

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDINANCE NO: PA 1350

**IN THE MATTER OF ADOPTING AN AMENDMENT TO THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN DIAGRAM BY REDESIGNATING APPROXIMATELY 418.7 ACRES OF LAND FROM LOW DENSITY RESIDENTIAL TO PARKS AND OPEN SPACE PURSUANT TO LANE CODE 12.200 TO 12.225, ADOPTING A SEVERABILITY CLAUSE (FILE NO. 509-PA17-05292)**

**WHEREAS**, Lane Code 12.210 to 12.220 set forth the procedures for *Metro Plan* amendment; and

**WHEREAS**, Lane Code 12.205(2)(a) classifies amendments to the *Metro Plan* diagram for land between Springfield city limits and the Plan boundary as a Type II *Metro Plan* amendment that require approval by the City of Springfield and Lane County; and

**WHEREAS**, Lane Code 12.225 sets forth the criteria for evaluating a *Metro Plan* amendment application; and

**WHEREAS**, Lane Code 12.060 requires Lane County participation in all refinement plan adoptions or amendments that affect land outside the city limits of Springfield, and Policy 12, Chapter IV of the *Metro Plan* requires a demonstration that all refinement and functional plans are consistent with the *Metro Plan*; and

**WHEREAS**, the applicant/owner of the subject property initiated a Type II *Metro Plan* diagram amendment for nine contiguous parcels as follows:

Redesignate nine vacant, non-addressed parcels comprising approximately 418.17 acres that are identified as Assessor's Map 17-02-35-00, Tax Lots 3500 & 3604; Assessor's Map 18-02-02-00, Tax Lots 100, 400 & 401; Assessor's Map 18-02-03-00, Tax Lots 600 & 602; Assessor's Map 18-02-09-00, Tax Lot 100; and Assessor's Map 18-02-10-00, Tax Lot 100 as generally depicted and more particularly described and depicted in **Exhibit A** to this Ordinance, from Low Density Residential to Parks and Open Space (File No. 509-PA17-05292); and

**WHEREAS**, the Planning Commissions of the City of Springfield and Lane County conducted a joint public hearing on June 6, 2017 on this *Metro Plan* amendment, and voted to recommend to the Springfield City Council and Lane County Board of Commissioners adoption of Ordinance No. PA 1350; and

**WHEREAS**, the Lane County Board of Commissioners and the City of Springfield City Council conducted a joint public hearing on this proposal on September 18, 2017, and the Board is now ready to take action based upon the above recommendations and evidence and testimony in the record; and

**WHEREAS**, substantial evidence exists within the record demonstrating that the proposal meets the requirements of the *Metro Plan*, Lane Code 12.225, and applicable state and local law as described in the findings attached as **Exhibit B**, incorporated here by this reference and adopted in support of this Ordinance.

**NOW, THEREFORE**, based on the foregoing findings, the Board of County Commissioners of Lane County Finds and Ordains as follows:

**1:** The Official Metro Plan diagram designation of the subject property identified as Assessor's Map 17-02-35-00, Tax Lots 3500 & 3604; Assessor's Map 18-02-02-00, Tax Lots 100, 400 & 401; Assessor's Map 18-02-03-00, Tax Lots 600 & 602; Assessor's Map 18-02-09-00, Tax Lot 100; and Assessor's Map 18-02-10-00, Tax Lot 100, more particularly described and depicted in **Exhibit A** attached hereto and incorporated herein by reference, is hereby amended from Low Density Residential to Parks and Open Space. The above findings and conclusions are hereby adopted.

**FURTHER**, although not a part of this Ordinance, the Board of County Commissioners adopts the staff report and recommendations, applicant narrative, and Planning Commission findings and recommendation to this Ordinance set forth in **Exhibit B**.

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

The prior designations and zones repealed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

**ENACTED** this 17th day of October, 2017



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Pat Farr, Chair  
Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 10-17-17 Lane County

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OFFICE OF LEGAL COUNSEL

Exhibit A

Legal Description of Lands within UGB

Tax Lots 17-02-35-00-03500, 17-02-35-00-03604, 18-02-02-00-0401, 18-02-03-00-00600, & 18-02-03-00-00602

All those lands described as Parcels 1 and 2 in that Warranty Deed recorded March 19, 2013 as Instrument Number 2013-015082, those lands described as Parcel 2 in that Warranty Deed recorded May 19, 2014 as Instrument Number 2014-018147, and those lands described as Tracts 1 and 2 in that Statutory Warranty Deed recorded August 22, 2013 as Instrument Number 2013-046265.

Tax Lot 18-02-02-00100

Also, that portion of those lands described as Parcel 3 in that Warranty Deed recorded March 19, 2013 as Instrument Number 2013-015082 lying northerly and westerly of the top of the ridge line, said ridge line being more or less described as follows:

Beginning at a point on the top of a ridge and the east line of said lands, said point being 2005 feet southerly, more or less, from the northeast corner of said lands; thence running southwesterly along said ridge to a point on the south line of said lands, said point being 722 feet westerly, more or less, from the southeast corner of said lands.

Tax Lot 18-02-02-00-00400

Also, that portion of those lands described as Parcel 1 in that Warranty Deed recorded May 19, 2014 as Instrument Number 2014-018147 lying northerly and westerly of the top of the ridge line, said ridge line being more or less described as follows:

Beginning at a point on top of the ridge and the east line of said lands, said point being 200 feet southerly, more or less, from the northeast corner of said lands; thence running southwesterly along said ridge to a point on the south line of said lands, said point being 1084 feet easterly, more or less, from the southwest corner of said lands.

Tax Lot 18-02-10-00-00100

Also, that portion of those lands described as Parcel 3 in that Warranty Deed recorded May 19, 2014 as Instrument Number 2014-018147 lying northerly and westerly of the top of the ridge line, said ridge line being more or less described as follows:

Beginning at a point on the top of a ridge and the north line of said lands, said point being 1084 feet easterly, more or less, from the northwest corner of said lands; thence running southwesterly along said ridge to the point where the west line of said lands intersects the south line of Section, 3, Township 18 South, Range 3 West, of the Willamette Meridian.

Tax Lot 18-02-09-00-00100

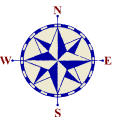
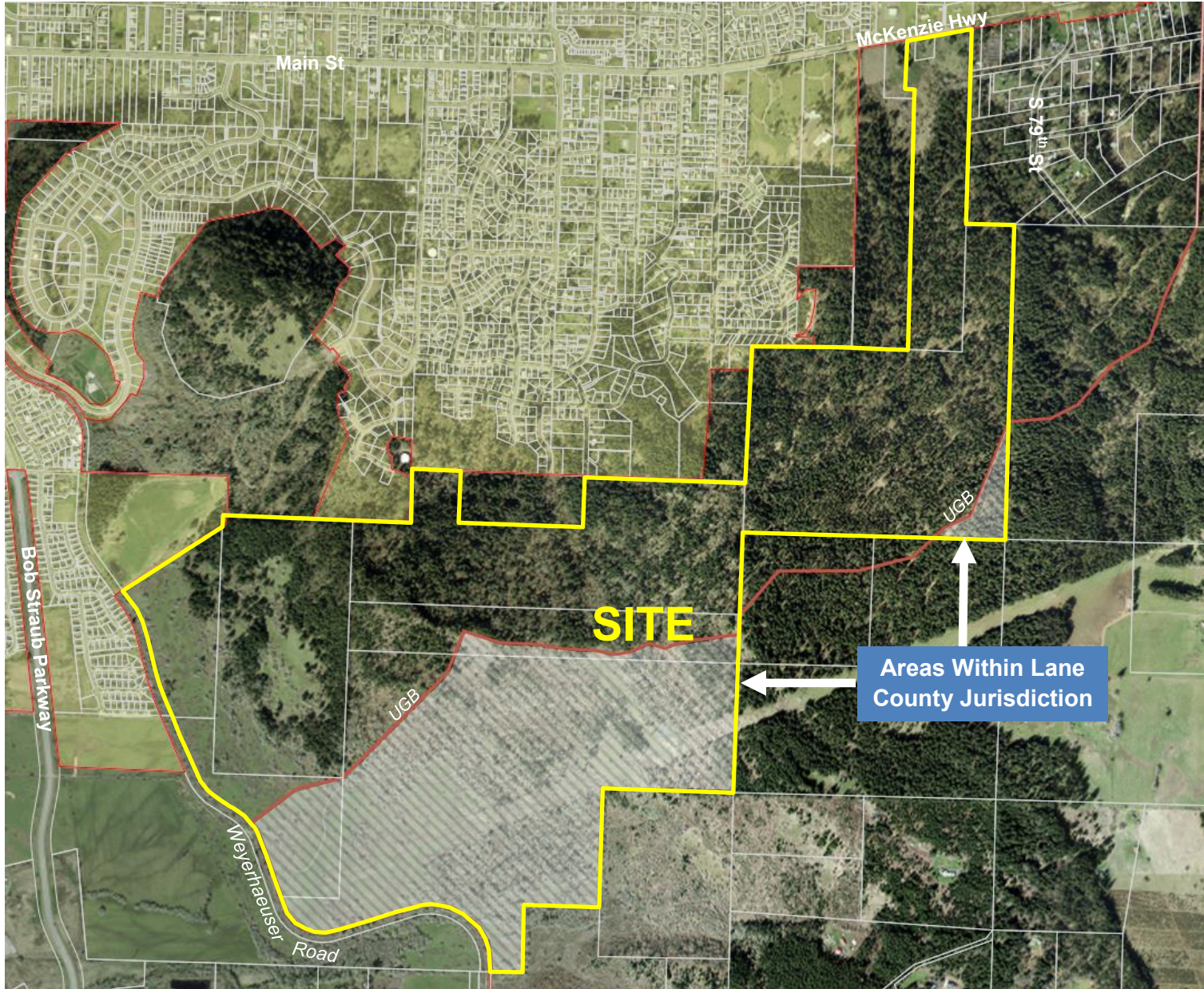
Also, that portion of those lands described as Parcel 4 in that Warranty Deed recorded May 19, 2014 as Instrument Number 2014-018147 lying northerly and westerly of the top of the ridge line, said ridge line being more or less described as follows:

Beginning at the most easterly northeast corner of said lands; thence running southwesterly along the ridge to a point on the easterly margin of Weyerhauser Road said point being on the west line of said lands, and lying 815 feet from the southwest corner of thereof.



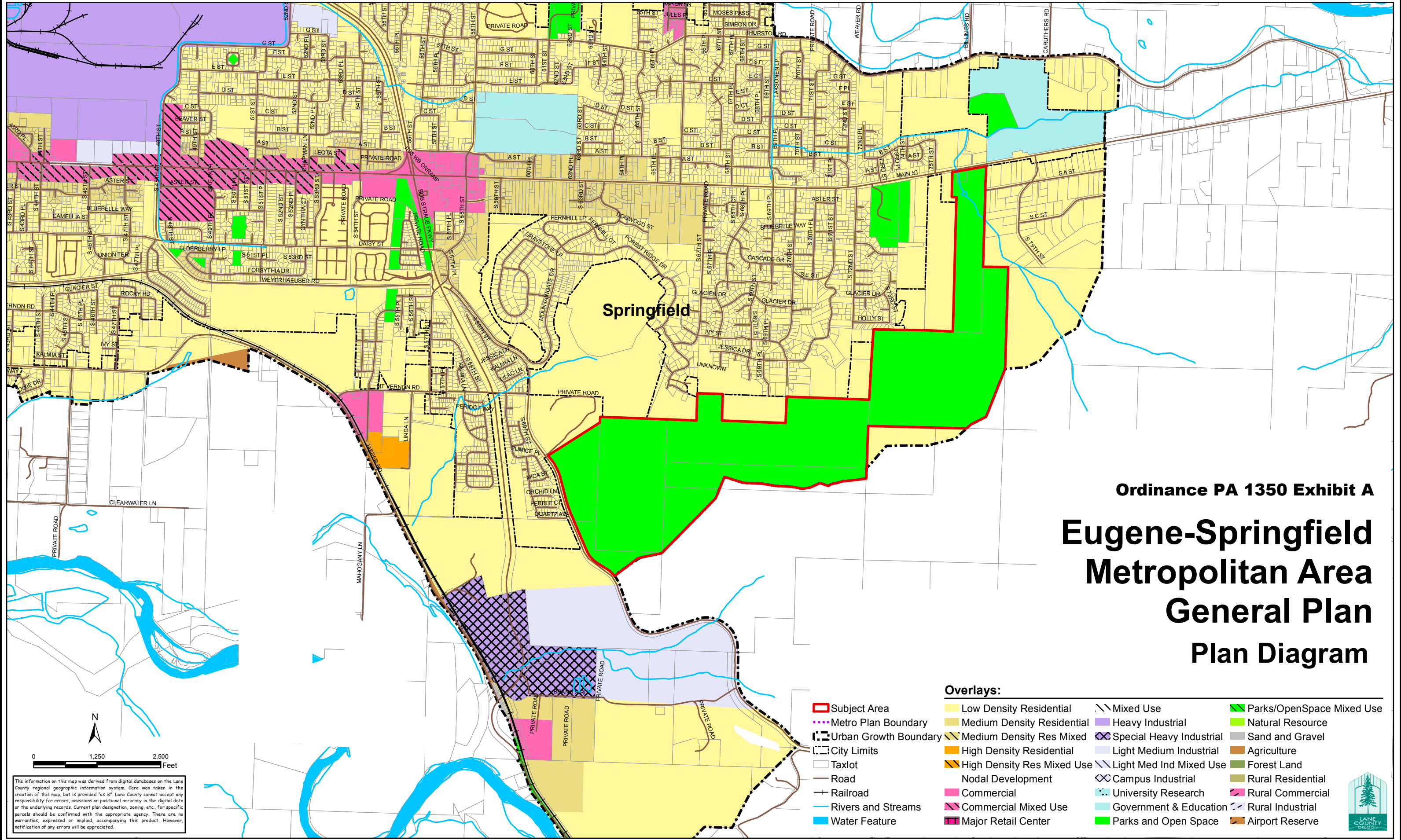
**PROPOSED TYPE II METRO PLAN DIAGRAM AMENDMENT  
VACANT NON-ADDRESSED PARCELS OWNED BY WILLAMALANE PARK & RECREATION DISTRICT  
(MAP 17-02-35-00, TL 3500 & 3604; MAP 18-02-02-00, TL 100, 400 & 401; MAP 18-02-03-00, TL 600 & 602;  
MAP 18-02-09-00, TL 100; AND MAP 18-02-10-00, TL 100)**

**SITE CONTEXT MAP**





# PROPOSED METRO PLAN DESIGNATION



## Ordinance PA 1350 Exhibit A Eugene-Springfield Metropolitan Area General Plan Plan Diagram

### Overlays:

- |                       |                            |                          |                           |
|-----------------------|----------------------------|--------------------------|---------------------------|
| Subject Area          | Low Density Residential    | Heavy Industrial         | Parks/OpenSpace Mixed Use |
| Metro Plan Boundary   | Medium Density Residential | Special Heavy Industrial | Natural Resource          |
| Urban Growth Boundary | Medium Density Res Mixed   | Light Medium Industrial  | Sand and Gravel           |
| City Limits           | High Density Residential   | Light Med Ind Mixed Use  | Agriculture               |
| Taxlot                | High Density Res Mixed Use | Campus Industrial        | Forest Land               |
| Road                  | Commercial                 | Government & Education   | Rural Residential         |
| Railroad              | Commercial Mixed Use       | Parks and Open Space     | Rural Commercial          |
| Rivers and Streams    | Major Retail Center        | Airport Reserve          |                           |
| Water Feature         |                            |                          |                           |



The information on this map was derived from digital databases on the Lane County regional geographic information system. Care was taken in the creation of this map, but is provided "as is". Lane County cannot accept any responsibility for errors, omissions or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc. for specific parcels should be confirmed with the appropriate agency. There are no warranties, expressed or implied, accompanying this product. However, notification of any errors will be appreciated.



**Lane County Board of Commissioners  
Type II Amendment to the *Metro Plan* Diagram**

**FINDINGS OF COMPLIANCE**

Finding 1. The applicant, Willamalane Park and Recreation District (“Willamalane”), has requested a Type II Amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan), pursuant to the criteria at Lane Code 12.225. Specifically, the applicant requests to change the plan diagram designation of Assessor’s Map 17-02-35-00, Tax Lots 3500 & 3604; Assessor’s Map 18-02-02-00, Tax Lots 100, 400 & 401; Assessor’s Map 18-02-03-00, Tax Lots 600 & 602; Assessor’s Map 18-02-09-00, Tax Lot 100; and Assessor’s Map 18-02-10-00, Tax Lot 100 from Low Density Residential to Parks and Open Space.

**CRITERIA**

Finding 2. The proposed Type II Amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is subject to process and applicable criteria contained in Lane Code 12.200 through -225, addressed below.

**12.200 Purpose.**

**The Eugene-Springfield Metropolitan Area General Plan (Metro Plan) is the long-range public policy document that establishes the broad framework upon which Springfield, Eugene and Lane County make coordinated land use decisions. While the Metro Plan is one of Lane County’s acknowledged land use policy documents, it may require update or amendment in response to changes in the law or circumstances of importance to the community. Additionally, the Metro Plan may be augmented and implemented by more detailed plans and regulatory measures.**

**12.205 Metro Plan Amendment Classifications. A proposed amendment to the Metro Plan shall be classified as a Type I, Type II, or Type III amendment depending upon the number of governing bodies required to approve the decision.**

**(2) Type II. A Type II Amendment requires approval by the home city and Lane County. Eugene is the home city for amendment west of I-5 and Springfield is the home city for amendments east of I-5**

**(a) Type II Diagram Amendments include:**

- 1. Amendments to the Metro Plan Diagram for the area between the city limits and the Plan Boundary;**
- 2. A UGB or Metro Plan Boundary amendment east or west of I-5 that is not described as a Type III amendment.**

Finding 3. The proposal is an amendment to the Metro Plan Diagram between Springfield city limits and the Metro Plan Boundary, which is classified as a Type II Metro Plan Amendment.

**12.210 Initiation of Metro Plan Amendments.**

**An amendment to the Metro Plan can be initiated as follows:**

**(2) Type II. A Type II amendment may be initiated by the home city or Lane County at any time. A property owner may initiate an amendment for property they own at any time and they are subject to the limitations for such amendments set out in the development code of the home city and Lane Code Chapter 12.**

Finding 4. Willamalane, the owner of the affected tax lots, has initiated the proposed Metro Plan Amendment in coordination with the City of Springfield. The 2016 Memorandum between Willamalane and the City of Springfield specifies a two-year timeline for submittal of the proposed amendment.

**12.215 Metro Plan Amendment Property Owner-Initiated**

**(1) Application Filing. Property owner-initiated Metro Plan amendment applications shall be filed in the planning office of the home city if within the UGB, or with Lane County if outside the UGB and the amendment is not a request to expand the UGB.**

**(2) Application Fee. An applicant for a property owner-initiated Metro Plan amendment submitted to Lane County shall pay an application fee in an amount set by the Board of Commissioners. The application fee shall differ depending upon whether the requested amendment requires approval by one, two or three jurisdictions to become effective. No application shall be processed until it is complete and until the application fee is paid.**

Finding 5. The applicant, Willamalane, has submitted applications along with the appropriate filing fee to the City of Springfield and Lane County.

**12.220 Metro Plan Amendment Approval Process.**

**The approval process for Metro Plan amendments is as follows:**

**(1) Referrals and Public Notice**

**(a) Referrals. Within 20 days of initiation of any Type II Metro Plan amendment, the County shall notify Eugene and Springfield of the intended amendment and the Type of amendment proposed. If any governing body disagrees with the Type of the proposed amendment, that governing body may refer the matter to the processes provided in LC 12.220(6)(a) or (b).**

**(b) Public Notice. At least 20 days before the planning commission hearing, notice of the hearing must be published in a local newspaper of general circulation and mailed to the applicant and to persons who**

have requested notice. If the proposed amendment is quasi-judicial, at least 20 days before the hearing, notice of the hearing shall be mailed to the owners of properties that are the subject of the proposed and to property owners of record of property located within 300 feet of the subject property. The content of the notice shall be the same as required in LC 14.070(2).

Finding 6. Notice of joint public hearing has been posted on the subject property, mailed to adjacent property owners, and published in the Register Guard by City of Springfield in a timely manner.

**(2) Type II Amendment Process.**

**(a) Investigation and Report.** After the Metro Plan amendment initiation date, planning staff of the jurisdiction where the proposed amendment was submitted or initiated shall investigate the facts bearing on the application, prepare a report, and submit it to the planning commissions of the home city and Lane County. The report shall be made available for review to the public at the time it is delivered to the Commissions.

**(b) Planning Commission Consideration.** The joint planning commission public hearing to consider the proposed amendment shall be scheduled within 90 days of initiation of the amendment. After the joint public hearing and close of the public hearing record, both planning commissions shall make a recommendation to their governing bodies on the proposed Metro Plan amendment.

**(c) Governing Body Action.** After both planning commissions provide a recommendation on the proposed amendment, the governing bodies of the home city and Lane County shall schedule a joint public hearing on the proposed amendment. After the joint public hearing, both governing bodies shall approve, modify and approve, or deny the proposed Metro Plan amendment. Both governing bodies shall take action by ordinance, with adopted findings and conclusions on whether the proposal or modified proposal meets the approval criteria of LC 12.225. The actions of the governing bodies are final if they are substantively identical ordinances or decisions. Conflict resolution provisions of LC 12.220(6) apply if the two governing bodies do not adopt substantively identical ordinances or decisions.

Finding 7. The City of Springfield has investigated the facts of the application and prepared a staff report, which is incorporated as **Attachment 1**.

A joint public hearing before the City of Springfield and Lane County Planning Commissions on this matter was held on June 6, 2017, within 90 days of the initiation of the amendment application. The Planning Commissions of the City of Springfield and Lane County both recommended approval of the amendment.



The Board of County Commissioners and City of Springfield City Council held a joint public hearing on the proposal on September 18, 2017.

**(5) Relationship to Refinement Plan Amendments. When a Metro Plan amendment is enacted that requires an amendment to a refinement plan diagram or map for consistency, the Metro Plan diagram amendment automatically amends the refinement plan diagram or map if no amendment to the refinement plan text is involved. When a Metro Plan diagram amendment requires a refinement plan diagram or map and text amendment for consistency, the Metro Plan and refinement plan amendments shall be processed concurrently.**

Finding 8. The Willamalane Park and Recreation District Comprehensive Plan is an adopted refinement plan of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan). Both the 2004 and 2012 Willamalane Comprehensive Plans include strategies to acquire and develop property for a natural area park and trails in the Thurston Hills area. Therefore, staff find that an amendment to a refinement plan is not required for this application.

**Lane Code Chapter 12.225 Metro Plan Amendment Criteria**

**The following criteria will be applied by the Board of Commissioners and other applicable governing body or bodies in approving or denying a Metro Plan amendment application:**

**(1) The proposed amendment is consistent with the relevant Statewide Planning Goals; and**

**(2) The proposed amendment does not make the Metro Plan internally inconsistent.**

Finding 9. Findings of consistency with Statewide Planning Goals and Metro Plan policies are provided in the City of Springfield Staff Report and Findings. See **Attachment 1**, incorporated herein by reference. In summary, staff finds that this application meets all applicable approval criteria, is consistent with Statewide Planning Goals, and the proposed diagram amendment does not make the Metro Plan internally inconsistent.

**ADDITIONAL CONSIDERATIONS**

Finding 10. Upon finding that all approval criteria have been adequately satisfied, Lane County and Springfield Planning Commissions unanimously adopted a recommendation of support for the proposal on June 6, 2017.

Finding 11. Of the total 665 acres that comprise the THNA park, approximately 244.8 acres are within Lane County's jurisdiction. Within Lane County's jurisdiction, the subject tax lots are designated Forest by the Rural Comprehensive Plan and zoned Non-Impacted Forest Lands (F-1) and Impacted Forest Lands (F-2) by the Lane County Zoning Map. No amendments to the Lane County Rural Comprehensive Plan or Lane County Zoning Map are proposed at this time. Proposed park uses within this portion will be addressed through separate land use approval processes with Lane County.

**CONCLUSION**

Finding 12. Based on the application materials, findings above, and findings of fact contained in **Attachment 1 – City of Springfield Staff Report and Findings**, the proposed Metro Plan diagram amendment from Low Density Residential to Parks and Open Space is consistent with applicable application criteria at Lane Code 12.225. Therefore, the Planning Director has recommended approval.