

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. PA 1318

IN THE MATTER OF AMENDING THE THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) CONSISTENT WITH POLICY G.3 IN CHAPTER III, SECTION G. PUBLIC FACILITIES AND SERVICES ELEMENT; AMENDING TABLE 6, TABLE 8, AND TABLE 18, AND MAP 3 AND MAP 4 OF THE PUBLIC FACILITIES AND SERVICES PLAN (PFSP) TO UPDATE THE PROJECT LISTS AND MAPPED LOCATION OF PLANNED PUBLIC FACILITIES IN GLENWOOD; AND ADOPTING A SAVINGS AND SEVERABILITY CLAUSE. (Lane County File No. 509-PA15-05397) (Springfield File No. TYP415-00002)

WHEREAS, Chapter IV of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) sets forth procedures for amendment of the Metro Plan, and by extension, amendment of refinement and functional plans that supplement the Metro Plan, which for Lane County are implemented by the provisions of Lane Code Chapter 12.200-12.230; and

WHEREAS, the Metro Plan identifies the Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (Public Facilities and Services Plan) as a refinement plan which forms the basis for the Public Facilities and Services Element of the Metro Plan and guides the provision of public facilities and services in the metropolitan area; and

WHEREAS, the Public Facilities and Services Plan serves the goals, objectives and policies of the Metro Plan by addressing the provision of public facilities and services within the urban growth boundary (UGB), services to areas outside the UGB, locating and managing public facilities outside the UGB, and financing public facilities; and

WHEREAS, the current Eugene-Springfield Metropolitan Area Public Facilities and Services Plan, adopted in 2001 and has been periodically amended, is in need of modification to reflect the addition of three stormwater outfalls; the relocation of the planned Glenwood Substation; and to add electric transmission lines connecting the Glenwood Substation to the BPA Alvey Substation in Goshen and to the Laura Street Substation in Springfield; and

WHEREAS, at the conclusion of a public hearing on May 19, 2015, the Springfield Planning Commission recommended the Eugene-Springfield Metropolitan Area Public Facilities and Services Plan, Table 6, Table 8, and Table 18, and Map 3 and Map 4, be amended to reflect the addition of three stormwater outfalls; the relocation of the planned Glenwood Electric Substation and to add transmission lines connecting the Glenwood Substation to the BPA Alvey Substation in Goshen and to the Laura Street Substation in Springfield, and that these same amendments be adopted into the Eugene-Springfield Metropolitan Area General Plan, Appendix A, consistent with Policy G.3, Chapter III, Section G Public Facilities and Services Element of the Metro Plan; and

WHEREAS, the Lane County Board of Commissioners conducted a joint public hearing on this amendment on July 14, 2015, with the Springfield City Council, and is now ready to take action based upon the above recommendations and evidence and testimony already in the record as well as the evidence and testimony presented at the joint elected officials public hearing; and

WHEREAS, substantial evidence exists within the record demonstrating that the proposal meets the requirements of the Metro Plan, Lane Code, and applicable state and local law.

NOW, THEREFORE, the Board of Commissioners ordain as follows:


Section 1: The Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) is modified and amended to insert the map and table changes or additions as set forth in Exhibit A, Exhibit B, and Exhibit C attached and incorporated herein which amendments are hereby adopted.

Section 2: The Public Facilities and Services Element (Section III-G) of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is modified and amended consistent with Policy G.3 and as set forth in Exhibit A (PFSP Map 3), Exhibit B (PFSP Map 4), Exhibit C (PFSP Table 6), Exhibit D (PFSP Table 8) and Exhibit E (PFSP Table 18) attached and incorporated herein, which amendments are hereby adopted.

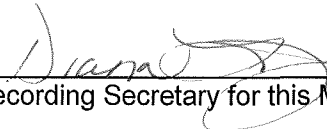
Section 3: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings and conclusions in support of this action as set forth in Attachment 2, of the Lane County Staff Memorandum for Ordinance No PA1318, dated June 9, 2015, attached and incorporated here by this reference.

ENACTED this 15th day of September, 2015.



Jay Bozjevich, Chair
Lane County Board of Commissioners



Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

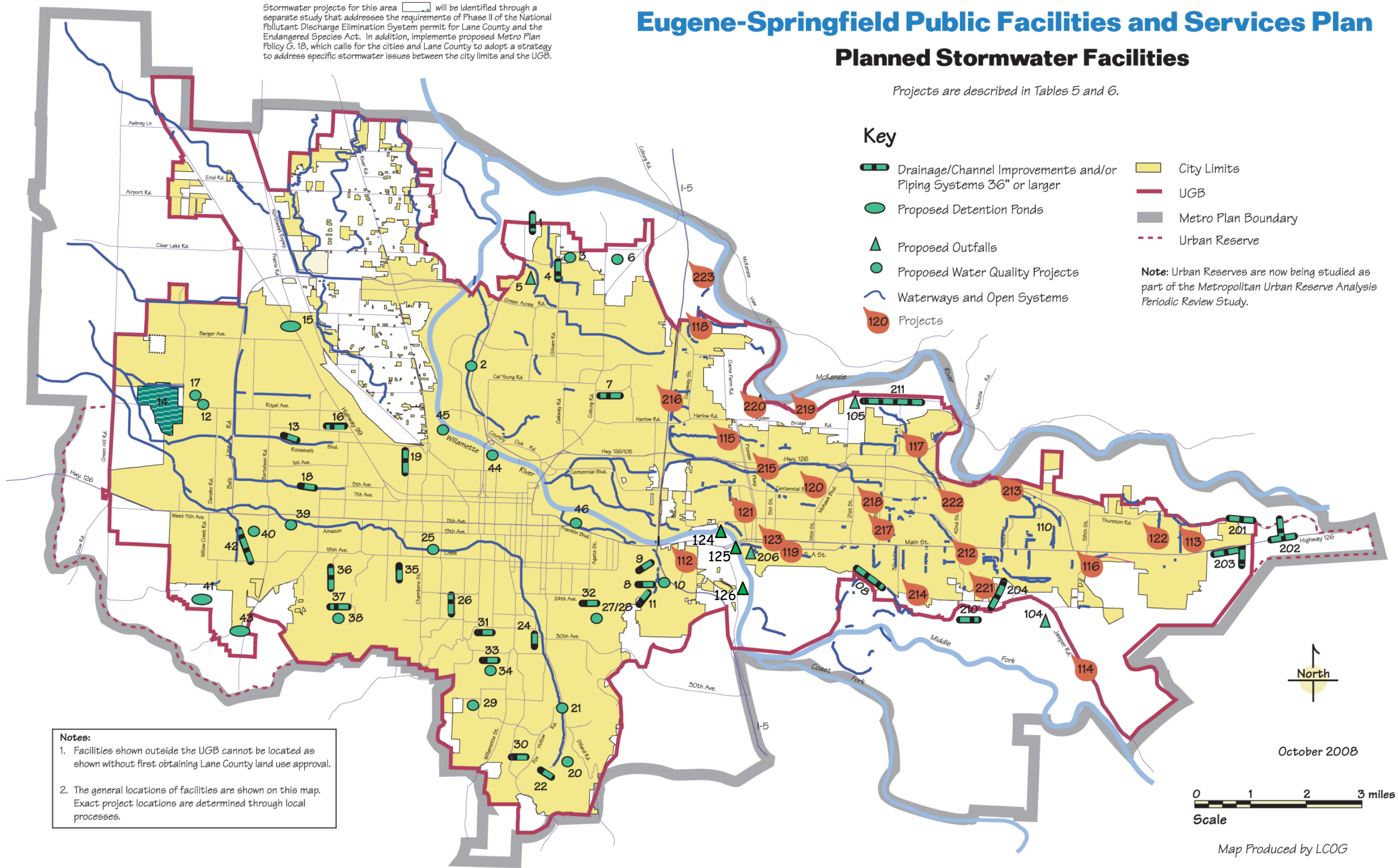
Date 6-16-15 Lane County



OFFICE OF LEGAL COUNSEL

Map 3 Eugene-Springfield Public Facilities and Services Plan Planned Stormwater Facilities

Projects are described in Tables 5 and 6.



Stormwater projects for this area will be identified through a separate study that addresses the requirements of Phase II of the National Pollutant Discharge Elimination System permit for Lane County and the Endangered Species Act. In addition, implements proposed Metro Plan Policy G. 18, which calls for the cities and Lane County to adopt a strategy to address specific stormwater issues between the city limits and the UGB.

Key

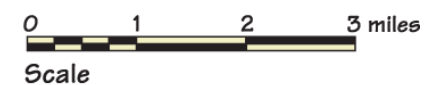
- Drainage/Channel Improvements and/or Piping Systems 36" or larger
 - Proposed Detention Ponds
 - Proposed Outfalls
 - Proposed Water Quality Projects
 - Waterways and Open Systems
 - Projects
 - City Limits
 - UGB
 - Metro Plan Boundary
 - Urban Reserve
- Note:** Urban Reserves are now being studied as part of the Metropolitan Urban Reserve Analysis Periodic Review Study.

Notes:

- Facilities shown outside the UGB cannot be located as shown without first obtaining Lane County land use approval.
- The general locations of facilities are shown on this map. Exact project locations are determined through local processes.



October 2008











Map Produced by LCOG

Map 4

Eugene-Springfield Public Facilities and Services Plan Planned Electrical Facilities

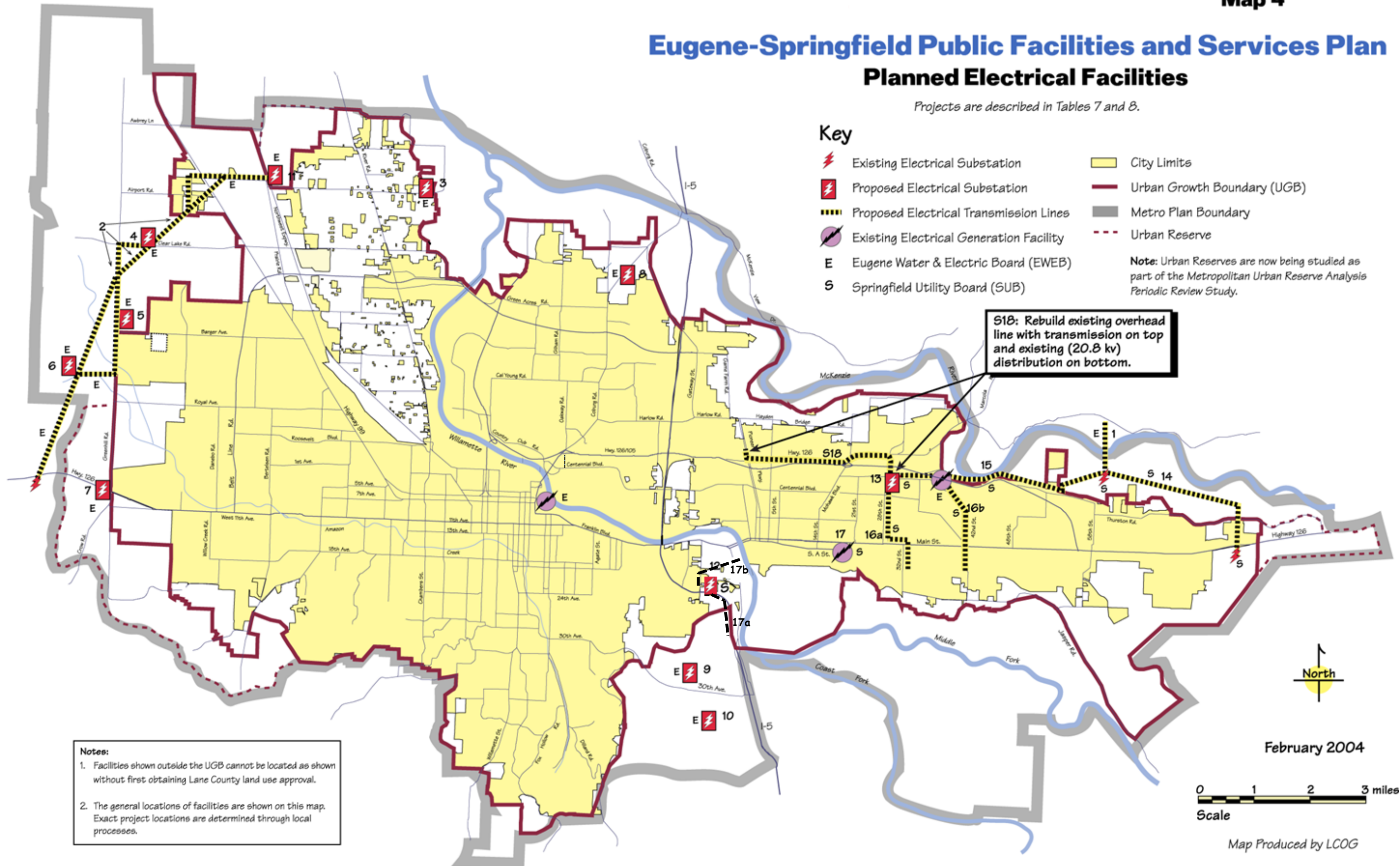
Projects are described in Tables 7 and 8.

Key

-  Existing Electrical Substation
-  Proposed Electrical Substation
-  Proposed Electrical Transmission Lines
-  Existing Electrical Generation Facility
- E** Eugene Water & Electric Board (EWEB)
- S** Springfield Utility Board (SUB)
-  City Limits
-  Urban Growth Boundary (UGB)
-  Metro Plan Boundary
-  Urban Reserve

Note: Urban Reserves are now being studied as part of the Metropolitan Urban Reserve Analysis Periodic Review Study.

S18: Rebuild existing overhead line with transmission on top and existing (20.8 kv) distribution on bottom.



Notes:

1. Facilities shown outside the UGB cannot be located as shown without first obtaining Lane County land use approval.
2. The general locations of facilities are shown on this map. Exact project locations are determined through local processes.

North

February 2004

Scale
0 1 2 3 miles

Table 6.
City of Springfield Stormwater System Improvement Projects

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number
	<i>Short-Term</i>	
104	Jasper Slough outfall	n/a
105	20 th Street Outfall	n/a
108	Mill Race Enhancements, including new intake	n/a
110	Highway 126/I-105 drainage improvements	n/a
112	Glenwood Channel & Pipe Improvements	1
113	Gray Creek Channel & Pipe Improvements	2
114	Jasper/Natron Channel & Pipe Improvements	3
115	Channel 6 Detention Pond, Channel & Pipe Improvements	4
116	59 th & Aster and Daisy Street Parallel Pipe	5
117	Irving Slough Channel Improvements	6
118	North Gateway – Sports Way Flood Control Water Quality Facility	10
119	McKenzie Forest Products Mill Pond Water Quality Facility	12
120	Central Over-Under Channel & Pipe Improvements	15
121	Island Park Water Quality Facility	16
122	69 th Street Open Channel	18
123	Lower Mill Race Water Quality & Riparian Enhancements	21
124	Glenwood Outfall #1	n/a
125	Glenwood Outfall #2	n/a
126	Glenwood Outfall #3	n/a
	Long-Term	
200-F	Cedar Creek: Diversion System	
200-G	Cedar Creek: East Thurston Road/Hwy 126 Outfall and Associated Piping	
201	Thurston Road Interceptor	n/a
202	Highway 126 and 87 th Interceptor and Outfall	n/a
203	South 79 th Street System	n/a
204	Rocky Point Drive System and Outfall	n/a
206	Borden Outfall Upgrade	n/a
210	Jasper Slough Improvements	n/a
211	Hayden Bridge Road Interceptor	n/a
212	42 nd & McKenzie Hwy Pipe Improvements	24
213	I-105 Channel Improvements	26
214	Jasper Slough Culvert Crossing Improvements	27
215	Q Street Channel Riparian Enhancements	28

Project Number	<i>Project Name/Description</i>	<i>Stormwater Facility Master Plan Project Number</i>
216	I-5 Open Channel Riparian Enhancements	29
217	Q Street Floodway East of 28 th Water Quality	31
218	28 th Street Main to North Water Quality Temperature TMDL	32
219	Open Channel Improvements North of Riverglen Subdivision	33
220	Chateau St Outfall	34
221	Clearwater Lane & Jasper Water Quality	37
222	42 nd Channel Improvements	42
223	Maple Island Slough Channel Enhancement & Water Quality Improvements	43

Table 8.
SUB Planned Electrical System Improvement Projects

Project Number	<i>Project Name/Description</i>
12	Glenwood Substation
13	Marcola Road Substation
14	East Springfield to Thurston Transmission Line
15	Thurston to Marcola Road Transmission Line
16A	Jasper Road to 10 th Street Extension (alternative A)
16B	Jasper Road to 10 th Street Extension (alternative B)
17A	Alvey to Glenwood to Springfield Transmission Line
17B	Laura to Glenwood Transmission Line
18	28 th Street to Laura Street Transmission Line

Table 18.
City of Springfield Stormwater System Improvements, Estimated Costs, and Timing

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number	Cost (\$000)	Estimated Completion Year
	<i>Short-Term</i>			
100	Sports Way Detention Pond		400	2008-2013
104	Jasper Slough Outfall		210	2008-2013
105	20 th Street Outfall		350	2008-2013
108	Mill Race Enhancements, including new intake	n/a	7,800	2008-2013
110	Hwy 126/I-105 Drainage Improvements	n/a	640	2008-2013
112	Glenwood Channel & Pipe Improvements	1	4,670	2008-2013
113	Gray Creek Channel & Pipe Improvements	2	4,650	2008-2013
114	Jasper Natron Channel & Pipe Improvements	3	2,800	2008-2013
115	Channel 6 Detention Pond, Channel & Pipe Improvements	4	1,250	2008-2013
116	59 th & Aster and Daisy St Parallel Pipe	5	2,100	2008-2013
117	Irving Slough Channel Improvements	6	2,150	2008-2013
118	North Gateway – Sportsway Flood Control Water Quality Facility	10	520	2008-2013
119	McKenzie Forest Products Mill Pond Water Quality Facility	12	60	2008-2013
120	Central Over-Under Channel & Pipe Improvements	15	2,500	2008-2013
121	Island Park Water Quality Facility	16	60	2008-2013
122	69 th Street Open Channel	18	2,500	2008-2013
123	Lower Mill Race Water Quality & Riparian Enhancements	21	60	2008-2013
124	Glenwood Outfall #1	n/a	350	2015-2020
125	Glenwood Outfall #2	n/a	350	2015-2020
126	Glenwood Outfall #3	n/a	350	2015-2020
	<i>Long-Term</i>			
200-F	Cedar Creek: Diversion System	n/a	2,100	2010+
200-G	Cedar Creek: East Thurston Road/Hwy 126 Outfall and Associated Piping	n/a	350	2010+
201	Thurston Road Interceptor	n/a	570	2013-2018
202	Hwy 126 and 87 th Interceptor and Outfall	n/a	570	2010+
203	South 79 th Street System	n/a	1,425	2013-2018
204	Rocky Point Drive System and Outfall	n/a	420	2013-2018
206	Borden Outfall Upgrade	n/a	140	2013-2018
210	Jasper Slough Improvements	n/a	500	2013-2018
211	Hayden Bridge Road Interceptor	n/a	500	2013-2018
212	42 nd & McKenzie Hwy Pipe Improvements	24	300	2013-2018

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number	Cost (\$000)	Estimated Completion Year
213	I-105 Channel Improvements	26	1,610	2013-2018
214	Jasper Slough Culvert Crossing Improvements	27	200	2013-2018
215	Q St Channel Riparian Enhancements	28	500	2013-2018
216	I-5 Open Channel Riparian Enhancements	29	500	2013-2018
217	Q St Floodway East of 28 th Water Quality	31	200	2013-2018
218	28 th St Main to North Water Quality Temperature TMDL	32	60	2013-2018
219	Open Channel Improvements North of Riverglen Subdivision	33	30	2013-2018
220	Chateau St Outfall	34	240	2013-2018
221	Clearwater Lane & Jasper Water Quality	37	350	2013-2018
222	42 nd Channel Improvements	42	200	2013-2018
223	Maple Island Slough Channel Enhancements & Water Quality Improvements	43	250	2013-2018



Staff Report and Recommendation

Public Facilities and Services Plan Amendment- Type IV

Project Name: Glenwood amendments to the Eugene-Springfield Metropolitan Public Facilities and Services Plan, a refinement plan of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan).

Project Proposal: The City of Springfield proposes to amend the Eugene Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) to: 1) add three stormwater outfalls; 2) relocate a planned electric substation; and 3) add transmission lines connecting the substation to the Alvey Substation in Goshen and the Laura St. Substation in Springfield. The planned facilities shall be added to the applicable PFSP Maps 3 and 4; and project lists found in Tables 6, 8 and 18. The proposed amendments also amend the Metro Plan as “the project lists and maps in the Public Facilities and Services Plan are adopted as part of the Metro Plan.” (Page III-G-2 Metro Plan) **The planned stormwater and electrical facilities that are proposed as part of this amendment are located in Glenwood.**

Case Number: TYP415-00002

Date Initiated: September 15, 2015, Additional projects added by the Director on April 24, 2015

Application Submitted Date: April 10, 2015

DLCD Notification Date: April 10, 2015

Referral Notice to the City of Eugene: April 9, 2015

Springfield Planning Commission Hearing: May 19, 2015

Joint City Council and Board of County Commissioners Hearing: July 14, 2015

I. BACKGROUND AND PROPOSED PFSP AMENDMENTS

Oregon state land use law (Goal 11, OAR 660-011-712 2. E.) requires all cities with a population over 2,500 to develop and adopt a public facilities plan for the area within the city’s urban growth boundary. The public facilities plan is a support document or documents to a comprehensive plan. Certain elements of the public facility plan also shall be adopted as part of the comprehensive plan; these elements include a list of public facility project titles (excluding the descriptions or specifications of those projects if so desired by the jurisdiction); a map or written description of the public facility projects’ locations or service areas; and the policies or urban growth management agreement designating the provider of each public facility system (OAR 660-011-0045).

Chapter II of the PFSP “recommends text amendments to the *Metro Plan* which are adopted as part of, and are incorporated into, the *Metro Plan*. **The project lists and maps in Chapter II are also adopted as part of the *Metro Plan* but are physically located in this refinement plan**” (Page 1, Introduction, PFSP).

Since PFSP amendments are also adopted as Metro Plan amendments, this application is being processed as a Metro Plan and a refinement plan/functional plan amendment. **The approval criteria for refinement plans/functional plans amendments include the criteria of consistency with the Metro Plan and applicable state statutes and administrative rules, while the criteria for Metro Plan amendments requires consistency with statewide planning goals and internal consistency. Since the**

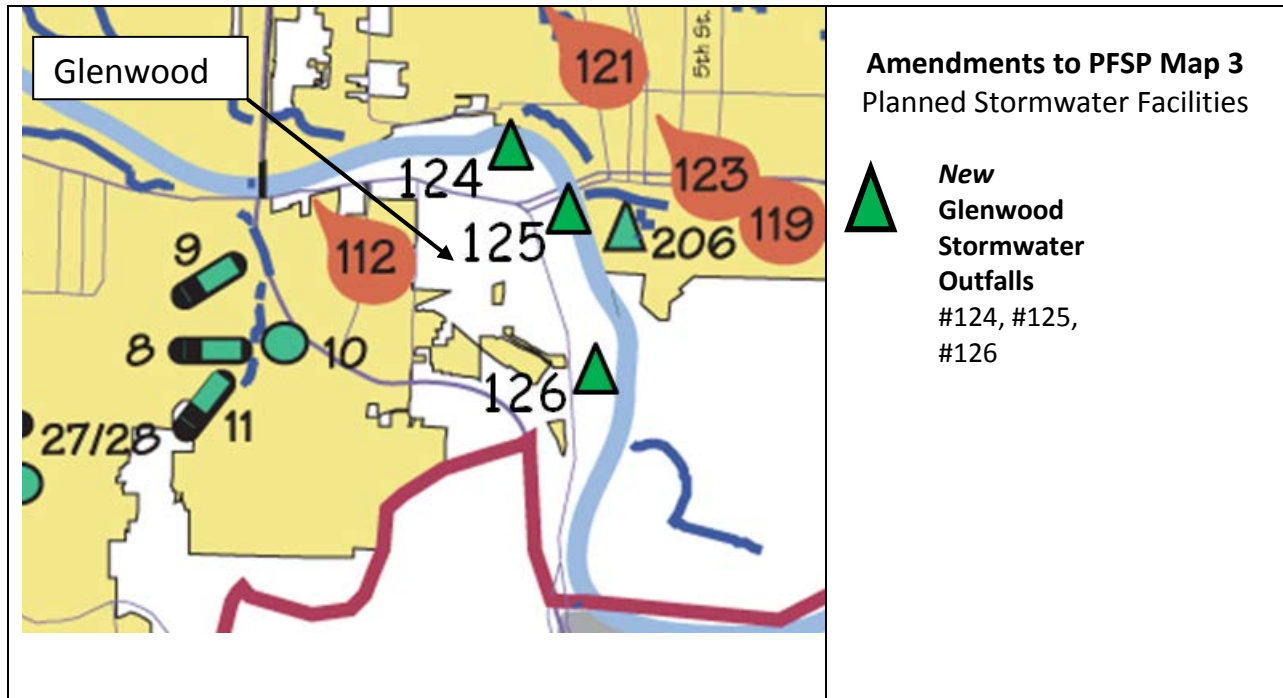
refinement plan cannot be amended unless consistent with the Metro Plan, i.e. Metro Plan criteria for amendment, findings developed to address the proposed PFSP amendments simultaneously address the Metro Plan criteria.

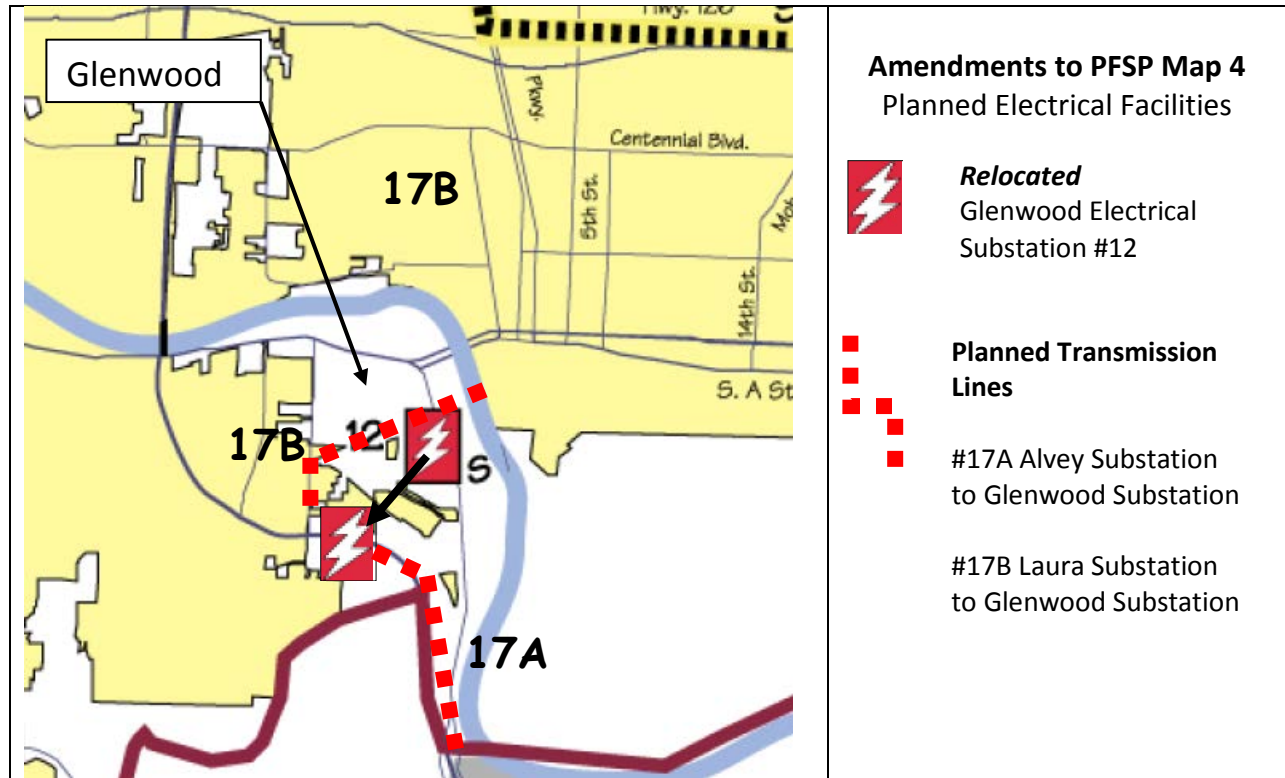
Proposed Amendments to the PFSP

The City has proposed amendments to the PFSP to update planned stormwater and electrical facilities project lists and maps for Glenwood. The proposed projects are needed to support future development as envisioned by the 2014 Glenwood Refinement Plan. Springfield proposes to: 1) add three stormwater outfalls; 2) relocate a planned electric substation; and 3) add transmission lines connecting the substation to the Alvey Substation in Goshen and the Laura St. Substation in Springfield. The planned facilities shall be added to the applicable PFSP Maps 3 and 4; and project lists found in Tables 6, 8 and 18. The proposed amendments also amend the Metro Plan. **The planned stormwater and electrical facilities that are proposed as part of this amendment are located in Glenwood.**

The map amendments (Maps 3 and 4) and project list amendments (Tables 6, 8 and 18) are shown below. The proposed amendments are intended to modify the PFSP maps as they apply to Glenwood.

PROPOSED PFSP MAP AMENDMENTS (Maps 3 and 4)





PROPOSED PFSP PROJECT LIST AMENDMENTS (TABLES 6, 8, AND 18)

**Table 6.
City of Springfield Stormwater System Improvement Projects**

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number
	<i>Short-Term</i>	
104	Jasper Slough outfall	n/a
105	20 th Street Outfall	n/a
108	Mill Race Enhancements, including new intake	n/a
110	Highway 126/I-105 drainage improvements	n/a
112	Glenwood Channel & Pipe Improvements	1
113	Gray Creek Channel & Pipe Improvements	2
114	Jasper/Natron Channel & Pipe Improvements	3
115	Channel 6 Detention Pond, Channel & Pipe Improvements	4
116	59 th & Aster and Daisy Street Parallel Pipe	5
117	Irving Slough Channel Improvements	6
118	North Gateway – Sports Way Flood Control Water	10

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number
	Quality Facility	
119	McKenzie Forest Products Mill Pond Water Quality Facility	12
120	Central Over-Under Channel & Pipe Improvements	15
121	Island Park Water Quality Facility	16
122	69 th Street Open Channel	18
123	Lower Mill Race Water Quality & Riparian Enhancements	21
124	Glenwood Outfall #1 [emphasis added]	n/a
125	Glenwood Outfall #2 [emphasis added]	n/a
126	Glenwood Outfall #3 [emphasis added]	n/a
	Long-Term	
200-F	Cedar Creek: Diversion System	
200-G	Cedar Creek: East Thurston Road/Hwy 126 Outfall and Associated Piping	
201	Thurston Road Interceptor	n/a
202	Highway 126 and 87 th Interceptor and Outfall	n/a
203	South 79 th Street System	n/a
204	Rocky Point Drive System and Outfall	n/a
206	Borden Outfall Upgrade	n/a
210	Jasper Slough Improvements	n/a
211	Hayden Bridge Road Interceptor	n/a
212	42 nd & McKenzie Hwy Pipe Improvements	24
213	I-105 Channel Improvements	26
214	Jasper Slough Culvert Crossing Improvements	27
215	Q Street Channel Riparian Enhancements	28
216	I-5 Open Channel Riparian Enhancements	29
217	Q Street Floodway East of 28 th Water Quality	31
218	28 th Street Main to North Water Quality Temperature TMDL	32
219	Open Channel Improvements North of Riverglen Subdivision	33
220	Chateau St Outfall	34
221	Clearwater Lane & Jasper Water Quality	37
222	42 nd Channel Improvements	42
223	Maple Island Slough Channel Enhancement & Water Quality Improvements	43

Table 8.
SUB Planned Electrical System Improvement Projects

Project Number	<i>Project Name/Description</i>
12	Glenwood Substation
13	Marcola Road Substation
14	East Springfield to Thurston Transmission Line
15	Thurston to Marcola Road Transmission Line
16A	Jasper Road to 10 th Street Extension (alternative A)
16B	Jasper Road to 10 th Street Extension (alternative B)
17A	<u>Alvey to Glenwood to Springfield Transmission Line [emphasis added]</u>
17B	<u>Laura to Glenwood Transmission Line [emphasis added]</u>
18	28 th Street to Laura Street Transmission Line

Table 18.
City of Springfield Stormwater System Improvements, Estimated Costs, and Timing

Project Number	<i>Project Name/Description</i>	<i>Stormwater Facility Master Plan Project Number</i>	Cost (\$000)	Estimated Completion Year
	<i>Short-Term</i>			
100	Sports Way Detention Pond		400	2008-2013
104	Jasper Slough Outfall		210	2008-2013
105	20 th Street Outfall		350	2008-2013
108	Mill Race Enhancements, including new intake	n/a	7,800	2008-2013
110	Hwy 126/I-105 Drainage Improvements	n/a	640	2008-2013
112	Glenwood Channel & Pipe Improvements	1	4,670	2008-2013
113	Gray Creek Channel & Pipe Improvements	2	4,650	2008-2013
114	Jasper Natron Channel & Pipe Improvements	3	2,800	2008-2013
115	Channel 6 Detention Pond, Channel & Pipe Improvements	4	1,250	2008-2013
116	59 th & Aster and Daisy St Parallel Pipe	5	2,100	2008-2013
117	Irving Slough Channel Improvements	6	2,150	2008-2013
118	North Gateway – Sportsway Flood Control Water Quality Facility	10	520	2008-2013
119	McKenzie Forest Products Mill Pond Water Quality Facility	12	60	2008-2013
120	Central Over-Under Channel & Pipe Improvements	15	2,500	2008-2013
121	Island Park Water Quality Facility	16	60	2008-2013
122	69 th Street Open Channel	18	2,500	2008-2013

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number	Cost (\$000)	Estimated Completion Year
123	Lower Mill Race Water Quality & Riparian Enhancements	21	60	2008-2013
124	Glenwood Outfall #1 [emphasis added]	n/a	350	2015-2020
125	Glenwood Outfall #2 [emphasis added]	n/a	350	2015-2020
126	Glenwood Outfall #3 [emphasis added]	n/a	350	2015-2020
	Long-Term			
200-F	Cedar Creek: Diversion System	n/a	2,100	2010+
200-G	Cedar Creek: East Thurston Road/Hwy 126 Outfall and Associated Piping	n/a	350	2010+
201	Thurston Road Interceptor	n/a	570	2013-2018
202	Hwy 126 and 87 th Interceptor and Outfall	n/a	570	2010+
203	South 79 th Street System	n/a	1,425	2013-2018
204	Rocky Point Drive System and Outfall	n/a	420	2013-2018
206	Borden Outfall Upgrade	n/a	140	2013-2018
210	Jasper Slough Improvements	n/a	500	2013-2018
211	Hayden Bridge Road Interceptor	n/a	500	2013-2018
212	42 nd & McKenzie Hwy Pipe Improvements	24	300	2013-2018
213	I-105 Channel Improvements	26	1,610	2013-2018
214	Jasper Slough Culvert Crossing Improvements	27	200	2013-2018
215	Q St Channel Riparian Enhancements	28	500	2013-2018
216	I-5 Open Channel Riparian Enhancements	29	500	2013-2018
217	Q St Floodway East of 28 th Water Quality	31	200	2013-2018
218	28 th St Main to North Water Quality Temperature TMDL	32	60	2013-2018
219	Open Channel Improvements North of Riverglen Subdivision	33	30	2013-2018
220	Chateau St Outfall	34	240	2013-2018
221	Clearwater Lane & Jasper Water Quality	37	350	2013-2018
222	42 nd Channel Improvements	42	200	2013-2018
223	Maple Island Slough Channel Enhancements & Water Quality Improvements	43	250	2013-2018

II. PROCEDURAL REQUIREMENTS

The *Metro Plan* is the basic guiding land use policy document for regional land use planning. As indicated in the Purpose section, above, the region also utilizes: (a) city-wide comprehensive plans; (b) functional plans and policies addressing single subjects throughout the area, including the *Eugene-Springfield Public Facilities and Services Plan (Public Facilities and Services Plan)* and the regional transportation system plan; and (c) neighborhood plans or special area studies that address those issues that are unique to a specific geographical area. In all cases, the *Metro Plan* is the guiding

document for regional comprehensive land use planning and city-specific plans may be adopted for local comprehensive land use planning. (Metro Plan pg. I-8).

As mentioned above, the Eugene Springfield Public Facilities and Services Plan (PFSP) is classified as a functional plan by the Metro Plan. The PFSP describes itself as a refinement plan of the Metro Plan (PFSP page 1.). The introduction to the PFSP states, “This *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (Public Facilities and Services Plan)* is a refinement plan of the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* (PFSP page 1.).”

Metro Plan Chapter V (page V-6) defines a refinement plan as, “A detailed examination of the service needs and land use issues of a specific area, topic, or public facility. Refinement plans of the *Metro Plan* can include specific neighborhood plans, special area plans, **or functional plans** [such as the *Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan)*] that address a specific *Metro Plan* element or sub-element on a city-wide or regional basis. The apparent inconsistency between the Metro Plan classification the PFSP as a functional plan and the PFSP describing itself as a refinement plan is not really an inconsistency. The Metro Plan defines refinement plans to include functional plans.

Chapter II of the PFSP includes project lists and maps. Chapter II states that the project lists and maps are also adopted as part of the *Metro Plan* but are physically located in this refinement plan (PFSP page 1). For this reason, an amendment to the PFSP is an amendment to the Metro Plan as well.

The procedural requirements for processing refinement plan amendments are described in SDC Sections 5.6-100 and 5.1-140. As mentioned above, while the Metro Plan speaks of the PFSP as a functional plan of the Metro Plan, it is also clear from the Metro Plan that amendments to the PFSP project list and maps are also amendments to the Metro Plan Appendix A which contains those lists and maps (Metro Plan, Introduction, page I-1).

SDC Section 5.14-120 C. **states**, “When a Metro Plan amendment also requires an amendment of a refinement plan or functional plan diagram map and/or text for consistency, the Metro Plan, refinement plan and/or functional plan amendments shall be processed concurrently.” For that reason this amendment of the PFSP is being processed concurrently as a Metro Plan amendment.

Section 5.6-105 of the Springfield Development Code (SDC) indicates that the Planning Director, Planning Commission, City Council or a resident of the City can initiate refinement plan amendments. Metro Plan amendments are reviewed under a “Type IV” procedure (Section 5.6-110) and require public hearings before the Planning Commission and the City Council. Type IV procedures are detailed in Section 5.1-140 of the SDC. The proposed refinement plan amendment was initiated by the City Council on September 15, 2015.

SDC Section 5.14-110 indicates that Metro Plan amendments are also processed as Type IV procedures as specified in Section 5.1-140.

SDC Section 5.2-115 (B) requires that legislative land use decisions be advertised in a newspaper of general circulation, providing information about the legislative action and the time, place and location of the hearing.

The Director shall also mail notice to the Department of Land Conservation and Development as specified in OAR 660-18-0020.

Findings:

Finding #1: The City of Springfield initiated an amendment of the PFSP to add the three proposed outfalls on September 15, 2015. The Director initiated additional amendments to the PFSP, to include the relocation of the Glenwood Substation and the location of electric transmission lines on April 24, 2015

Finding #2: Refinement Plan and Metro Plan amendments are described as Type IV procedures by SDC Section 5.6-110, and SDC Section 5.14-110. The PFSP amendment has site specific elements. As such the mailed notice provisions that are prescribed for Type III quasi-judicial procedures were also followed. Mailed notice was sent to property owners and residents on May 1, 2015. The content of the notice was consistent with SDC 5.2-115.

Finding #3: A "DLCD Notice of Proposed Amendment" was e-mailed with mailed copies following to the Oregon Department of Land Conservation and Development (DLCD) on April 10, 2015, alerting the agency to the City's intent to amend the Metro Plan and Public Facilities and Services Plan, Maps 3 & 4, and Tables 6, 8, and 18. The notice was mailed more than 35 days in advance of the first evidentiary hearing as required by ORS 197.610 (1).

Finding #4: Notice of the public hearing concerning this matter was published on Tuesday, May 5, 2015 in the Eugene Register Guard, advertising an initial public hearing before the Springfield Planning Commission on May 19, 2015 and a joint public hearing before the Springfield City Council and the Lane County Board of Commissioners on July 14, 2015. The content of the notice followed the direction given in Section 5.2-115 of the SDC for legislative actions.

Finding #5: ORS 197.047(4) requires the local government to mail a notice to every landowner whose property would be "rezoned" as a result of an amendment to planning policies that would limit or prohibit land uses previously allowed in the affected zone. No properties will be rezoned by the proposed amendments to the Metro Plan or PFSP; however property owners and residents within 300 feet of the proposed locations were provided mailed notice consistent with the provisions of SDC 5.2-115 on May 1, 2015.

Finding #6: In response to the mailed notice, a letter was received from Pamela Seavers Leavitt objecting to the proposed location of a stormwater outfall and an electrical transmission line on vacant property she co-owns under the name Seavers Mobile Home Park LLC. The letter is attached to this as Appendix 1. In her letter, Mrs. Leavitts states that she is "concerned the Glenwood improvements for future development may have a significant and negative impact on our property." She further states, "we object to our property being targeted, possibly due to it being vacant."



City staff and SUB staff met with Mr. and Mrs. Leavitts on May 18, 2015 to discuss their concerns about the proposed facilities being located on or near their property. Staff explained that the PFSP maps are conceptual and that the exact location and design of the stormwater outfall and electric transmission lines will be determined in the future as design engineering and construction becomes imminent.

City staff explained that the stormwater outfall would be located within the 75-foot riparian setback and would remove little or no land from their developable acreage. The most current design for stormwater outfalls includes a grated pipe end draining into a swale, which in turn drains to the river. The pipe end and swale for the 22-acre Filbert Meadows development fit within a similar setback from Jasper Slough. The Seaver property is about 6 acres in size. The photos above show the outfall at Filbert Meadows.



SUB staff reinforced the conceptual nature of the PFSP map, but that the current plan is to connect the planned Glenwood Substation to the Laura Street Substation in Springfield via a transmission line that would follow Henderson Ave. in Glenwood north to the UPRR right-of-way and then follow that right of way east to the Willamette River. Poles would be placed within the railroad right-of-way. The railroad right-of-way borders the Seaver property on the south. As with the stormwater outfalls, SUB would work with the property owner to locate the lines where they would have the least impact on developable property. SUB prefers to locate these facilities in street or railroad right-of-ways as opposed to bisecting or otherwise dividing developable property.

The transmission lines would be mounted on single poles similar to those found along street right-of-ways. The photo at left shows transmission lines/poles as they enter the Laura Street Substation.

Transmission lines on Laura Street near the Laura Street Substation

Finding #7: On Tuesday May 19, 2015, the Springfield Planning Commission conducted a public hearing to consider the proposed PFSP amendments. Two persons, Schley Lynch III and Stanley Lynch appeared in person to provide testimony at the May 19th hearing. They testified that the property surveys in Glenwood are inaccurate and in particular in the vicinity of their home on Brooklyn Ave. They also expressed opposition to the Code Compliance Officer requiring them to obtain a demolition permit for the same home on Brooklyn. Although the testimony provided did not pertain to the criteria for approval for the PFSP amendments, before any new development is approved in Glenwood, an accurate survey of the development site shall be required as part of site plan review and approval. The City of Springfield, as do most cities, requires permits for demolition of structures to assure that utilities are properly capped.

Finding #8: At the conclusion of the May 19th hearing, the Planning Commission voted unanimously to recommend that the Springfield City Council and the Lane County Board of Commissioners approve the proposed PFSP amendments for Glenwood.

III. CRITERIA OF APPROVAL

Criteria for Refinement Plan/Functional Plan Amendments

The 2011 Eugene-Springfield Public Facilities and Services Plan (PFSP) is a refinement plan/functional plan of the Metro Plan. SDC Section 5.6-115 lists the criteria to be used in reaching a decision to adopt or amend refinement plans. The Lane County Board of Commissioners and the Springfield City Council shall each adopt findings that demonstrate conformance to the following:

- (1) The *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*
- (2) Applicable State statutes
- (3) Applicable State-wide Planning Goals and Administrative Rules.

Criteria for Metro Plan Amendments

Amendments to the PFSP are also Metro Plan amendments. The criteria for approving Metro Plan amendments are found in SDC 5.14-135. A Metro Plan amendment may be approved only if the Springfield City Council and the Lane County Board of Commissioners find that the proposal conforms to the following criteria:

- A. The amendment shall be consistent with applicable Statewide Planning Goals; and
- B. Plan inconsistency:
 1. In those cases where the Metro Plan applies, adoption of the amendment shall not make the Metro Plan internally inconsistent.
 2. In cases where Springfield Comprehensive Plan applies, the amendment shall be consistent with the Springfield Comprehensive Plan.

Finding #9. The criteria for approving Refinement Plan and Metro Plan Amendments overlap. The criteria for approving Refinement Plans include those required for Metro Plan amendments. The

refinement plan criteria also require proposed amendments to conform to applicable State Administrative Rules and State Statutes. **The more inclusive criteria for approving refinement plan amendments are used in this report to simultaneously address the criteria for approving Metro Plan amendments.**

“Conformance with... (1) The Eugene-Springfield Metropolitan Area General Plan (Metro Plan)”

Finding #10. The proposed outfalls, relocated substation and associated transmission lines are site specific, and are located both inside and outside the Springfield city limits. Metro Plan Chapter IV: Policy (5.)(B.)(ii.) lists amendments that have a specific application between a city limit of the home city and the Plan Boundary as a Type II Metro Plan amendment.

Finding #11. The proposed PFSP amendments are being processed as a Type II Metro Plan amendment with a scheduled Planning Commission hearing and a joint hearing before the Springfield City Council and the Lane County Board of Commissioners.

Finding #12. The project list found in Table 6 of the PFSP includes significant Springfield stormwater projects. Significant projects are defined to include stormwater facilities ...“with pipes 36-inches or larger, detention basins, water quality facilities, or new outfalls,” in Metro Plan Chapter V—Definitions: #37 c. *Public facility projects*, (page V-5). The PFSP maps show the general location or service area of the projects. The proposed outfalls are considered significant facilities for the purpose of inclusion in the PFSP project list.

Finding #13. The project lists also include significant electrical facilities including planned substations and transmission lines (Table 8). Significant projects are defined in Metro Plan Chapter V: Definitions—# 37 d. *Public facilities projects*, (page V-5) to include “Proposed Electrical Substations” and “Proposed Electrical Transmission Lines” shown on Map 4 of the PFSP.

Finding #14. The proposed amendments add the three Glenwood stormwater outfalls, relocate a planned electrical substation and show needed electrical transmission lines. These projects will be added to the project lists found in Tables 6, 8 and 18 and on Maps 3 and 4 of the PFSP. The tables and map are specifically adopted as part of the *Metro Plan* but are published exclusively within the PFSP. Therefore, the proposed changes, as presented, will not create internal inconsistencies within the *Metro Plan*.

Finding #15. In addition to the foregoing, the proposed amendments are consistent with the following *Metro Plan* policies:

“Extend the minimum level and full range of key urban facilities and services in an orderly and efficient manner consistent with the growth management policies in Chapter II – C, relevant policies in this chapter, and other *Metro Plan* policies” (Page III-G-5, Policy G.1).

“Use the planned facilities maps of the *Public Facilities and Services Plan* to guide the general location of water, wastewater, stormwater, and electrical projects in the metropolitan area. Use local facility master plans, refinement plans, and ordinances as the guide for detailed planning and project implementation” (Page III-G-5, Policy G.2). [Emphasis added]

“Modifications and additions to or deletions from the project lists in the *Public Facilities and Services Plan* for water, wastewater, and stormwater public facility projects or significant changes to project location, from that described in the *Public Facilities and Services Plan* planned facilities Maps 1, 2 and 3, requires amending the *Public Facilities and Services Plan* and the *Metro Plan...*” (Page III-G-5, Policy G.3). [Emphasis added]

“Use annexation, provision of adequate public facilities and services, rezoning, redevelopment and infill to meet the 20-year projected housing demand.” (Page III-A-6, Policy A.4)

“Endeavor to provide key urban services and facilities required to maintain a five-year supply of serviced, buildable residential land.” (Page III-A-7, Policy A.7)

“Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities” (Page III-A-8, Policy A.12).

“Coordinate local residential land use and housing planning with other elements of this plan, including public facilities and services, and other local plans, to ensure consistency among policies” (Page III-A-14, Policy A.35).

The foregoing policies address the redevelopment of Glenwood, specifically to enable land within Phase I, the Glenwood Riverfront area, to have the necessary urban services and facilities in place to provide for immediate development application. Such development readiness is consistent with these policies.

Finding #16. The Glenwood Refinement Plan is a refinement plan of the Metro Plan. It contains more detailed policies for guiding development than those found in the Metro Plan itself. The Glenwood Refinement Plan contains policies addressing the provision of stormwater and electrical facilities. These policies were adopted into SDC Appendix 3 GLENWOOD REFINEMENT PLAN POLICIES AND IMPLEMENTATION STRATEGIES—PHASE 1. SDC Appendix 3 (E)(5-7) contain the following policies that are applicable to the proposed PFSP amendment:

E. Public Facilities and Services Chapter.

E.5. Stormwater Facilities and Services—Public Stormwater System.

E.5.a. Provide stormwater runoff management in response to a demand for urban levels of development and adopted CIP priorities.

E.5.a.1. Provide treatment and conveyance of stormwater runoff for new public facilities.

E.5.a.2. Provide for conveyance of treated stormwater from private development to receiving areas, such as the Glenwood Slough and the Willamette River.

E.5.a.3. Provide treated emergency overflow conveyance to receiving waters to meet Council Stormwater Goal 1: Protect citizens and property from flooding (Springfield Stormwater Management Plan, Chapter 4) from large rainstorm events, where possible. (6279)

Finding #17. The proposed update of the PFSP adds three new stormwater outfalls to the planned facilities maps and project lists for stormwater management. These facilities will provide conveyance of stormwater for new public and private facilities. These outfall structures have not been submitted for construction, but will be subject to the applicable policies listed in Appendix 3 Section (E) (5) at the time of development.

E.6. Electric Facilities and Services—System Capacity.

E.6.a. Collaborate with the Springfield Utility Board (SUB) to increase the capacity of the electric system to meet future development needs.

E.6.a.1. Evaluate potential locations for and construct a future substation in Glenwood in coordination with expected development.

E.6.a.2. Locate and design the future substation and transmission, distribution, and service facilities as specified in the Utility Placement and Adverse Environmental, Visual, and Health Impacts section.

E.6.a.3. Make electric service available as part of the Land Division and Site Plan Review processes. (6279)

Finding #18. The proposed update of the PFSP relocates the existing Glenwood Substation to land recently purchased by the utility. SUB's Glenwood Substation is shown on the current PFSP near McVay Hwy. The amendment moves the location to the new site along I-5. Transmission lines are shown in the amendments that connect the Glenwood substation to the Alvey Substation (BPA) in Goshen and the Laura Street substation in Springfield. These outfall structures have not been submitted for construction, but will be subject to the applicable policies listed in Appendix 3 Section (E) (6) at the time of development.

E.7. Electric Facilities and Services—Utility Placement and Adverse Environment, Visual, and Health Impacts.

E.7.a. Coordinate with SUB to develop criteria for locating and obscuring electric facilities that consider visual, auditory, health and environmental impacts; pedestrian mobility; operational ease; and initial costs and maintenance costs in association with proposed development in the Glenwood Riverfront.

E.7.b. Consider views, visual pollution, public health, natural environment, and noise pollution in locating and obscuring transmission facilities.

E.7.b.1. Follow natural landforms in aligning transmission lines while avoiding alignments along hillcrests or steep grades that expose the facilities to views; and cross hills obliquely rather than at right angles.

E.7.b.2. Align transmission lines along edges of land uses to avoid scenic areas and to avoid dividing land use patterns.

E.7.b.3. Utilize trees to provide a backdrop to minimize the silhouette of transmission lines against the sky.

E.7.b.4. Reduce the length of visible segments of transmission lines by interrupting views with trees or offsetting the location of segments behind trees and other topographic features where long views of the transmission lines would otherwise occur.

E.7.b.5. Minimize the “tunnel effect” of long, straight, uninterrupted views along transmission lines by only clearing vegetation that threatens the lines and by joggling the alignment at road crossings.

E.7.b.6. Minimize the number of transmission poles and consider color and materials in designing the appearance of transmission poles and line attachments so that they blend harmoniously with their surroundings.

E.7.b.7. Route and locate transmission lines to minimize or eliminate the need for vegetation management.

E.7.b.8. Route and locate transmission lines to minimize potential health effects and noise pollution on Glenwood residents.

E.7.b.9. Route and locate transmission lines to minimize potential effects on avian migratory patterns.

E.7.c. Consider views and visual pollution in locating and obscuring distribution lines.

E.7.c.1. Coordinate with SUB to locate new distribution feeder lines underground as part of the Franklin Boulevard and McVay Highway transportation facility upgrades.

E.7.d. Consider views, visual pollution, and pedestrian mobility in locating and obscuring feeder lines, transformers, junction boxes, vaults and equipment cabinets.

E.7.d.1. Locate or relocate service lines underground in coordination with proposed streets, driveways, accessways, and paths.

E.7.d.2. Coordinate the routing or re-routing of service lines with private developers to minimize potential detrimental effects on the layout of new development/redevelopment.

E.7.d.3. Locate transformers, equipment cabinets, vaults and junction boxes within buildings or underground, where possible; where not possible, locate these facilities outside of pedestrian routes, such as sidewalks, crosswalks, and building entrances, and utilize landscaping and public art to make these facilities as unobtrusive as possible on the public realm/streetscape.

E.7.e. Consider views and visual pollution in locating and obscuring the future substation.

E.7.e.1. Locate the substation in an industrial or employment-designated parcel outside of the boundary of the Phase I Glenwood Riverfront.

E.7.e.2. Obscure the substation and transformer from public view and attenuate the noise generated by these facilities by means of plant materials, earth berms, or enclosure walls. (6279)

Finding #19. The location of the planned Glenwood Substation and the associated transmission lines is shown generally on the PFSP maps as intended. The location of the Substation is outside of the Phase 1 boundary for the Glenwood Refinement Plan. The transmission lines will take advantage of existing freeway, street and railroad right of ways in Glenwood to minimize visual impacts of the planned facilities. Many of the policies listed in Appendix 3 (E) (7) are specific to final location and design decisions that will be addressed at the time of construction. The intent of the PFSP is to show the general location of planned utilities. Design level details are not intended to be provided in the PFSP nor is such detail a requirement of Oregon Administrative Rule Division 11 Public Facilities Planning.

Conclusion: The proposed PFSP amendments conform to the applicable elements of the Metro Plan and the Glenwood Refinement Plan.

“Conformance with... (2) Applicable State Statutes”

Finding #20. ORS 197.712 (2)(e) states e) A city or county shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. The public facility plan shall include rough cost estimates for public projects needed to provide sewer, water and transportation for the land uses contemplated in the comprehensive plan and land use regulations. Project timing and financing provisions of public facility plans shall not be considered land use decisions.

Finding #21. The PFSP was developed to fulfill this mandate for cities. The details for preparing a Public Facility Plan as required by ORS 197.712 is found in the Oregon Administrative Rules, Division 11.

Conclusion: The proposed amendments to the PFSP conform to applicable state statutes.

“Conformance with...(3) Applicable Statewide Planning Goals and Administrative Rules”

Statewide Planning Goals

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding #22. Requirements under Goal 1 are met by adherence to the citizen involvement processes required by the *Metro Plan* and implemented by the Springfield Development Code Sections 5.14-100 and 5.2-100 and by noticed public hearings prior to final adoption by the Lane County Board of County Commissioners and Springfield City Council.

Finding #23. SDC 5.2-115 states that “where required, notice of a public hearing will be sent by mail at least 20 days before the date of the hearing. If 2 public hearings are required, notice may be sent 10 days before the first hearing. The mailed notice will be sent to: the applicant and the owners of record of the subject property; all property owners and occupants within 300 feet of the subject

property; the appropriate neighborhood association; and any person who submits a written request to receive notice. In addition, the applicant shall post 1 sign, approved by the Director, on the subject property.

Finding #24. The proposed PFSP amendments require two hearings: the first before the Springfield Planning Commission and the second before the Springfield City Council and the Lane County Board of Commissioners.

Finding #25. Notice of a joint public hearing before the Planning Commission and the Springfield City Council and the Lane County Board of Commissioners was mailed to property owners and residents within 300 feet of the locations of the planned outfalls, substation and transmission lines on May 1, 2015, more than 10 days in advance of the May 19th, Commission hearing.

Finding #26. Notice of the May 19, 2015 Planning Commission hearing was published in the Register Guard, a newspaper of general circulation, on May 5, 2015, more than 10 days in advance of the meeting.

Finding #27. A “Notice of a Proposed Change to a Comprehensive Plan” was filed with the Oregon Department of Land Conservation and Development (DLCD) on April 10, 2015. The notice was provided more than 35 days in advance of the first evidentiary hearing before the Planning Commission on May 19, 2015.

Finding #28. On May 19, 2015, the Springfield Planning Commission conducted a public hearing on the proposed amendments. Two persons testified in person at the hearing. One person submitted written testimony by mail. Additional details concerning the testimony and the staff response are contained in Findings # 6 and #7.

Finding #29. At the conclusion of the public hearing, the Planning Commission voted unanimously to recommend that the City Council and the Lane County Board of Commissioners approve the proposed PFSP amendments.

Requirements under Goal 1 are met by adherence to the citizen involvement processes required by the *Metro Plan* and implemented by the Springfield Development Code, Chapter 5 and Lane Code Sections 12.025 and 12.240.

Goal 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding #30. Part I of Goal 2 requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the acknowledged comprehensive plan that guides land use planning in Springfield, Eugene and Lane County.

Finding #31. The current version of the *Metro Plan* was last adopted on December 1, 2014 (Springfield Ordinance No. 6332; Eugene Ordinance No. 20545; and Lane County Ordinance No. PA

1313) after numerous public meetings, public workshops and joint hearings of the Springfield, Eugene and Lane County Planning Commissions and Elected Officials.

The *Metro Plan* is the “land use” or comprehensive plan required by this goal; the PFSP is a refinement plan of the Metro Plan; the Springfield Development Code and the Lane Code are the “implementation measures” required by this goal. Comprehensive plans, as defined by ORS 197.015(5), must be coordinated with affected governmental units. Coordination means that comments from affected governmental units are solicited and considered.

Goal 3 – Agricultural Lands

To preserve and maintain agricultural lands.

Finding #32. The changes do not affect *Metro Plan* or PFSP consistency with this goal and this goal does not apply within adopted, acknowledged urban growth boundaries. None of the proposed projects are intended to provide urban stormwater management service to properties outside the City limits or UGB (although management of drainage originating from and discharging to watercourses outside the UGB is considered).

Goal 4 – Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Finding #33. The changes do not affect *Metro Plan* or PFSP consistency with this goal and this goal does not apply within adopted, acknowledged urban growth boundaries. None of the proposed projects are intended to extend urban stormwater management service to properties outside the City limits or UGB (although management of drainage originating from and discharging to watercourses outside the UGB is considered).

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

Finding #34. The City has finished all work required under Goal 5 during the most recent Periodic Review (completed in 2007). The three proposed outfalls, Glenwood Outfall #1, Outfall #2, and Outfall #3 are located adjacent to the Willamette River, a locally significant natural resource site. The City will obtain any necessary permits for each project from appropriate jurisdictions, as required, prior to construction.

Finding #35. A 75-foot wide development setback from the Willamette River was adopted as part of both the City’s Goal 5 program of protection (SDC 4.3-117) and the City’s response to the Federal Clean Water Act and Endangered Species Act (SDC 4.3-115). Both of these subsections allow for the installation of stormwater management facilities within the development setback.

Finding #36. The proposed stormwater outfalls and electrical facility projects were not designed nor intended to allow urban development to occur within a protected resource site; the presence of urban services does not invalidate Goal 5 inventories or protection measures even if the new urban service becomes available to any of these sites; and, these Goal 5 sites were identified and protected because they qualified under city, state or federal laws, not because of a lack of available services. The changes do not adversely affect the City's acknowledged Goal 5 inventories, nor are the provisions for compliance with the Federal Clean Water Act or Endangered Species Act compromised, so this proposal does not create an inconsistency with the goal.

Goal 6 – Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

Finding #37. This goal is primarily concerned with compliance with federal and state environmental quality statutes, and how this compliance is achieved as development proceeds in relationship to air sheds, river basins and land resources

Finding #38. The Federal Water Pollution Control Act, P.L. 92-500, as amended in 1977, became known as the Clean Water Act (33 U.S.C. 1251 et seq.). The goal of this Act was to eliminate the discharge of pollutants into the navigable waters. ORS 468B.035 requires the Oregon Environmental Quality Commission (EQC) to implement the Federal Water Pollution Control Act. The primary method of implementation of this Act is through the issuance of a National Pollutant Discharge Elimination System (NPDES) permit prior to the discharge of any wastes into the waters of the state (ORS 468B.050). Among the "pollutants" regulated by the EQC are temperature (OAR 340-041-0028) and toxic substances (OAR 340-041-0033).

Finding #39. Previously, the PFSP was amended to ensure that the *Metro Plan* and the PFSP accurately reflect stormwater management system needs as imposed by Federal and State regulation. The PFSP states, "Existing policies and plans in the Eugene-Springfield area support water quality and quantity improvements through site planning for new construction, public education, use of natural systems, preservation of natural drainageways, and reduction of street- related runoff problems. To summarize, stormwater management policies developed through local plans:

- Establish and support stormwater administration and management programs that include natural resource protection;
- Protect significant natural resources to serve multiple objectives, including stormwater storage and conveyance;
- Use constructed wetlands, wetland enhancement, and waterways for stormwater treatment, storage and conveyance;
- Create and protect a connected natural stormwater system;
- Use a comprehensive wetlands mitigation program to guide planning future stormwater systems;
- Create a comprehensive stormwater monitoring and maintenance program to serve multiple stormwater management objectives; and,
- Develop a plan for financing the stormwater management program (PFSP page 147)."

Finding #40. The proposed amendment is intended to update the planned stormwater and electrical facilities found in the PFSP Maps 3 and 4; and project lists found in Tables 6, 8 and 18.

Goal 7 – Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

Finding #41. The *Metro Plan* and the City’s Development Code are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. The proposed outfalls are located within mapped floodplain areas, but their presence does not have any adverse effect on existing policies or procedures adopted by the City of Springfield for application in floodplain areas. The City will obtain any necessary permits for each project from appropriate jurisdictions, as required, prior to construction.

Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Finding #42. All of the proposed outfall projects are intended to improve stormwater management in the Glenwood area that each serves. These outfalls will not displace or remove any established public recreational facility. Glenwood Outfall #1 will be part of a planned park blocks as shown on the Glenwood Refinement Plan. In that specific case, the outfall will have a direct benefit to a new recreational facility. The planned electrical facilities will not impact existing or proposed recreational facilities within Glenwood.

Goal 9 – Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Finding #43. The *Metro Plan* cites the provision of adequate public facilities and services as necessary for economic development. Objective 10, at page III-B-4 states: “Provide the necessary public facilities and services to allow economic development.” As previously stated in these findings, the redevelopment planned for the Glenwood Riverfront cannot occur without these stormwater outfalls or electrical substation. Redevelopment is the targeted economic development archetype in Glenwood.

Finding #44. *Metro Plan* Policy B25, at Page III-B-6, states: “Pursue an aggressive annexation program and servicing of designated industrial lands in order to have a sufficient supply of ‘development ready’ land”. Policy B26, at page III-B-6, states: “In order to provide locational choice and to attract new campus industrial firms to the metropolitan area, Eugene and Springfield shall place as a high priority service extension, annexation, and proper zoning of all designated special light industrial sites.” The Glenwood Refinement Plan designates much of the Glenwood Riverfront for Commercial and Employment Mixed Use. The proposed PFSP projects are intended to meet future demand generated by population and employment growth in the Glenwood area as planned for in the Glenwood Refinement Plan.

Finding #45. It is the provision of key urban services that typically determines suitability of land to be converted from rural to urban and to be annexed into the city limits: “Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner; b. There will be a logical area and time within which to deliver urban services and

facilities. Conversion of urbanizable land to urban shall also be consistent with the *Metro Plan*" (Page II-C-4, *Metro Plan*). The planned PFSP projects will serve areas within Glenwood as they are annexed to the City.

Goal 10 – Housing

To provide for the housing needs of citizens of the state. Goal 10 Planning Guideline 3 states that “[P]lans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.”

Finding #46. OAR 660–008–0010 requires that “[S]ufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection.” Goal 10 defines buildable lands as “...lands in urban and urbanizable areas that are suitable, available and necessary for residential use.” 660–008–0005(13), in part, defines land that is “suitable and available” as land “for which public facilities are planned or to which public facilities can be made available.”

Finding #47. Similar to Goal 9, adequate public facilities are necessary to accomplish the objectives of this goal and applicable administrative rules (OAR Chapter 660, Division 008). The purpose of the proposed Glenwood stormwater outfalls and electrical facilities are to provide the capacity for future development of residential (population) and commercial and industrial (employment) use consistent with the comprehensive plan (Glenwood Refinement Plan).

Goal 11 – Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Finding #48. OAR Chapter 660, Division 011, implements Goal 11. OAR 660–011–0030(1) requires that the public facility plan list the proposed projects and identify the general location of the project on a map. PFSP Maps 3 and 4 and the project lists found in Tables 6, 8 and 18 will be amended to show planned stormwater and electrical facilities in Glenwood. The tables and map are adopted as part of the *Metro Plan*, but are published in, and are a part of the PFSP.

Finding #49. OAR 660–011–0035(1) requires that the public facility plan include a rough cost estimate for sewer public facility projects identified in the facility plan. In conformity with this requirement, Table 18 includes rough cost estimates for all 3 proposed stormwater outfall projects. These costs are derived from the work performed during the preparation of previous stormwater master plans, and further refined by the recently adopted *Stormwater Facility Master Plan*.

Finding #50. OAR 660–011–0045 requires certain elements of the public facility plan to be adopted as part of the comprehensive plan. These elements include the list of public facility project titles (Tables 6, 8 and 18); the map or written description of the public facility projects locations or service areas (Maps 3 and 4); and policies or urban growth management agreements designating the provider of each public facility system. No policy amendments are proposed in this action. The notice of proposed amendment sent to DLCD, the notice of the hearing on these amendments, and the

applicable criteria are consistent with the provisions for a land use decision and the post-acknowledgment procedures of ORS 197.610.

Goal 12 - Transportation

To provide and encourage a safe, convenient and economic transportation system.

Finding #51. The proposed outfalls will supplement the minimal stormwater facilities that currently serve the Glenwood area. The planned electrical facilities will provide needed capacity to support urban development. Improvements to Franklin Blvd. and future development of the density envisioned by the Glenwood Refinement Plan will depend on the further development of infrastructure capacity, including new stormwater facilities and outfalls into the Willamette River.

Goal 13 – Energy Conservation

To conserve energy.

Finding #52. The proposed outfalls will have little or no impact on energy use. The proposed amendments to the electrical facility maps and project lists will show planned service facilities but will not in and of themselves conserve or waste energy. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Finding #53. The amendments do not affect the existing City limits or UGB. They will support the development of additional stormwater infrastructure that will serve planned development within the Glenwood area. Glenwood is located within the current UGB; however, development that will rely upon these facilities must be located within the Springfield City Limits. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 15 – Willamette River Greenway

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Finding #54. The three stormwater outfalls proposed by this amendment are in close proximity to the Willamette River. Construction of these facilities will allow planned development in Glenwood to occur, but not at the exclusion of any other rules or standards that govern development within the Greenway. The City will obtain any necessary permits for each project from appropriate jurisdictions, as required, prior to construction.

Finding #55. Riverfront development will be subject to the established Greenway Setback Line and to overlapping protections offered by the 75-foot setback established in response to the Federal Clean Water Act and to Statewide Planning Goal 5. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 16—Estuarine Resources, Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, and Goal 19 Ocean Resources

Finding #56. These goals do not apply to the Eugene-Springfield Metropolitan Area.

Conclusion: The proposed amendments to the PFSP conform to Oregon’s Statewide Planning Goals.

State Administrative Rules

Finding #57. Oregon Administrative Rules (OAR) 660-011-0000 (Division 11) provides direction to cities in preparing public facility plans. The PFSP was developed in conformance with Division 11 and was acknowledged by the Oregon Department of Land Conservation and Development (DLCD) in 2001. The PFSP has been updated (most recently 2011) to reflect new policies and to make additions or deletions to the project lists and maps found in the plan.

Finding #58. 660-011-0045 (4) states, “Land use amendments are those modifications or amendments to the list, location or provider of, public facility projects, which significantly impact a public facility project identified in the comprehensive plan and which do not qualify under subsection (3)(a) or (b) of this rule. Amendments made pursuant to this subsection are subject to the administrative procedures and review and appeal provisions accorded "land use decisions" in ORS Chapter 197 and those set forth in OAR Chapter 660 Division 18.

Finding #59. The proposed amendments are considered required “land use amendments,” which in this case, amends the list and location of stormwater and electric facilities in the PFSP document. The PFSP is being amended in conformance with the administrative procedures and review and appeal accorded to land use decisions in ORS 197 and those set forth in OAR 660 Division 18.

IV. CONCLUSION

Staff has compared the proposed amendments to the Eugene-Springfield Public Facilities and Services Plan (PFSP) against the approval criteria for making Metro Plan amendments and refinement plan amendments found in SDC Sections SDC 5.14-135 (Metro Plan amendments) and 5.6-115 (Refinement Plan amendments). The conclusions in this report find that the proposed amendments satisfy the applicable criteria with respect to consistency with the *Metro Plan*, applicable state statutes, and applicable Statewide Planning goals and administrative rules.

The findings contained in this report provide a substantive basis for the City Council and the Lane County Board of Commissioners to approve the proposed PFSP amendments.

Date Received

MAY 11, 2015 *BJ*

May 7, 2015

Planner: BJ

City of Springfield
Department of Public Works
225 Fifth Street
Springfield, Oregon 97477

To Whom It May Concern:

In reference to the Notice of Public Hearings, Case Number TYP415-00002, a review of the proposed amendment to the storm water outfalls and the added transmission lines connecting the substation to the Laura St. substation will impact our tax lot #170334440-100. The Glenwood improvements for future development may have a significant and negative impact on our property.

On the record we object to our property being targeted, possibly due to it being vacant. We plan to attend the public hearing but in the event that is not possible, we are writing this letter of objection.

Sincerely,



Pamela Seaver Leavitt
Co-Owner of Seaver Mobile Home Park LLC
1325 Brickley Road
Eugene, Oregon 97401
541-344-4228