BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 20-12-01-07

In the Matter of Annexing Territory to the Goshen Rural Fire Protection District to Provide Fire Protection Service to the Annexed Territory, Consisting of a 3.45 Acre Parcel Identified as Assessor's Map 18-03-16-10, Tax Lot 2600 (File No. F-PH-2020-ANXZ)

WHEREAS, a petition initiating the annexation of territory to the Goshen Rural Fire Protection District was filed with Lane County on August 19, 2020 (the "Petition for Annexation"), in accordance with ORS 198.857; and

WHEREAS, the territory proposed for annexation is described in Exhibit A and depicted on the map shown on Exhibit B, both of which are attached and incorporated by this reference; and

WHEREAS, the Board of the Goshen Rural Fire Protection District voted to approve the proposed annexation on July 14, 2020, as evidenced by Resolution No. 5-20, contained in the record; and

WHEREAS, legal notice was published on November 16 and November 27, 2020, and posted in two public locations and mailed to the owners and fire district on November 13, 2020, for a December 1, 2020 public hearing; and

WHEREAS, the Board of County Commissioners conducted a public hearing on December 1, 2020 to receive and consider both oral and written evidence.

NOW, THEREFORE, IT IS ORDERED as follows:

1. That the territory described on Exhibit A and depicted on Exhibit B is hereby annexed to the Goshen Rural Fire Protection District and that this annexation is effective as of September 15, 2020, in accordance with ORS 198.747.

2. That the findings set forth in Exhibit C are hereby adopted and incorporated herein by reference.

3. That based on the findings and evidence submitted and applicable law, the Petition for Annexation is hereby approved.

ADOPTED this 1st day of Dec. __________, 2020.

[Signature]
Heather Buch, Chair
Lane County Board of Commissioners
The West 8 acres of Lot 189, described as follows:

Beginning at a point N.89°51' W. 2100.0 feet from the quarter

Section corner between Sections 15 and 16, Township 18 South, Range 3 West, WM, thence

N.89°51' W. 611.80 ft. thence

N. 3°00'W. 1250.00 ft. to center of road, thence

East 360.00 ft. more or less, along the center line of road, thence

S.53°00'E. 250.00 ft. thence

South 1100.00 ft. more or less to point of beginning, all in Lane County, Oregon and containing more or less 8.00 acres.

Except 0.11 acre in road.

Containing more or less

EXCEPT: 4.24 ac. to TL 2601 by

Filed contracts 1970 cont. m/l 3.65
Ac. corr from 1970 cont. m/l 4.80

Acreage Correction for 1976 3.69

Beginning at a point on the East-West centerline of Sec. 16, T18S., R3W, WM., in Lane County, Oregon, said point being 2375.0 ft. N09°33'15" West of the East 1/4 corner of said Sec. 16; running thence

N02°29'30"E 499.71 ft.; thence

N09°33'15"W 318.82 ft. to a point that is N03°07'45" East from the center of said Sec. 16; thence

S03°07'45"W 500.00 ft. to the center of said Sec. 16; thence

S09°33'15"E 321.40 ft. to the place of beginning, in LCO.

Containing m/l

3.69

*Does not read like the above but included there in.
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Total acre correction for 2013: 3.68 acres
Lot Line Adjustment for 2013: 3.44 acres
The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designations, zoning, etc., for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.
EXHIBIT C for ORDER NO: 20-12-01-___

BOARD FINDINGS

1. The annexation of territory to the Goshen Rural Fire Protection District was initiated on August 19, 2020 through a petition by the property owners of the proposed territory to be annexed, as authorized by ORS 198.857.

2. The application for annexation, cadastral and vicinity maps, and legal description indicate that the territory proposed for annexation is currently not within an existing fire district boundary.

3. On November 10, 2020, hearing notice was posted at Lane County Public Services Building and at the Goshen RFPD Administrative Office. Additionally, notice was mailed to the petitioners and Goshen RFPD. Legal notice was published on November 16 and November 27, 2020 in the Register Guard.

4. The public hearing required by ORS 198.800 was held on December 1, 2020.

5. The decision criteria analysis considered by the Board of County Commissioners follows:

   (1) The land is not within a district formed under the same principal Act; (ORS 198.720(2))

   Staff Finding 1: The proposal meets this criterion. The property proposed for annexation to the Goshen Rural Fire Protection District is not located within any other fire district boundaries.

   (2) The affected territory can reasonably be served or continued to be served by the facilities or services provided by the district; and (ORS 198.720(3))

   Staff Finding 2: The proposal meets this criterion. Currently, the Goshen RFPD provides fire protection services to properties in the immediate vicinity of the subject property, including the adjacent property to the east. The Goshen RFPD Board of Directors approved the annexation with Resolution No. 5-20 adopted on July 14, 2020. Based on this information, staff finds it reasonable that the territory can be served by the district.

   (3) No land included in the affected territory will be removed if the land is benefited; (ORS 198.805(1))

   Staff Finding 3: The proposal meets this criterion. As proposed, no land in the annexation area will be removed if the land is benefited.

   (4) The boundary change is consistent with the Lane County Rural Comprehensive Plan, other applicable refinement plans, and other adopted land use regulations or agreements. (ORS 198.850(2))

   Staff Finding 4: The subject property is located within the rural unincorporated area of
Lane County and is subject to the Lane County Rural Comprehensive Plan (RCP). The subject property is located in the Impacted Forest Lands Zone (F-2/RCP). Dwellings are conditionally allowed in this zone as provided in RCP Goal 4 and Lane Code 16.211(2)-2.4. New structures must comply with the Siting and Fire Safety Standards of OAR 660-06-029 and 660-06-035 (RCP Goal 4, Policy 8) and Lane Code 16.211(5) and (6), which implements these rules. Lane Code 16.211(6), Fire-Siting Standards for Dwellings and Structures requires the dwelling or manufactured home to be located within a rural fire protection district or to be provided with residential fire protection by contract.

The subject property received conditional land use approval to allow a dwelling in the F-2 zone. The dwelling was approved with LMD File No. 509-PA16-05368. As a condition of approval, the applicant must demonstrate compliance with the fire-siting standards of Lane Code 16.211(5) and (8) that were in effect at the time of application submittal and approval.

Annexation to the Goshen Rural Fire Protection District will provide an essential service to the conditionally approved dwelling. This is consistent with RCP Goal 4, Policy 15(c)(4), which recognizes provision of public facilities and services intended primarily for direct services to rural residences as a characteristic of F-2 zoned lands.

No other refinement plans, adopted land use regulations, or agreements have been identified that conflict with this proposal. Based on the above information, staff find that the proposal is consistent with the Lane County RCP.