

AGENDA COVER MEMO



Memo Date: March 4, 2011
First Reading Date: March 16, 2011
Second Reading/Joint Public Hearing Date: April 4, 2011

TO: Board of County Commissioners
DEPARTMENT: Public Works, Land Management Division, Planning Department
PRESENTED BY: Stephanie Schulz, Associate Planner
AGENDA ITEM TITLE: Ordinance NO. PA 1274 - In The Matter Of Amending The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) To Co-adopt The *Springfield 2030 Refinement Plan Residential Land and Housing Element* And To Establish A Separate Springfield Urban Growth Boundary (UGB) Diagram Pursuant To ORS 197.304 And Adopting Savings And Severability Clauses. (Applicant: City of Springfield; File No. PA 09-6018)

I. MOTIONS:

For March 16, 2011: Move approval of the first reading and setting the Second Reading and Public Hearing on Ordinance No. PA 1274 for April 4, 2011 jointly with Springfield City Council in Springfield.

For April 4, 2011: Move the Second Reading and open the Public Hearing for Ordinance No. PA 1274.

II. AGENDA ITEM SUMMARY

The *Springfield 2030 Refinement Plan* was developed through public process in order to carry out the mandate of 2007 Or Laws Chapter 650 (HB3337) requiring Eugene and Springfield to establish separate urban growth boundaries (UGB's) and provide for sufficient buildable land supply pursuant to statewide land use goals, statutes and administrative rules. The *Springfield 2030 Refinement Plan* articulates Springfield's preferred future land use vision and an implementation strategy to support incremental achievement of that vision over the planning period. This Ordinance is the first in a three step process to come before the Board and City Council.

III. BACKGROUND/IMPLICATIONS OF ACTION

Springfield's setting, topography and natural assets make the City an attractive place to live and work and provide impetus for new development and redevelopment that takes advantage of these features. These same assets also present significant challenges to achieving a compact urban development form as the city and region grow. Springfield's buildable land supply is constrained by slopes, wetlands, and riparian resource areas. Future urban development in and

adjacent to these constrained areas requires Springfield to determine how conflicting statewide planning goals and *Metro Plan* policies are balanced and addressed and at what cost to the city and region.

The *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* addresses Statewide Planning Goal 10: Housing, "To provide for the housing needs of the citizens of the state." This element includes goals, objectives, policies and implementing actions that are consistent with and carry out the *Metro Plan* Housing Element. This Ordinance also adopts the analysis report that demonstrates compliance with applicable criteria and vision of the city's future.

This Ordinance also adopts a UGB diagram east of I-5 that provides a specific UGB line at a scale sufficient to determine the precise tax lot specific UGB location. Previous technological mapping constraints had prevented this specificity until the advent of Geographic Information System(GIS) mapping capability. Springfield planning staff conducted a detailed exercise including public notice to determine the precise location of the UGB line. The factors used to determine the precise location, methodology, and complete list of affected tax lots and notified property owners is included as Exhibits to the City Ordinance.

A. Board Action and Other History

1982—Oregon Department of Land Conservation and Development (DLCD) acknowledges the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* which established a single shared UGB surrounding the two cities. This shared UGB can not be modified without the consent of the other city and Lane County's approval.

2005—Springfield and Eugene had demonstrated different views about approaches to growth management and each city has differing vision of the future needs for commercial, industrial, and residential lands.

2007—HB3337 was enacted to provide for each city to separately plan for and provide a 20-year land supply suitable for a variety of housing types and density mixes in each city according to their own vision. The UGB's shall be separated along I-5 as it runs through the metro area and Lane County will continue to be a co-adopter on land use decisions with each city.

2010---Springfield presented the results of updates to the ECONorthwest residential land needs analysis and the city concurrently undertook a study of the amount of residentially zone lands available for a mix of housing types at various densities inside Springfield commercial and industrial inventory and economic opportunities analysis. City and County planning commissions conducted work shops, a public hearing, and deliberated to recommendations to their respective elected officials.

2011---Completion of the joint planning commissions public hearing process yielded voluminous testimony and response to the needs analysis and Draft documents available as the record of these proceedings. The city develops a three phased approach to adoption of the HB3337 response east of I-5 and this Ordinance is the Phase I Ordinance.

Location/Plan Designation/Zoning

The Springfield UGB diagram to be co-adopted through this Ordinance is a tax lot specific Springfield refinement plan diagram that locates the UGB on the east side of I-5 to specific tax lot boundaries as shown on exhibit C and described in exhibit D to the City Ordinance.

Referral Comments Received

Attachment 4 is the public record including testimony received during the Planning Commission joint hearing process conducted in 2010, is extensive and available in the County Administration Office lobby and the Land Management Division Office and the Springfield Planning and Development Department in Springfield.

B. Board Goals

Adoption of this ordinance after conducting a joint public hearing with Springfield Council supports the following Lane County Strategic Goals adopted by the Board:

- Provide opportunities for citizen participation in decision making, voting, volunteerism and civic and community involvement.
- Contribute to appropriate community development in the areas of transportation and telecommunications infrastructure, housing, growth management and land development.

C. Financial and/or Resource Considerations

The financial burden for completing analysis to support the Ordinance is borne by the city. Cost to process the Ordinance amendments is shared between the city and county. The hearings will be held at Springfield City Hall and City is publishing joint notice.

D. Analysis

At a February 7th Joint Work Session, city staff identified the three step phased approach to implement HB3337 and consider an expansion for Springfield's UGB. No UGB expansion is proposed in this first step. The Step 1 action items included in this Ordinance require co-adoption by Springfield and Lane County:

- Adopt *Springfield 2030 Refinement Plan Residential Land and Housing Element* and its Technical Supplement: *Springfield Residential Land and Housing Needs Analysis (RLHNA)*; and
- Adopt Springfield Urban Growth Boundary (a tax lot-specific map of the acknowledged Metro Urban Growth Boundary east of I-5).

It is the City's intent to have the *Springfield 2030 Refinement Plan's* goals, objectives, policies and recommendations outline a growth strategy with five broad components:

- Promote compact, orderly and efficient urban development by guiding future growth to planned redevelopment areas within the established portions of the city, and to planned new neighborhoods where future expansion may occur.
- Encourage a pattern of mixed land uses and development densities that will locate a variety of different life activities, such as employment, housing, shopping and recreation, in convenient proximity, to encourage and support multiple modes of transportation,

including walking, bicycling, and transit, in addition to motor vehicles both within and between neighborhoods and districts.

- Balance the goals of accommodating growth and increasing average density within the city with the goals to stabilize and preserve the established character of sound older neighborhoods by clearly defining locations where redevelopment is encouraged, and by requiring that redevelopment be guided by a detailed neighborhood refinement or special district plan.
- Use selective, planned redevelopment at appropriate locations as one method of providing additional land use diversity and choices within districts and neighborhoods currently characterized by a limited range of land uses and activities.
- In both redevelopment areas and new growth areas on the periphery, establish planning and design standards that will promote economically viable development of attractive, affordable and engaging districts and neighborhoods.

The Housing Element includes Springfield-specific policies to guide future residential and residential mixed-use development and redevelopment in a manner that will provide for the projected housing needs of our community. In some cases, the Springfield UGB diagram proposes re-designations and/or new designations for specific parcels in response to deficiencies identified in the findings and conclusions of the Residential and Commercial and Industrial Buildable Lands studies and to resolve existing plan-zone conflicts and/or inconsistencies. The housing capacity analysis and Goal 14 UGB Alternatives Analysis were iterative processes conducted with a thorough public policy review component.

Criteria

The applicable criteria to be met for Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Amendments are found in Lane Code Chapter 12. Lane Code 12.225 sets forth approval criteria for the Board.

LC 12.225 Metro Plan – Approval of a Plan Amendment.

12.225 (2) Criteria for Approval of Plan Amendment.

The following criteria shall be applied by the Board of Commissioners in approving or denying a plan amendment application:

- (a) The amendment must be consistent with the relevant Statewide Planning Goals adopted by the Land Conservation and Development Commission; and*
- (b) Adoption of the amendment must not make the Metro Plan internally inconsistent.*

Exhibit B to the Ordinance provides detailed Findings of Fact that show the proposal has consistency with the relevant Statewide Planning Goals and Oregon Administrative Rules and addresses all relevant approval criteria applicable to the Lane County decision.

E. Alternatives/Options

Option 1. Approve the Ordinance as presented.

Option 2. Revise the Ordinance as directed by the Board and return for approval of the revised Ordinance on a date certain set by the Board.

Option 3. Do not approve the Ordinance and deny the application.

IV. TIMING/IMPLEMENTATION

HB 3337 requires completion of certain tasks within certain timeframes. This Ordinance is the first of a three phase process.

Planning Commission Process

The Planning Commissions of Springfield and Lane County held joint work sessions and conducted a public hearing jointly on February 2, 2010 which was continued on March 16, 2010. See Attachment 2 for the minutes of the joint hearing and joint deliberations held with Springfield planning commission. Minutes of additional Lane County only planning commission work sessions with city staff and the Board of Commissioners are also included.

V. RECOMMENDATION

Staff recommends Option 1, adoption of the Ordinance. Planning Commission recommendations are found in the minutes of the deliberations, in Attachment 2.

VI. FOLLOW-UP

Notice of Board action will be provided to DLCD and all interested parties upon adoption by the Board. If the Board revises the Ordinance as presented (Option 2), a third reading would be scheduled for a date certain set at the close of the hearing. If the record is held open to solicit further testimony, that date certain will be announced and any material submitted would be provided to the Board prior to the third reading. Should the Board choose Option 3, an Order with findings setting forth the Board's reasons for denying the Ordinance would be prepared and returned to the Board for a third reading and adoption on a date certain set by the Board.

VII. ATTACHMENTS

1. Ordinance No. PA 1274

Exhibit A – City Ordinance No. _____

Springfield 2030 Refinement Plan Residential Land Use and Housing Element
Springfield Residential Land Use and Housing Needs Analysis
Tax Lot Specific Urban Growth Boundary Diagram East of I-5
List of Tax Lots Affected by the UGB Diagram Amendment
Methodology used to determine location of UGB

Exhibit B -- Findings

2. Planning Commission Minutes

February 2, 2010 work session and public hearing
February 17, 2010 public hearing continued
March 2, 2010 work session lane county PC only
March 16, 2010 public hearing continued
April 20, 2010 deliberations

May 4, 2010 deliberations continued
June 8, 2010 work session with Board of Commissioners

3. April 4, 2011 Joint Public Hearing Notice

4. The *Springfield 2030 Refinement Plan*, application to County LMD, reports and memos from the joint Planning Commission's work sessions and public hearing, and written testimony submitted to the public record are available to the public on the Springfield Website, and hardcopies are on file in the County Administration Office lobby, County Land Management Division Long Range Planning Office and the Springfield Planning and Development Department in Springfield.

BEFORE THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY OREGON

ORDINANCE NO. PA 1274 In The Matter Of Amending The *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* To Adopt The *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* And To Establish A Separate Springfield Urban Growth Boundary (UGB) Pursuant To ORS 197.304; And Adopting Savings And Severability Clauses. (File No. PA 09-6018) (Springfield, Lane County)

WHEREAS, in 2007 the Oregon Legislature passed and the Governor signed into law Chapter 650, Oregon Laws 2007, codified as ORS 197.304 and commonly known as "House Bill 3337"; and

WHEREAS, Chapter IV of the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* sets forth procedures for amendment of the *Metro Plan* and adoption or amendment of refinement plans, which for Lane County, are implemented by provisions of Lane Code Chapter 12; and

WHEREAS, the Springfield and Lane County Planning Commissions conducted a joint public hearing on the Draft *Springfield 2030 Refinement Plan* including the draft *Springfield Residential Land & Housing Needs Analysis*, *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* policies and Springfield Urban Growth Boundary tax lot specific map on February 17, 2010, and continued on March 16, 2010; and

WHEREAS, following the joint public hearing with the Springfield Planning Commission, the Lane County Planning Commission and Springfield Planning Commission, on May 4, 2010, voted to recommend approval of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*, which incorporated the *Springfield Residential Land & Housing Needs Analysis*, as well as a parcel specific separate urban growth boundary around the City of Springfield, based on all of the evidence and testimony in the record at that time; and

WHEREAS, the Board of Commissioners held a first reading of Ordinance No. PA 1274 on March 16, 2011; and

WHEREAS, on April 4, 2011, a joint public hearing was held before the Lane County Board of Commissioners and Springfield City Council on the proposed separate Springfield Urban Growth Boundary, the *Springfield Residential Land and Housing Needs Analysis, January 2011* and the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*; and the Development Services staff report, the oral testimony, letters and emails received, written submittals of the persons testifying at the hearing, and the public records for file # LRP 00014 (*Springfield 2030 Refinement Plan*), file # LRP 2007-00030 (*Springfield Residential Land Study*), file # LRP 2009-00012 (*Springfield 2030 Refinement Plan Diagram*) and the *Springfield Urban Growth Boundary Technical Supplement* have been considered and are hereby incorporated into the record for this proceeding; 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 of Lane County Ordains as follows:

Section 1: The proposed amendments to the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* to adopt the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* and the *Springfield Residential Land and Housing Needs Analysis*, February 2011, attached as Exhibits A and B and incorporated here by this reference, are adopted pursuant to ORS 197.304 as refinements to the *Metro Plan*.

Section 2: The proposed amendment to the *Metro Plan* Diagram is hereby adopted to establish a separate Springfield Urban Growth Boundary pursuant to ORS 197.304 and in accordance with OAR 660-024-0020(2) as depicted and described in the attached Exhibit C, D and E, incorporated here by this reference.

Section 3: The prior versions of the *Metro Plan* and its diagram superseded or replaced by this Ordinance shall remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

Section 4: 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 constitutes a separate, distinct and independent provision and such holding does not affect the validity of the remaining portions thereof.

Although not a part of this ordinance, the findings and conclusions attached as Exhibit F and incorporated here by this reference are adopted in support of this action.

ENACTED this _____ day of _____, 2011.

Faye Stewart, Chair
Lane County Board of County Commissioners

Melissa Zimmer, Recording Secretary

APPROVED AS TO FORM

Date 3-14-2011 Lane County


OFFICE OF LEGAL COUNSEL