

**IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON**

**Ordinance No. PA 1289**

**In The Matter of Adopting a Revised Chapter 14:  
Urbanization, Annexation Policies, Policy 1 for The  
Florence Realization 2020 Comprehensive Plan As  
Applicable Within The Urban Growth Boundary  
Outside Florence City Limits, (File No. PA 08-5363)**

**WHEREAS**, land within the Urban Growth Boundary of the Florence Comprehensive Plan but outside the City limits is within the political jurisdiction of Lane County, and is subject to County-adopted application of City Plan designations and Plan policies; and

**WHEREAS**, the Board of County Commissioners of Lane County, through enactment of Ordinance No. PA 1214 co-adopted Florence Periodic Review Work Task No. 1, Urban Growth Boundary, on October 27, 2004; and

**WHEREAS**, the City of Florence adopted a revised comprehensive plan called the "Florence Realization 2020 Comprehensive Plan," a revised Comprehensive Plan Map, and new or updated refinement plans for water, wastewater, transportation, and stormwater, through the City's completion of Periodic Review Work Tasks 2, 3, 4, 5, 7, and 8; and the City adopted and updated Comprehensive Plan Map and housekeeping amendments to the Realization 2020 Comprehensive Plan and the Transportation System Plan through City of Florence Ordinance No. 6, Series 2008; and

**WHEREAS**, the Board of County Commissioners of Lane County, through enactment of Ordinance No. PA 1249 has adopted policies and provisions of the Florence Realization 2020 Comprehensive Plan in addition to other new or updated refinement plans and an updated Comprehensive Plan Map; and

**WHEREAS**, the language of Annexation Policy 1 adopted by the Board of County Commissioners on December 1, 2010 in Ordinance No. PA 1249 is different than the policy adopted by the City of Florence; and

**WHEREAS**, in a letter dated March 3, 2011 the City of Florence has requested that the Board of County Commissioners reconsider the adopted language of the Annexation Policy 1; and

**WHEREAS**, the Board of County Commissioners on March 15, 2011 directed staff to try to incorporate language acceptable to all parties and process an amendment with a revised policy; and

**WHEREAS**, the Lane County Planning Commission conducted a public hearing on September 6, 2011 on the matter and left the record open until September 20, 2011 for submittal of additional public testimony; and

**WHEREAS**, the Lane County Planning Commission deliberated on the matter on October 4, 2011 and recommended a revised Annexation Policy 1 for consideration by the Board of County Commissioners; and

**WHEREAS**, evidence exists in the record indicating that the proposal meets the requirements of Lane Code and the requirements of applicable state and local law; and

**WHEREAS**, the Board of County Commissioners of Lane County, has conducted a public hearing and is now ready to take action.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County Ordains as follows:

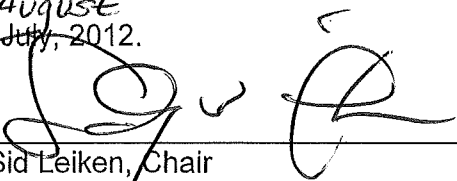
**Section 1.** The Chapter 14: Urbanization, Annexation Policies, Policy 1 for The Florence Comprehensive Plan; 'Realization 2020' as adopted by the Lane County Board of Commissioners ~~by~~ Ordinance No. PA 1249, is now amended, and completely superseded and replaced by the following policy language:

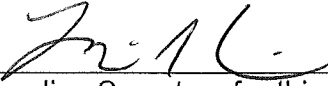
*The procedures of ORS 222.840 et. seq. (Health Hazard Abatement) shall be initiated if needed to remove dangers to public health.*

*In the absence of a need for health hazard abatement annexation procedures, any annexation of county territory to the City of Florence shall utilize an annexation method allowable by state law that requires a majority of consents, and shall not utilize the "island annexation" procedures set forth by ORS 222.750.*

**FURTHER**, although not part of this Ordinance, the Board of County Commissioners adopts the Findings included in and made a part of the Agenda Cover Memo dated October 12, 2011 in support of this decision.

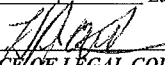
**ENACTED** this 14th <sup>August</sup> day of ~~July~~, 2012.

  
\_\_\_\_\_  
Sid Leiken, Chair  
Lane County Board of Commissioners

  
\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 7/16/12 Lane County

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL