

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

BOOK 154 PAGE 1776
ORDER 94-7-20-1

) IN THE MATTER OF REQUESTING TERMINATION
) AND REDESIGNATION OF BOUNDARIES OF THE
) WEST EUGENE ENTERPRISE ZONE

WHEREAS, by Resolution and Order 86-8-27-4 and Resolution and Order 88-6-14-2, Lane County, in conjunction with the City of Eugene, applied to the State of Oregon for establishment and then redesignation of boundaries for the West Eugene Enterprise Zone, as established by the governor of the State of Oregon in January, 1987; and

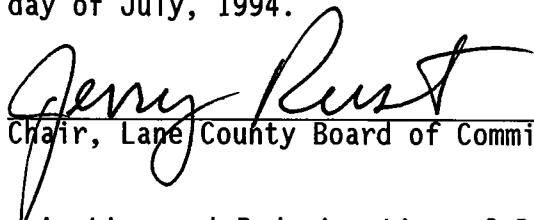
WHEREAS, the City of Eugene desires and requests Lane County's assistance to modify the boundary of the West Eugene Enterprise Zone to remove certain residentially zoned properties than cannot benefit from the enterprise zone designation and add certain industrially zoned properties in West Eugene to provide more opportunities for economic development; and

WHEREAS, the Board of County Commissioners believes that it is in the public interest to modify the West Eugene Enterprise Zone boundaries in accordance with the recommended modifications provided by the City of Eugene;

NOW THEREFORE, IT IS HEREBY RESOLVED AND ORDERED THAT:

1. Lane County shall, in conjunction with the City of Eugene, apply to the State of Oregon to terminate certain areas currently included in the West Eugene Enterprise Zone and redesignate the boundaries of the West Eugene Enterprise Zone as indicated on the map attached as Exhibit A and incorporated herein by reference.
2. In transmitting the application for modification of the West Eugene Enterprise Zone boundaries, as described above, Lane County asks that the director of the Oregon Economic Development Department return the application to the City of Eugene if the State of Oregon is unable to grant the proposed West Eugene Enterprise Zone boundary.
3. All other provisions of the West Eugene Enterprise Zone shall remain in full force and effect as granted by the State of Oregon.
4. The Chair of the Board of Commissioners is hereby authorized to execute on behalf of the Board any documents, and to take any action for and on behalf of the Board, as may be necessary, appropriate, or convenient to promote this redesignation of boundaries for the West Eugene Enterprise Zone.

Signed this 20th day of July, 1994.


Chair, Lane County Board of Commissioners

In the Matter of Requesting Termination and Redesignation of Boundaries of the West Eugene Enterprise Zone

WP ca/pt/2/T

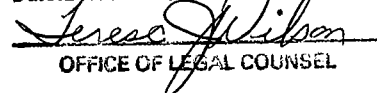
FILED

AUG 01 1994






COUNTY CLERK
(Pat Duke)

APPROVED AS TO FORM

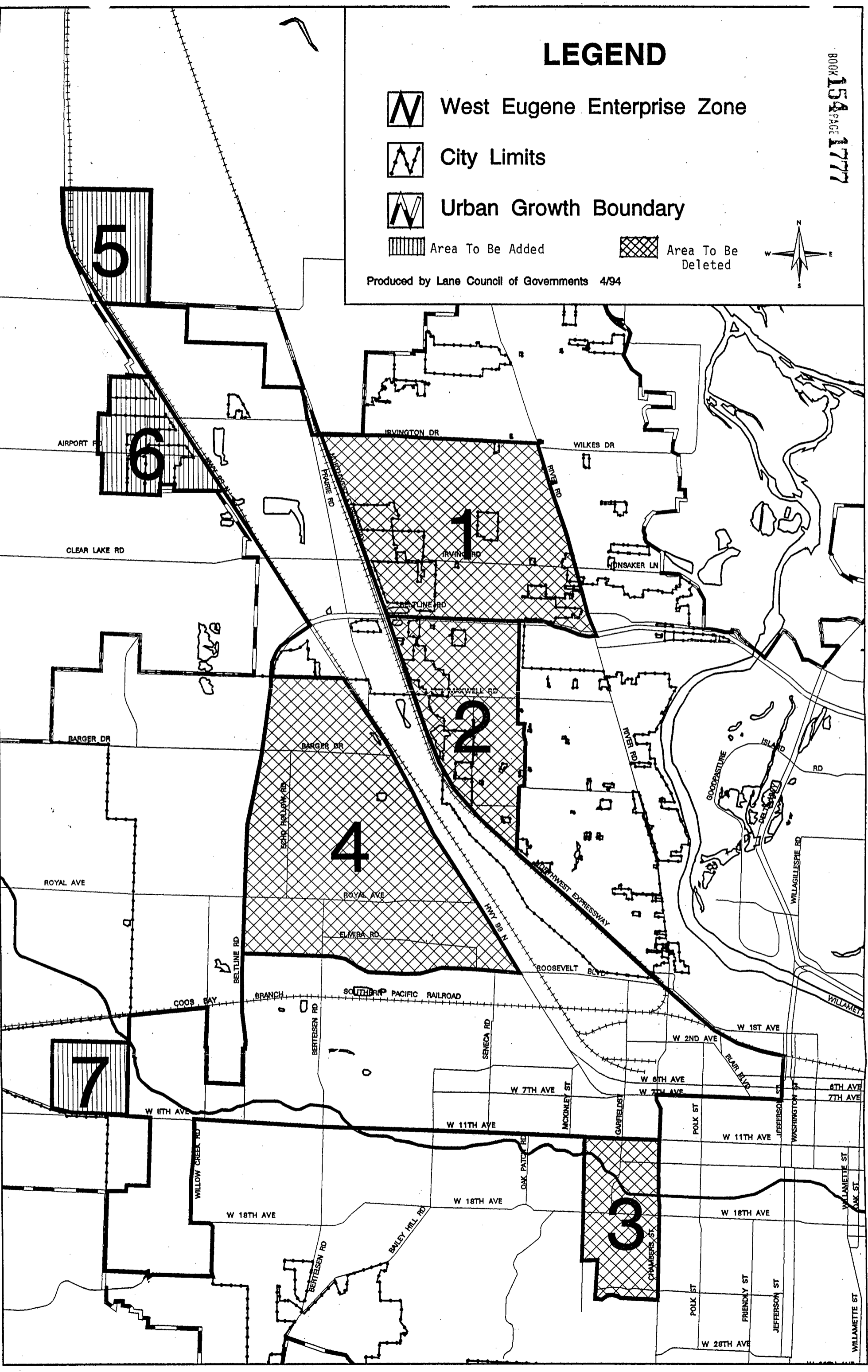
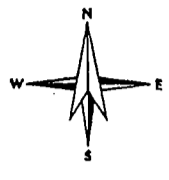
Date 7/2/94 Lane County


OFFICE OF LEGAL COUNSEL

LEGEND

-  West Eugene Enterprise Zone
-  City Limits
-  Urban Growth Boundary
-  Area To Be Added
-  Area To Be Deleted

Produced by Lane Council of Governments 4/94



A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION TO THE STATE OF OREGON TO TERMINATE THE EXISTING WEST EUGENE ENTERPRISE ZONE AND APPLY FOR REDESIGNATION OF A NEW WEST EUGENE ENTERPRISE ZONE; CONDITIONALLY REPEALING RESOLUTION NO. 4001; AND REPEALING RESOLUTION NO. 4061.

The City Council of the City of Eugene finds that:

On September 8, 1986, by Resolution No. 4001, the City Council authorized the City Manager to prepare and submit an application to the State of Oregon for designation of a West Eugene Enterprise Zone under the Oregon Enterprise Zone Act for the area described in Section 1 of Resolution No. 4001, based on:

a. The City of Eugene's recognized need for economic development and the need to be competitive as a community in attracting new industry;

b. The establishment by the State of Oregon of Enterprise Zones to encourage economic development by permitting incentives for businesses to locate in such designated Enterprise Zones;

c. The finding by the Oregon Economic Development Commission of certain census tracts in west Eugene as meeting the economically distressed criteria under the Oregon Enterprise Act; and

d. The resolution of the Lane County Board of County Commissioners to join the City in submitting an Enterprise Zone application.

The application was accepted, and the West Eugene Enterprise Zone was designated by the Governor of the State of Oregon.

Because of the prior requirement that urban enterprise zones follow United States designated census boundaries, the West Eugene Enterprise Zone designated by the State of Oregon did not allow for the maximum size of the enterprise zone permitted under state statutes.

The 1987 Oregon Legislature, recognizing the limitations of this census boundary restriction, removed this requirement so as to allow cities flexibility in creating enterprise zone boundaries which more logically fit the economic needs and desires of their communities.

The City Council thereafter, on October 21, 1987, adopted
Resolution - 1

Resolution No. 4061 wherein it amended Section 1 of Resolution No. 4001 and authorized the City Manager, in cooperation with Lane County, to prepare and submit to the State of Oregon an application for modification of the boundaries of the West Eugene Enterprise Zone.

The application for modification of the boundaries of the West Eugene Enterprise Zone authorized by Resolution No. 4061 was not processed due to an interpretation of the Oregon Enterprise Zone Act by the Attorney General's office that boundaries of established zones could only be modified by terminating an existing zone and applying for redesignation of a new zone. Resolution No. 4061 should therefore be repealed.

It would be in the public interest to authorize the City Manager to submit an application requesting termination of the existing West Eugene Enterprise Zone and redesignation of a new West Eugene Enterprise Zone incorporating the territory in the former zone and additional industrial land to be added thereto.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based upon the above findings, which are adopted herein, the City Manager, in cooperation with Lane County, is authorized to submit an application request to the State of Oregon under the Oregon Enterprise Zone Act, requesting termination of the existing West Eugene Enterprise Zone and redesignation of a new West Eugene Enterprise Zone comprised of the boundaries of the previously designated zone and the new industrial lands as indicated on Exhibit A attached hereto and incorporated herein by reference.

Section 2. In transmitting the application for termination and redesignation of the West Eugene Enterprise Zone, the City Manager is requested to ask that the Director of the Oregon Economic Development Department return the application for termination and redesignation to the City Manager if the Director is unable to recommend the requested redesignation to the Governor.

Section 3. In the event the application for termination and redesignation of the West Eugene Enterprise Zone is approved, in addition to property tax exemption provided under state law, businesses locating within the West Eugene Enterprise Zone shall receive:

- a. Expedited review of building and development plans;
- b. Priority consideration for Eugene Business Development Fund loans and any economic development or

job training funds received from the federal government, and assistance in obtaining Urban Development Action Grants or other discretionary funds; and

Resolution No. 4001, adopted by the Council on September 8, 1986 will be repealed, as of the effective date of the redesignation.

Section 4. Once the area is redesignated as an Enterprise Zone, the City will assist the Oregon Economic Development Department in evaluating economic progress in the West Eugene Enterprise Zone.

Section 5. Pursuant to the above findings, Resolution No. 4061, adopted by the Council on October 21, 1987, is repealed.

The foregoing Resolution adopted the 15th day of June, 1988.


Deputy City Recorder

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION AND ORDER
NO. 88-6-14- 2

) IN THE MATTER OF REQUESTING
) TERMINATION AND REDESIGNATION OF
) THE BOUNDARIES OF THE WEST EUGENE
) ENTERPRISE ZONE

WHEREAS on August 27, 1986, Lane County, by resolution and order, agreed to apply with the City of Eugene for designation of an urban Enterprise Zone; and

WHEREAS the West Eugene Urban Enterprise Zone was approved by the governor of the State of Oregon, effective January 1987; and

WHEREAS the City of Eugene desires to modify the boundary of the West Eugene Enterprise Zone to more logically fit the economic needs and desires of the community; and

WHEREAS a previous request by the City of Eugene to modify the boundaries was approved by the Lane County Board of Commissioners on November 4, 1987; and

WHEREAS the City of Eugene has again asked Lane County to assist in making application for this modification; and

WHEREAS Lane County believes that it is in the public interest to modify the designated zone;

NOW THEREFORE IT IS HEREBY RESOLVED AND ORDERED THAT:

1. Lane County shall, in conjunction with the City of Eugene, apply to the State of Oregon to terminate and redesignate the boundaries of the West Eugene Enterprise Zone as indicated on the map attached as Exhibit A and incorporated herein by reference.

2. In transmitting the application for termination and redesignation of the West Eugene Enterprise Zone, Lane County asks that the director of the Oregon Economic Development Department return the application for termination and redesignation to the City of Eugene if the director is unable to recommend the requested redesignation to the governor.

3. All other provisions of the West Eugene Enterprise Zone shall remain in effect as granted by the State of Oregon.

In the Matter of Requesting Termination and Redesignation of the Boundaries of the West Eugene Enterprise Zone

Drivas

8/14/88

BOOK 154 PAGE 1782

4. The Chair of the Lane County Board of Commissioners be and hereby is authorized to execute on behalf of the Board any documents and to take any action for and on behalf of the Board as may be necessary, appropriate, or convenient to promote this economic development application.

Dated this fourteenth day of June, 1988.

Ellie Shandi

Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 6/14/88 Lane County

[Signature]

Resolution No. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION TO THE STATE OF OREGON FOR DESIGNATION OF A WEST EUGENE ENTERPRISE ZONE.

The City Council of the City of Eugene finds that:

The City of Eugene recognizes the need for economic development and the need to be competitive as a community in attracting new industry.

The State of Oregon establishes Enterprise Zones to encourage economic development by permitting incentives for businesses to locate in such designated Enterprise Zones.

The Oregon Economic Development Commission has designated certain census tracts in west Eugene as meeting the economically distressed criteria under the Oregon Enterprise Zone Act.

The Lane County Board of County Commissioners has resolved to join the City in submitting an Enterprise Zone application.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. The City Manager is directed to prepare in cooperation with Lane County, and submit to the State of Oregon an application under the Oregon Enterprise Zone Act for designation of a West Eugene Enterprise Zone, comprised of census tracts 24.02, 26, 27, 42, 43 and 44.03, located within the City of Eugene.

Section 2. In addition to property tax exemption provided under state law, businesses locating within the West Eugene Enterprise Zone shall receive:

- a. Priority review of building and development plans;
- b. Priority consideration for Eugene Business Development Fund loans and any economic development or job training funds received from the federal government, and assistance in obtaining Urban Development Action Grants or other discretionary funds; and
- c. Assistance in employee recruitment and training through the Southern Willamette Private Industry Council.

Section 3. The City will assist the Oregon Economic Development Department in evaluating economic progress in West Eugene once it is designated as an Enterprise Zone.

The foregoing Resolution adopted the 8th day of September, 1986.

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION AND ORDER NO. 86-8-27-4))))))	In the Matter of Requesting Approval to Submit an Application by Lane County and the City of Eugene for Designation as an Urban Enterprise Zone
---------------------------------------	----------------------------	--

WHEREAS, Lane County has been designated as an economically lagging area by the State of Oregon; and

WHEREAS, the City of Eugene and Lane County have been given a hardship designation by the State of Oregon; and

WHEREAS, Chapter 807 of the 1985 Oregon Laws provides that the Governor may designate certain qualifying areas an Enterprise Zones;

WHEREAS, the State of Oregon establishes Enterprise Zones to encourage economic development by permitting incentives for businesses to locate in such designated Enterprise Zones; and

WHEREAS, Lane County recognizes the need for community and economic development in hardship areas in accordance with land use, environmental protection and zoning regulations; and

WHEREAS, the City of Eugene has asked Lane County to assist it in making application for an Urban Enterprise Zone ; and

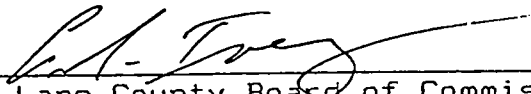
WHEREAS, the Lane County Board of Commissioners believes that the proposed application complies with the provisions of the 1980 Lane County Overall Economic Development Program;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that:

1. Lane County agrees to apply, in conjunction with the City of Eugene, for designation as an urban Enterprise Zone.
2. The boundaries of the zone shall specifically comprise six contiguous census tracts (24.02, 26, 27, 42, 43 and 44.03) in West Eugene, as indicated on Appendix B of the application.
3. Lane County shall, in conjunction with the City of Eugene, make certain assurances in a Statement of Commitment identified as Appendix D of the application.
4. Lane County shall offer certain local tax relief and regulatory flexibility for qualified businesses in the Enterprise Zone as indicated on Appendix N of the application.

5. The Chair of the Lane County Board of Commissioners be and hereby is authorized to execute on behalf of the Board any documents and to take any action for and on behalf of the Board as may be necessary, appropriate or convenient to promote this economic development application.

Dated this 27th day of August, 1986.



Chair, Lane County Board of Commissioners

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO MAKE APPLICATION TO THE STATE OF OREGON
TO AMEND THE BOUNDARIES OF THE WEST EUGENE
ENTERPRISE ZONE.**

The City Council of the City of Eugene finds that:

On September 8, 1986, by Resolution No. 4001, the City Council authorized the City Manager to prepare and submit an application to the State of Oregon for designation of a West Eugene Enterprise Zone under the Oregon Enterprise Zone Act for the area described in Section 1 of Resolution No. 4001, based on:

- a. The City of Eugene's recognized need for economic development and the need to be competitive as a community in attracting new industry;
- b. The establishment by the State of Oregon of Enterprise Zones to encourage economic development by permitting incentives for businesses to locate in such designated Enterprise Zones;
- c. The finding by the Oregon Economic Development Commission of certain census tracts in west Eugene as meeting the economically distressed criteria under the Oregon Enterprise Zone Act; and
- d. The Resolution of the Lane County Board of County Commissioners to join the City in submitting an Enterprise Zone application.

The application was accepted, and the West Eugene Enterprise Zone was designated by the Governor of the State of Oregon.

Original provisions of the Oregon Enterprise Zone Act required that urban enterprise zone boundaries follow United States designated census boundaries. Because of this requirement, the West Eugene Enterprise Zone did not allow for maximum size of the enterprise zone permitted under state statutes.

The 1987 Oregon Legislature, recognizing the limitations of this census boundary restriction, removed this requirement so as to allow cities flexibility in creating enterprise zone boundaries which more logically fit the economic needs and desires of their communities.

The Council adopted Resolution No. 4061 on October 21, 1987 amending Section 1 of Resolution 4001 and authorizing the City Manager to submit an application for modification of the boundaries. The application was not processed however due to an Attorney General's opinion that it was not the proper procedure for changing boundaries.

On June 15, 1988, the City Council adopted Resolution 4086, which repealed Resolutions No. 4001 and 4061 and authorized the City Manager to submit a request to the Governor to terminate the West Eugene Enterprise Zone and redesignate the Enterprise Zone by modifying the Zone boundaries to include additional industrially zoned lands in west Eugene, as referenced

in Section 1 of the resolution and shown on Exhibit A of Resolution 4086. That application was accepted and the West Eugene Enterprise Zone was redesignated by the Governor.

The West Eugene Enterprise Zone currently contains a large amount of area zoned for residential uses. The benefits of the enterprise zone statute do not apply to or benefit owners or developers of residential property.

The West Eugene Enterprise Zone is at the maximum allowable size of 12 square miles.

There are a number of acres of industrially zoned land within the urban growth boundary and outside, but adjacent to, the West Eugene Enterprise Zone that could benefit from being included within the enterprise zone boundary and could potentially promote economic development.

It would be in the public interest to authorize the City Manager to submit an application requesting the State of Oregon to amend the West Eugene Enterprise Zone boundary to remove residentially zoned land and to add industrially zoned land in west Eugene.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. Based upon the above findings, which are adopted herein, the City Manager, in cooperation with Lane County, is authorized to submit an application request to the State of Oregon under the Oregon Enterprise Zone Act, requesting amendment of the West Eugene Enterprise Zone boundary to remove from the Zone residentially zoned land and add to the Zone industrially zoned land as indicated on Exhibit A attached hereto and incorporated herein by reference.

Section 2. All other provisions of Resolution No 4086 remain unchanged.

The foregoing Resolution adopted the ____ day of May, 1994.

City Recorder