coburg was a rousing success and she thanked many of those who contributed to that accomplishment, including the Main Street organization, the Coburg Grange, Public Works staff and the countless volunteers who worked to make the event happen.
- The food drive for the local food pantry was also a great success
- A holiday party in appreciation of Coburg city staff was scheduled for December 14, 2023
- There had been very good attendance at the meeting with Pioneer Valley Estates. She hoped for an open dialogue with residents and improved trust. While the development was not within Coburg city limits, those living there did consider themselves part of the community.

- Council Kyle Blain officially resigned effective November 28, 2023, and the Charter required the Council to declare that vacancy by a majority vote and she invited a motion to make that declaration.

MOTION: Councilor Smith, seconded by Councilor Fox, moved to declare City Council Position 5 vacant and to move forward with the recruitment to fill the vacancy.

The motion passed unanimously — 5:0.

Mayor Bell stated that Councilor Blain had served as Council President and the Council would need to elect a councilor to serve as Council President until January 2025.

MOTION: Councilor Wells, seconded by Councilor Lehmann, moved to elect Councilor Engebretson as to Serve as the Council President.

The motion passed unanimously — 5:0.

Mayor Bell said that Councilor Blain had also served as the Council's liaison to the Planning Commission, but filling that position would be delayed until Councilor Blain's position was filled.

AGENDA REVIEW

There were no changes made to the agenda.

CITIZEN TESTIMONY

There were no request(s) made to publically speak. There were no written statement(s) received.

CONSENT AGENDA

Mayor Bell briefly reviewed the items on the Consent Agenda and there were no requests to remove an item for separate consideration.

1. Finance Audit Committee Member Appointment
2. Minutes November 14, 2023

MOTION: Councilor Engebretson, seconded by Councilor Fox moved to approve the Consent Agenda as presented.

The motion passed unanimously — 5:0.

COUNCIL ACTION ITEMS

1. Transportation Safety Ad Hoc Appointment

Mr. Hanks stated that the Council had created an ad hoc committee to address transportation safety issues as described in the agenda materials. There had been an excellent response from the community, with six people applying to serve on the committee along with Mayor Bell, Councilor Lehmann and Planning Commissioner John Marshall. In an effort to maximize community involvement, the recommendation was to appoint four citizen members to the committee, with the two other citizen applicants serving as alternates.

Mayor Bell explained that the recommended citizen appointments were taken in the order of their application dates and the alternates would be provided all meeting materials and welcomed to attend committee meetings. The slate of appointments was:

- Bryan Hamburger - citizen member
- Brandon Rhodes - citizen member
- James Bell - Planning Commission member alternate
- Jean Schapper - citizen member
- McKenzie Bryant - citizen member
- Alan Wells - City Council member alternate
- Michael McDonald - citizen member alternate
- Vilma McDonald - citizen member alternate

Councilors Lehmann and Smith supported the idea of appointment of community member alternates to maintain balance between elected officials and community members.

MOTION: Councilor Wells, seconded by Councilor Fox, moved to recommend Mayor Bell appoint Bryan Hamburger, Brandon Rhodes, Jean Schapper and McKenzie Bryant, as well as Alan Well as an alternative city councilor and James Bell as an alternative planning commissioner to the Transportation Safety Ad Hoc Committee, and in addition Michael McDonald and Vilma McDonald as alternate citizens at large to the Transportation Safety Ad Hoc Committee.

The motion passed unanimously — 5:0.

2. Water Fund Capital Project Expenditure for Coburg Water (Hydraulic) Modeling

Mr. Hanks briefly summarized the Item, which had been discussed during the Council's November 28 work session. The intention with the modeling was to conduct an analysis now that there was more information about well #3 and adjusted population data and growth forecast. That would assist in examining scenarios with the changed data points from the original master plan. If the Council concurs with the modeling, by the spring of 2024 with the combination of a conservation management plan and the modeling, an updated Capital Improvement Plan (CIP) and an updated financial picture should culminate in the ability to determine what projects were priorities and in what order.

Councilor Lehmann asked about the status of an earlier consultant's report discussing the option of a third reservoir and improvements to the existing two reservoirs and recommendations regarding lowering usage of the existing tanks. Mr. Hanks replied that recommendations on the existing tanks had not been implemented. Staff was searching for grant funding to complete a seismic rehabilitation project that would allow the capacity to remain the same or slightly increase. The cost of a third tank was high and the modeling would help determine priorities.

In response to a question from Councilor Fox, Mr. Hanks said staff was working with Lane County on development of a grant application in the June-July 2024 time period with submission by the County to the Federal Emergency Management Administration (FEMA) in October. It was a competitive process and other funding sources such as other grants and loans were also being researched.

Mr. Harmon added that the reservoir levels would not be reduced prior to the third well production line coming into the system in order to maintain capacity in the event of one of the wells required recharging.

MOTION: Councilor Lehmann, seconded by Councilor Fox, moved to approve utilization of up to \$25,000 of budgeted Water Fund appropriations to conduct water system hydraulic modeling consistent with the attached scope of work.

The motion passed unanimously — 5:0.

3. Wastewater Facilities Master Plan Sole Source Procurement

Mr. Hanks explained that the Council's role at the local Contract Review Board required approval of the staff request to enter into a sole source contract with a vendor the City had used in the past rather than using a competitive solicitation process. Materials in the agenda packet provided details of the requirements for using the sole source procurement method. He said that the proposed vendor, Kennedy Jenks Consultants, was the contractor that developed the Wastewater Master Plan, possessed all details of the system and plans and was best positioned to deliver a facilities plan in the most efficient and economic way with the highest level of expertise without the time and expense involved in issuing a request for proposals (RFP) for the project.

Councilor Lehmann expressed some concern, but understood the rationale for the sole source request.

Councilor Wells noted that \$65,000 had been appropriated for the project and asked if the contract amount would be negotiated. Mr. Hanks said if the negotiations with Kennedy Jenks resulted in a higher amount to do the work, the City would have the option of issuing an RFP. Mr. Harmon added that in his discussions with the vendor the cost was estimated at \$35-40,000; \$65,000 was appropriated as a buffer in case issues arose during the project that required additional time.

Councilor Fox observed that Coburg's system was unique. Mr. Harmon agreed and the two primary engineers responsible for the system design were still employed with Kennedy Jenks and would work on the project.

Councilor Wells asked if there was a concern that potential vendors knew how much was available for a project contract. Mr. Hanks replied that the City's budget was public information and contract amounts were individually negotiated; \$65,000 was the total budgeted project cost, not the amount of the contract. Staff would still conduct the same analysis of a sole source contract as would be done in a competitive situation.

MOTION: Councilor Lehmann, seconded by Councilor Wells, moved to approve a sole source exemption from competitive bidding for the planned wastewater facilities plan contract and concur that the request complies with the exemption requirements set forth in Ordinance A-91-c, Section 7, the City of Coburg Rules for Public Contracting.

The motion passed unanimously — 5:0.

4. Wetland Credits for Waterline Extension and Service Connection

Mr. Hanks provided an overview of the item, explaining that it related to the purchase of wetland credits that would enable the City to obtain the environmental permits necessary to extend water service to Premier RV and eventual extension of water service to the 107 acres of land immediately east of Premier RV. Public improvements projects impacted a small .184 portion of land and that triggered mitigation, which could include either onsite mitigation with associated maintenance and reporting plan over a five year period or the purchase of credits that demonstrate an equal amount of wetlands had been protected, maintained or restored in another area. Time elapsed since the original disturbance prevented the onsite mitigation option, but the cost of purchasing credits was about equivalent to that option. A sample contract was provided in the agenda materials. He said wetland credits were in demand and the cost was rising. He hoped, if approved by the Council, the purchase could move forward in January 2024.

Mayor Bell pointed out that the City did not know the area was considered a wetland when the project began. Mr. Harmon replied that at the time the bore pit was dug the wetland designation was not called out; that occurred when annexation of the 107 acres was under consideration and permits were being obtained. He said the purchase of credits would cost about the same as mitigation work, but without the maintenance and reporting requirements for a five year period.

MOTION: Councilor Wells, seconded by Councilor Smith, moved to authorize the City Administrator to execute a contract for the purchase of wetland credits for the purpose of fulfilling permit requirements of the eastside waterline extension, estimated at a current market rate cost of between \$32,000 and \$35,000 for the .184 acre of required credits.

The motion passed unanimously — 5:0.

ADMINISTRATIVE INFORMATION REPORTS

5. City Logo Discussion

** Was it not considered wetlands until the annexation next year? If so City West agent Mr. Harmon*

Mr. Hanks said the logo was an item in the Council's goals and current work plan. There had been discussions of the logo from the perspective of messaging from the City that was distinctive from other organizations such as Main Street and the Chamber of Commerce. There were several options to consider such as one logo for the entire City or separate logos for department, what should the City's logo convey to the public and what elements of the current logo should be retained or revised. He said updating the logo could be done in house with assistance from a graphic designer and the estimated cost was based on that option. He asked for guidance from the Council.

Councilor Lehmann anticipated questions from community members could include when was the logo created and was there a need for change. He liked the current logo, but understood the need to consider whether a redesign might be needed to better communicate with the community.

Mr. Hanks said there had been discussion of separation of the branding Main Street was doing to promote tourism and the City's messaging.

Councilor Wells commented that the current logo looked dated, but updating it would require changing the City's letterhead, website, signage and other places the logo was used.

Councilor Smith said she had no objection to either continuing to use the current logo or updating it. She felt it was important that the City's logo be very different from the logos of other organizations so people would understand if, for example, Main Street was hosting an event, the City was not funding that function. She suggested adding the word "City" to the current logo.

Mr. Hanks said another element that could be added was the date Coburg was established.

Mayor Bell said the logo had been the topic of discussion for a number of years, but with all of the City's pressing projects she was not certain how to move forward. She was not unhappy with the current logo, but the word "City" could be added for better identification. The date the City was established could also be added.

Councilor Engebretson indicated she was not certain there was a need to update the logo with the other priorities the City was facing, but liked the idea of adding "City" and the established date to the current version. It would be helpful to compare the City's logo to that of other organizations in the community.

Councilor Lehmann said the historic nature of Coburg was celebrated and perhaps the word "Historic" could be added instead of "City."

Mr. Hanks summarized that the Council felt it was worthwhile for staff to explore some options for an updated logo and present alternatives that reflected the Council's discussion at the next retreat.

6. Pioneer Valley Estates Open House Update

Mr. Hanks briefly reviewed the information provided in the agenda materials that included the invitation to the open house and a summary of the event. He said the turnout was excellent and those

present understood the intent of the meeting was to begin a dialogue, hear what Pioneer Valley Estates residents had to say and re-establish communications. The most tangible takeaway was that the infrastructure project was not in the City's CIP. It was a known deficiency in the City's system and should be included in the CIP. Staff would research the cost and recommend placement in the CIP. It was a policy decision about how to consider residents outside of the city limits in terms of including them in the water system.

Mayor Bell said Lane County was planning on resurfacing roads in that development and the City would need to coordinate with the County regarding installation of water lines.

Councilor Lehmann commended Mayor Bell, Mr. Hanks and Mr. Harmon for their facilitation of the meeting.

7. Council Vacancy Recruitment and Appointment Process

Mr. Hanks summarized the recruitment and appointment processes information provided in the agenda materials.

Mayor Bell noted that it was a partial term and only a 12 month commitment was required.

8. Administration Monthly Report

Mr. Hanks Briefly reviewed the items in the Monthly Report.

COUNCIL COMMENTS

Councilor Fox commended Mr. Harmon and Public Works staff for their work on crosswalks and coordination with Lane County.

Mayor Bell thanked Mr. Harmon for listening to his staff and adjusting work schedules, thereby increasing staff satisfaction and retention

Councilor Smith expressed appreciation for the consistently positive responses from Public Works to inquiries and suggestions and willingness to help make the community a better place.

Councilor Lehmann asked if there would be a letter of appreciation to Councilor Blain for his service and an invitation to him and his family to attend the staff appreciation holiday party.

Mayor Bell determined there was consensus to extend an invitation to the holiday party and present a plaque at the next Council meeting in recognition of his service.

Councilor Fox observed that the Christmas event was the best ever. He heard the same feedback from community members.

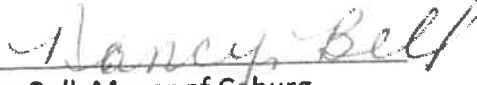
X Interesting - not our issue but this was directly addressed in PA-2-03. They have also been promised water resolution since 2003.

Mr. Hanks said there was a great working relationship between Public Works and the Main Street organization.

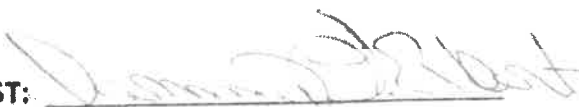
ADJOURNMENT

Mayor Bell adjourned the meeting at 7:57 pm.

APPROVED by the City Council of the City of Coburg on this 9th day of January, 2024.



Nancy Bell, Mayor of Coburg

ATTEST: 

Sammy L. Egbert, City Recorder



MINUTES

City Council & Local Contract Review Board Joint Meeting & Public Hearing

April 9, 2024 at 6:00 PM
Coburg City Hall
91136 N Willamette Street

MEMBERS PRESENT: Nancy Bell; Mayor, Alan Wells, Cathy Engebretson, John Lehmann

MEMBERS ABSENT: John Fox, Claire Smith

STAFF PRESENT: Adam Hanks; City Administrator, Sammy Egbert; City Recorder, Brian Harmon; Public Works Director, Greg Peck; Finance Director, Larry Larson; Chief of Police

GUESTS PRESENT: Charlie Conrad; State Representative, Megan Dompe; Coburg Main Streets

RECORDED BY: Madison Balcom; Administrative Assistant

CALL TO ORDER

Mayor, Nancy Bell called the meeting to order at 6:05pm.

PLEDGE OF ALLEGIANCE

Mayor Bell led the Pledge of Allegiance.

ROLL CALL

City Recorder, Sammy Egbert called roll. A quorum was present.

MAYOR COMMENTS

Mayor Bell mentioned:

- The Council Appointment review
- The Staff Report
- Child Abuse Prevention Month campaign

1. Council Appointment Review

City Administrator, Adam Hanks explained that upon further investigation, Brandon Rhodes, which council appointed as a councilor at the last meeting, does not actually reside within the City limits, therefore he is not eligible to be a Coburg City Councilor. Mr. Rhodes' resignation letter was provided.

MOTION: Councilor Lehmann, seconded by Councilor Wells, moved to resend the appointment of Brandon Rhodes to the position of City Councilor.

The motion passed unanimously — 3:0.

AGENDA REVIEW

There were some proposed changes to the agenda including;

- City Administration Report (in red folder) will go with Agenda item 11
- Finance Audit Committee Report (in red folder) will go under Liaison Updates
- Added Agenda item 9.5 - new OLCC License Application

CITIZEN TESTIMONY

There were no request(s) made to publically speak. There were no written statement(s) received.

RESPONSE(S) BY CITY COUNCIL

There were no response(s) made by City Council.

CONSENT AGENDA

Mayor Bell briefly reviewed the items on the Consent Agenda and there were no requests to remove an item for separate consideration.

2. Minutes February 10, 2024 City Council Retreat

3. Minutes March 5, 2024 City Council Work Session

- Councilor Engebretson pointed out an scrivener's error in the March 5th minutes; on Page 3, paragraph 4, to make the RARE acronym capitalized

MOTION: Councilor Lehmann moved, seconded by Councilor Engebretson to approve the Consent Agenda as presented.

The motion passed unanimously — 3:0.

SPECIAL GUEST

State Representative, Charlie Conrad – District 12

Representative Conrad presented the Council with an overview of the 2024 Oregon Legislature short session. Rep Conrad provided an orientation of the short session including how bills were allowed to be developed and presented, committee work he was involved with, bills that he developed/sponsored,

and a highlight of bills passed that he felt had relevance to the cities within District 12, which he represents. Highlighted bills included Housing production (SB 1537) Housing Infrastructure Grants (HB 4128A), Right to Repair (SB1596) and Measure 110 Reform (HB 4002). Rep Conrad also specifically addressed SB 1576, addressing Recreational Immunity, and stressed that the bill contained only temporary language and will be addressed in the next full session in hopes of security long term solutions. Rep Conrad explained the process utilized for the infrastructure funding requests that came from local jurisdictions within District 12, including Coburg, and announced that the funds were highly competitive and focused on projects that would aid in the short term development of housing.

Coburg's request for funding assistance for the rehabilitation of its water storage tanks was not among those selected for funding, but will continue to be pursued into the next session. Councilor Lehmann inquired about the potential for the existing "kicker tax" to be modified to provide funding for the needed infrastructure work around the state. Rep Conrad responded that no discussion on that matter occurred in the last session and there is not much general support for modifications from his perspective. Mayor Bell and the Council thanked Rep Conrad for attending the meeting and providing a very complete report on the short session and also thanked him for his willingness to listen to local needs and support solutions at the state level.

ORDINANCES, RESOLUTIONS AND CONTRACTS

4. Second Reading

ORDINANCE A-225 AN ORDINANCE REPEALING ORDINANCE A-91-C AND AUTHORIZING THE ADOPTION OF PUBLIC CONTRACTING RULES AND STAFF SPENDING AUTHORITY BY RESOLUTION

Mayor Bell held the second reading of Ordinance A-225 at 7:06pm.

- o The first reading and public hearing of Ordinance A-225 was held at the March 12, 2024 City Council Meeting.

Mr. Hanks provided a staff report. He stated that all current public contracting rules are embodied in the current Ordinance A-91-C. The negative of that is how time consuming and cumbersome it is to update the public contracting rules when needed. The objective with Ordinance A-225 is to repeal the old Ordinance A-91-C, and adopt the public contracting rules by resolution, which in turn shortens the ordinance itself and allows for easier updating and improving of the rules.

Two resolutions will follow the ordinance, including Resolution 2024-02 which would be to opt out of the Attorney General's Model Public Contracting rules, and instead adopt a full set of public contracting rules consistent with Oregon State Laws, but specifically for Coburg, along with Resolution 2024-03 which entails establishing the purchasing and spending authority for City Staff. If Council chooses to approve, the Ordinance and Resolutions will go into effect on May 9, 2024.

Mr. Lehmann asked if other cities were also making this change, and also asked why we haven't looked at this before. Mr. Hanks said that several cities in the region have done this already. Over the last 5-10 years cities have been more aware of it and public contracting has been more challenging and complicated, so more cities have adopted their own set of rules. Lehmann then asked if there were any disadvantages for this change. Mr. Hanks said no, there are just some temporary timing and workload changes that will go into updating all of the necessary pieces.

Ms. Engebretson asked about the amount in the spending authority. Mr. Hanks clarified the mix up.

MOTION: Councilor Lehmann moved, seconded by Councilor Engebretson to adopt Ordinance A-225 An Ordinance repealing Ordinance A-91-C and authorizing the Adoption of Public Contracting rules and staff spending authority by resolution.

The motion passed unanimously — 3:0.

5. CALL TO ORDER THE LOCAL CONTRACT REVIEW BOARD

Mayor Bell called the Local Contracting Review Board to order at 7:24pm.

- o The City Council and Contract Review Board Joint meeting is to consider the next resolution. The Public Hearing notice was published in the Register Guard inviting citizens to comment.

Joint Public Hearing on DRAFT findings supporting the exemption of certain classes of special procurements and public improvement contracts for competitive bidding requirements

No requests to comment were received so no public hearing was held.

RESOLUTION 2024-02 A RESOLUTION OF THE CITY OF COBURG AND LOCAL CONTRACT REVIEW BOARD OPTING OUT OF THE ATTORNEY GENERAL'S MODEL PUBLIC CONTRACTING RULES AND ADOPTING PUBLIC CONTRACTING RULES FOR THE CITY OF COBURG

MOTION: Councilor Lehmann moved, seconded by Councilor Wells to adopt Resolution 2024-02 A resolution of the City of Coburg and Local Contract Review Board opting out of the Attorney General's Model Public Contracting rules and adopting Public Contracting rules for the City.

The motion passed unanimously — 3:0.

Mayor Bell adjourned the Contract Review Board meeting at 7:27pm.

6. RESOLUTION 2024-03 A RESOLUTION ESTABLISHING PURCHASING AUTHORITY AND SPENDING LIMITS FOR THE CITY OF COBURG STAFF

MOTION: Councilor Lehmann moved, seconded by Councilor Engebretson to adopt Resolution 2024-03 A resolution establishing purchasing authority and spending limits for the City of Coburg Staff; authorizing the City Administrator to enter into contracts not exceeding \$75,000 and emergency contracts not exceeding \$150,000; and authorizing Department Heads to enter into city contracts not exceeding \$10,000.

The motion passed unanimously — 3:0.

7. Pavilion Park Phase 1 Sub Contract(s) Pre-Authorization

Mr. Hanks said they went out for informal quotes for this phase of tasks, which require electrical and plumbing commercial license work. They are handling Phase 1 internally for cost and timing purposes.

They are asking council for a pre-authorization approval of up to \$20,000 for both electrical and plumbing contracts.

MOTION: Councilor Wells moved, seconded by Councilor Engebretson to authorize the City Administrator to execute plumbing and electrical contracts in support of Phase 1 of the Pavilion Park Improvements project not to exceed \$20,000 each and request that the final contracted amounts be reported to City Council at a future meeting.

The motion passed unanimously — 3:0.

8. RESOLUTION 2024-04 A RESOLUTION ADOPTING THE FY 2024-25 CAPITAL IMPROVEMENT PLAN

Mr. Hanks provided a staff report. He reports that this document is the same as was provided in the prior work session, where they went over the policy language and process component of the Capital Improvements Plan. There are two formats of the project list, one which lists by fund, and the other by fiscal year. The CIP was last adopted by resolution in 2022. The goal is to discuss CIP in depth twice a year, first in October/November and again during budget time. In the next update, they will separate the design and construction dollars, along with what fiscal year the project components will happen in.

Mr. Hanks explained that this is a plan that pulls together projects from the various master plans and incorporates them in a way that allows them to plan for the infrastructure and budget allowance.

Mr. Lehmann clarified that these were almost fully funded. Mr. Hanks said that the first few years of the 6-year plan are almost fully funded. The actual costs versus the estimates will make the difference.

Mr. Lehmann also asked if they've gotten the list prioritized for the first 2 years. Mr. Hanks responded that they are working on it, and are hoping to have Water and Streets ready by the July work session.

MOTION: Councilor Engebretson moved, seconded by Councilor Lehmann to adopt Resolution 2024-04 A resolution adopting the FY 2024-25 Capital Improvement Plan.

The motion passed unanimously — 3:0.

9. Umpqua Valley Finance Contract for Audit Service

Mr. Hanks reported that this is an annual contract for the next round of audits with Umpqua Valley Financial. Provided are engagement letters and contracts for both the City Audit and the Urban Renewal Component Unit. The pricing is just over \$32,000 for the City Contract, and \$6,000 for the Urban Renewal Component Unit, along with a fee schedule for a single audit if needed.

Hanks said they will need a single audit either this year or next. Federal funds of over \$700,000 in the audited year triggers the need for a single audit. There was an RFP process for audit services in 2021. Hanks explained some concerns and problems with the audit services.

Mr. Lehmann directed everyone to page 257, and mentioned that in 2020 they restructured loans and ended up saving about \$1 million in interest. Lehmann asked if this was an example of one that was restructured. Mr. Hanks said yes, US Bank has three components consolidated into that total.

MOTION: Councilor Lehmann moved, seconded by Councilor Wells to approve the proposed Umpqua Valley Financial Contract for audit service in the amount not to exceed \$32,340 for the City and \$6,000 for the URA.

The motion passed unanimously — 3:0.

9.5 New OLCC License Application

Ms. Egbert handed out the added OLCC License Application.

Mr. Hanks explained that this application requires a recommendation from the local governing body. The application is for taking over the 91088 N Willamette space. Hanks believes there were no prior issues at the particular site of application.

MOTION: Councilor Lehmann moved, seconded by Councilor Engebreston to recommend approval of the liquor license application for Coburg Mercantile LLC.

Councilor Wells abstained from the vote due to conflict of interest.

The motion passed unanimously — 2:1.

ADMINISTRATIVE INFORMATION REPORTS

10. Annual Comprehensive Financial Report for FY 2022-23

Mr. Hanks gave a quick summary. He mentioned that the auditors requested an extension for the audit of December 31, 2023. They received the draft at the end of February and worked with them on some corrections. They received Version B, which converted into the final version. The audit was clean without any issues. They are hoping to get more information from the auditors in future years. Hanks mentioned that they were a little disappointed with the presentation from the auditors at the Finance Audit Committee meeting, and they have communicated with them what they would like to see.

11. Administration Monthly Report

Mr. Hanks briefly reviewed the items in the Monthly Report. On #1, Hanks stated that they have looked into applying for a round of grant funding from ODOE for solar and provided more details regarding that. Depending on which option they choose, the cost could be covered by 50%, or 100%. He explained this grant and project in more depth.

Mr. Hanks moved to #2 in the report; Coburg's Long-term credit rating results with S & P Global. This review is done every three years. The 2024 rating was reduced from an AA- to an A+, with a AAA as the highest possible rating. That drop is primarily caused by the small general fund balance.

For #3, Hanks explained that the 107 acres on the east side of I-5 was recently rewarded a \$2 million forgivable loan for pre-development work. Hanks explained more on this topic. The wetland permit to connect Premier RV to city water has been issued, which also allows for future water connection to the 107 acre parcel. Project start date is scheduled for mid-June and expected water connection by July 1.

On #4, Hanks said they are in great shape with the Water Loan, but they may want to request an extension, past the December 2024 due date, for the loan to be able to spend the full loan allotment. Hanks provided more detail on this loan.

For #5, Mr. Hanks said the RFP is ready to go and they are including and updating a draft contract. They hope to get that out within the next week, it will be out for about 3 weeks, then a small committee will review it. This allows them to select someone and have design work done by contractors based on the type and not have one contract for them all. There was such a big increase from Branch Engineering last year was because they did regular rate increases for all their other clients, except for Coburg. The current rates are very normal rates, but the timing of the large increase was unfortunate.

Mr. Hanks briefly mentioned #6, Lane Transit District's Strategic Planning Committee looking for more members. Hanks thinks it would be good to have a Coburg voice on that group.

Lastly, #7, Hanks explained that the Summary of Bills from League of Oregon Cities lists all bills that passed and failed. Staff is doing some additional work to see if any bills effect Coburg.

Mr. Hanks explains more about the current projects and contracts. This is where all approved contracts will be listed for Council to see and discuss if desired.

COUNCIL COMMENTS & LIAISON UPDATES

12. Finance Audit Committee Report to Council

Council looked over the report. There was no liaison reports from the Finance Audit Committee meeting's last meeting.

Mayor Bell mentioned that she will not be at the May 7th Budget Committee Meeting or the May 14th Council meeting. Councilor Engebretson will be chairing the May 14th Council Meeting.

COUNCIL COMMENTS

Mr. Lehmann asked about further conversation on diesel tax. Mr. Hanks said that as soon as they are done with budget, he is going to work with staff to do a build out of the net framework document. That topic lies in the 10-year revenue forecast and goes with the CIP conversation regarding water and streets. He would expect a starter conversation regarding that topic in July, and a more understood schedule of the 10-year revenue forecast following that.

Ms. Engebretson mentioned that she is continuing to attend the Lane ACT Meetings and they are supposed to discuss the regional member's priorities. For Coburg, the two priorities are the I-5 interchange and the commercial traffic coming through town.

Mr. Hanks said that the search for funds are primarily focused on environmental review and right-of-way acquisition. They are looking at a \$3-5 million range for those focus points. Mayor Bell mentioned some issues and details on the bridges and overpasses.


ADJOURNMENT

Mayor Bell adjourned the meeting at 8:50 pm.

APPROVED by the City Council of the City of Coburg on this 14th day of May, 2024.


Cathy Engbretson, City Council President


Nancy Bell, Chair of Local Contract Review Board

ATTEST: 
Sammy L. Egbert, City Recorder