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AGENDA COVER MEMO

DATE: April 6, 2011
April 26, 2011, Board Meeting Date

TO: BOARD OF COUNTY COMMISSIONERS

FROM : KENT HOWE, PLANNING DIRECTOR
LAND MANAGEMENT DIVISION

AGENDA ITEM TITLE: In The Matter Of An Update On The Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) Joint Elected Official's Regional Issues Work Plan.

I. MOTION:

No motion necessary. This is an information item only.

II. ISSUE OR PROBLEM

On June 1, 2009, the Eugene/Springfield/Lane County Joint Elected Officials (JEO) directed staff from all three jurisdictions to develop a work plan for making specific changes to the *Metro Plan* to address the Board's five areas of concern (see Attachment 1). This effort was reported to the JEO on February 26, and June 17, 2010. This report provides the Board with an update on those efforts as the cities prepare *Metro Plan* amendments and refinement plans. (see Progress Matrix, Attachment 7).

III. DISCUSSION

The Board has articulated five issues related to using the *Eugene/Springfield Metro Plan* as the urban area joint management agreement and the policy background for the Eugene/Springfield Urban Transition Building and Land Use Agreements:

1. Definition of Key Urban Services;
2. Jurisdictional autonomy for properties outside the Urban Growth Boundary;
3. Urbanizable Area citizen representation;
4. Dispute Resolution for shared jurisdictions; and
5. Farmland and Open Space Protection.

The Board is a partner in the *Eugene/Springfield Metro Plan* and there are several possible plan amendment opportunities coming to you in the near future. These are opportunities to refine your vision of the *Metro Plan* and include your considerations in the discussion. The cities will be coming to you for:

- co-adoption of amendments that will be necessary to implement HB 3337; and
- co-adoption of the amendments for the transportation system plans, the RTSP and *TransPlan*.

This memo provides a description of the changes necessary to move forward each issue listed above.

1. DEFINITION OF KEY URBAN SERVICES

Overarching issue: The *Metro Plan* is the region's land use policy document. If a land use focus is affirmed, 1) non-land use pieces should be removed and 2) elements required by statute should be identified and updated or added.

Regional issue: Definition of Key Urban Services

General approach to resolve issue:

- 1) Identify "key urban" services in the context of land use;
- 2) Remove inconsistencies in *Metro Plan* text (see Problem Statement and Proposed Solution below);
- 3) Rewrite and/or add new definitions of public facilities and services; determine whether new policies and/or new agreements will be needed.

Problem Statement

Within the *Metro Plan* a number of different and inconsistent terms are used when referring to various services provided by the local governments and other agencies. More important and problematic for Lane County is that the terms used in the *Metro Plan* do not specifically refer to, define or recognize those functions and services that the county provides that are used extensively by urban residents. These county-provided urban services include: sheriff and corrections services, criminal prosecution (DA) services, parole and probation services, elections, regional transportation facilities and services, mental health services, public health services, workforce assistance services, animal services and regional park facilities and services.

The *Metro Plan* reflects circumstances at a time when the public sector's financial situation was not so dire. Failure to recognize the county as a provider of public facilities and services within the metropolitan area is problematic because it is potentially detrimental to the county's long-term ability to maintain these facilities and services. This is because establishment of a special taxing district or some other innovative approach to keep those services viable in part is subject to the existing *Metro Plan*. Under current policies and operational practices of the *Metro Plan*, the creation of special taxing districts for these services or including them within existing districts would likely not be feasible or could be precluded because public services are not defined and the scope of defined "key urban" services includes some services cities do not provide. The definitions and *Metro Plan* policies also may affect or exclude consideration of other services not provided by cities in ways unrelated to land use planning.

Proposed Solutions

Continue to use Statewide Planning Goal 11 (**Attachment 2a**) as basis for *Metro Plan* definition of public facilities and services. Revise specific *Metro Plan* text, such as:

- Add "land use" to clarify *Metro Plan* purpose. This language already exists on pages 1-5 (Relationship to Other Plans, Policies, and Reports). (**Attachment 2b**)
- Add language to clarify other services provided in the Urban area by Lane County (**Attachment 2b**)
- Revise text throughout *Metro Plan* to clarify among public, and urban and rural facilities and services. (**Attachment 2c**)
- Change definition in Chapter V. Glossary from "key urban to "public" facilities and services;" add subcategories as described below (refer to **Attachment 2d**):

- Add "Other facilities and services provided by Lane County within the *Metro Plan* boundary (urban and rural lands"
- Change references to either "minimum level of urban facilities and services" or "full range facilities and services."
- Add a definition for "rural levels of service"

Next Steps

- Confirm the *Metro Plan* as the Metro area land use public policy document
- The December 2001 *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (Public Facilities and Services Plan, PFSP)* is a refinement plan of the *Metro Plan*. It should be reviewed and revised if there are updates to the *Metro Plan*.

2. JURISDICTIONAL AUTONOMY

Regional Issue: Jurisdictional Autonomy

General approach to resolve issue:

1. Revise *Metro Plan* text to focus on regional emphasis of document.
2. Revise the *Metro Plan* boundary to coincide with UGBs adopted individually by Eugene and Springfield pursuant to the respective HB3337 work programs of each city. .
3. Address the *Metro Plan* amendment process, when appropriate, to provide autonomy within the individual cities and Lane County.

Problem Statement

Over the years there have been infrequent but highly publicized instances when the cities have held a deciding vote in land use proceedings involving private property within another governing body's primary jurisdiction. This continues to be possible because Ch. IV, Policy 7 of the *Metro Plan* (Attachment 5) requires that any proposed amendments to the *Metro Plan* for property outside of a city must be jointly approved by the County and the partner city (or cities) or otherwise, the amendment shall be referred to the MPC for conflict resolution. The current bylaws and operation of the MPC has made resolution unlikely if one of the jurisdictions does not desire resolution. This has meant that each of the cities possess and have exercised an ability to override the authority and will of the County Commissioners and the adjoining City Council on proceedings which involve property located entirely outside of their own city limits or the UGB.

Conversely, co-adoption and/or determination of "Regional Impact" have affected the cities' ability to make changes within the *Metro Plan* framework, such as formation of a service district.

Proposed Solutions [Attachment: *Metro Plan Chapter IV, Metro Plan Review, Amendments, and Refinements*]

- Modify the *Metro Plan* plan boundary so that it is coterminous with the parcel specific UGBs that must be adopted individually by Eugene and Springfield.
- Revise *Metro Plan* text Chapter II Fundamental Principles regarding applicability of the *Metro Plan* beyond the current UGB, including updating the definitions of urban, urbanizable and rural (**Attachment 4b**)
- Modify the current Jurisdictional Responsibility Section D of Chapter II Fundamental Principles and Growth Management Policy Framework (**Attachment 3**)
- Modify the current consensus-driven conflict resolution bylaws of the MPC (refer to Springfield's April 2008 working draft as a starting point, (**Attachment 3**))
- Implement HB 3337 and replace references to a single UGB

Next Steps

- Determine whether the MPC decision-making process overhaul should be part of the Dispute Resolution regional issue
- Continue work on *Metro Plan* Boundary adjustment - Based on direction provided by the Board on February 9, 2011, LMD staff has begun a work program to revise the boundaries of the *Metro Plan*. This work is being conducted in two separate phases. Phase 1 focuses on the *Metro Plan* area adjacent to the City of Springfield's Urban Growth Boundary. Phase 2 will modify the *Metro Plan* Boundary adjacent to the City of

Eugene. Please refer to Attachment 6 of this memorandum for a map of the *Metro Plan* Boundary amendment Project Phase Areas.

Each phase will involve three separate plan amendment tasks. These are:

1. a change to the Plan boundary with any necessary associated text amendments to create a modified boundary that is coterminous with the City of Springfield's UGB (Phase 1) and the City of Eugene's UGB (Phase 2)
2. a change in the underlying plan designations for properties that are incorporated into the Lane County Rural Comprehensive Plan, and
3. the legislative rezoning of certain non-resource zoned properties to updated versions of Lane Code.

A public open house to discuss the Phase 1 work program is scheduled for April 21, 2011. A tri-jurisdictional Public Hearing before the Lane County, Springfield and City of Eugene Planning Commissions is scheduled for June 7, 2011

Final action on the Phase 1 process will be dependent on the adoption schedule of the City of Springfield's HB3337- related PAPAs. Timelines for Phase 2 have not yet been established.

- Decide whether to implement the remaining needed revisions concurrently with HB 3337- related amendments.

3. URBANIZABLE AREA CITIZEN REPRESENTATION

Regional issue: Urbanizable Area Citizen Representation

General approach to resolve issue:

Develop an administrative process to address concerns of citizens residing between the city limits and urban growth boundary(ies).

Problem Statement

The cities of Eugene and Springfield are responsible for the planning and development of the lands within their respective city limits. Each city shares responsibility with Lane County for developing land use policies that govern the areas outside the city limits. The area of overlapping jurisdiction is the "urbanizable lands," "edge" or fringe area and defined in the *Metro Plan* as "those unincorporated lands between the city limits and UGB."

Citizens in these unincorporated areas are represented by the Board of Commissioners, not the City Councils. However, the county delegated its administrative authority for processing planning and building permits to each of the two cities, respectively, within the UGB upon the adoption and signing of the Urban Transition Agreements (UTAs) in 1986-87 (and updated in 2000). The UTAs limit Lane County's administrative responsibility for planning and building permit processing to the area outside the UGB. However, just as the cities are responsible for approving the urban development within their city limits, the County retains its role and responsibility in joint *Metro Plan* policy development for the "edge" or fringe area outside the City Limits, inside the UGB.

Some citizens feel disenfranchised because their elected officials have delegated the administrative authority to the cities. Citizens in unincorporated land areas are being told by the cities that they can't do whatever it is they want to do. The citizen then goes to the county who tells them they need to go to the cities that are responsible for processing planning and building permits within the urbanizable area.

Proposed Solution

Develop an administrative process whereby a citizen within the urbanizable area can present their issue to the Board of County Commissioners. If the Board determines the issue, or issues, is/are valid, they could move towards developing a policy issue that would be discussed with the respective city council. A hearings official could be the entity who compiles the issues/complaints, organizes them, and presents them quarterly to the Board and/or city councils.

Next Steps

- Develop the administrative process for complaints or issues within the urbanizable area
- Amend *Metro Plan* to refer to administrative process (changes proposed to *Metro Plan* Chapter I, Purpose #3 (**Attachments 4a**) and Chapter II Fundamental Principles, Citizen Involvement, new #2) (**Attachment 4b**)
- Determine whether to retain a hearings official to present issue(s) to the Board

4. DISPUTE RESOLUTION

Regional issue: Dispute Resolution

General approach to resolve issue:

Work with jurisdictions to revise and develop an effective process that provides for additional study, conflict resolution, and recommendation back to the governing bodies. This action may include MPC and a decision whether to re-engage MPC in the land use planning process.

Problem Statement

Metro Plan Chapter III, Specific Elements, K. Citizen Involvement, Finding 11, Policy 4.

Maintain an ongoing metropolitan region policy committee, known as the MPC, to provide policy direction on major *Metro Plan* updates, *Metro Plan* amendments, and special studies. MPC shall resolve land use issues and other disagreements at the elected official level among the two cities and the county and fulfill other intergovernmental functions as required by the three metropolitan governments. (**Attachment 5a**)

Metro Plan Chapter IV, Policy 7, of the *Metro Plan* states:

"If all participating jurisdictions reach a consensus to approve a proposed amendment, substantively identical ordinances affecting the changes shall be adopted. Where there is a consensus to deny a proposed amendment, it may not be re-initiated, except by one of the three governing bodies, for one year. Amendments for which there is no consensus shall be referred to the Metropolitan Policy Committee (MPC) for additional study, conflict resolution, and recommendation back to the governing bodies." (**Attachment 5b**)

MPC Bylaws, Article IV. Section 4: Conduct of Meeting

"D. All formal actions shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative from Eugene, Springfield, and Lane County. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again." (**Attachment 5d**)

Similar to the jurisdictional autonomy implementation problem statement, there have been infrequent but highly publicized instances when a city or county has held a deciding vote in land use proceedings and has pre-empted the host city or the county's ability to move forward. This continues to be possible because the above policy requires that any proposed amendments to the *Metro Plan* for property outside of a city must be jointly approved by the County and the partner city (or cities) or otherwise, the amendment shall be referred to the MPC for conflict resolution. Similarly, all three jurisdictions must approve a *Metro Plan* amendment where there is "Regional Impact" or otherwise, the amendment shall be referred to the MPC for conflict resolution.

Chapter IV of the *Metro Plan* (Attachment 5) does not include text that addresses conflict resolution; it refers to MPC "for additional study, conflict resolution, and recommendation back to the governing bodies." The current bylaws and operation of the MPC has made resolution unlikely if one of the jurisdictions does not desire resolution. This has meant that each of the cities possess and have exercised an ability to override the authority and will of the County Commissioners and the adjoining City Council on proceedings which may involve property located entirely outside of their own city limits or the UGB.

During previous periodic reviews of the *Metro Plan*, MPC played a policy development role. However, MPC's direct involvement with general Metro planning activities has been diminished as it has switched to a transportation focus. It is possible that MPC could play an important role and productive role in implementing the *Metro Plan* in the future. The purpose and role of MPC should to be evaluated in the context of state and federate transportation requirements as well as how it could be involved in future land use policy input. (Refer to Attachments 6 and 7, Memorandum and emails between Greg Mott, Planning Director, Springfield and Byron Vanderpool, Director, LCOG)

Proposed Solutions

- Revise the MPC bylaws (**Attachment 5d**) to address conflict resolution among the jurisdictions. For example, a process could be designed that does not allow one jurisdiction to hold veto power over the other partners or a neutral party is engaged to hear the dispute
- Revise Chapter III of the *Metro Plan* to address conflict resolution, if desired by the jurisdictions. For example, remove MPC from the Metro Plan as the conflict resolution entity (**Attachment 5a**)
- Revise Chapter IV of the *Metro Plan* to address conflict resolution, if desired by the jurisdictions. For example, remove MPC from the Metro Plan as the conflict resolution entity (**Attachment 5b**)
- Amend implementing development codes, such as Lane County's Lane Code 12.235(5), conflict resolution process (**Attachment 5c**)

Next Steps

- Determine whether MPC should be removed from the Metro Plan as the conflict resolution entity
- Propose revisions to the MPC decision-making process
- Determine whether MPC should renew its involvement in the land use decision-making arena.

5. FARMLAND AND OPEN SPACE PROTECTION

Regional issue: Farmland and Open Space Protection

General approach to resolve issue:

Determine a process to protect farmland and open space from urban development within the county.

Problem Statement

The county is interested in preserving valuable farmland and open space within the county. However, once areas for protection are identified and restrictions on development are applied, it might be necessary/appropriate to compensate landowners with credits to transfer their development rights (TDRs) to a different location. These development rights would likely be transferred to receiving areas that would be located inside a city's urban growth boundary since land inside a UGB has been identified as urbanizable and will eventually be developed with facilities and services.

An issue with receiving areas inside UGB[s] is that Oregon's statewide planning program requires that densities be established and adopted by the cities. These maximum densities are currently part of the *Metro Plan* [note: new densities will be adopted by the cities as part of HB 3337]. Since those densities are the maximums it is not clear how applying TDRs, which would mean densities beyond what Metro Plan allows, would occur. There are additional complexities surrounding TDRs such as: without changing zoning and placing a 50-year "hold" on a property, the county would need to determine if a taking has occurred.

The county has made application to DLCD for the TDR Pilot Program (**Attachment 6**). TDR pilot programs are underway for forest lands but not farmland at this juncture. The state has begun to recognize that TDRs are a legitimate program within the state and as such, the state is beginning to understand that they need to determine how to implement this technique for protection of certain lands.

Proposed Solutions

- Participate in LCDC TDR Pilot Program
- Consider working with cities to identify urban reserves that have first priority for expansion and could be potential receiving areas for TDRs
- Identify areas where cities cannot expand
- Identify conservation easements to be protected

Next Steps

- Participate in LCDC TDR Pilot Program
- Put on-hold until county and legislature do more work on this issue.
- Determine how to address takings issue.

B. Summary

This update will be provided at the May 26th, Eugene/Springfield/Lane County JEO meeting and will be discussed for direction on how to integrate into the future *Metro Plan* amendments to implement HB 3337 for Eugene and Springfield.

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IV. ATTACHMENTS:

1. JEO Subcommittee Recommendations, June 1, 2009
- 2a. Statewide Planning Goal 11: Public Facilities and Services
- 2b. Draft Metro Plan Amendment, Chapter I, Introduction, Purpose Section
- 2c. Draft Metro Plan Amendment, Section C, Growth Management
- 2d. Draft Metro Plan Amendment, Chapter V. Glossary
3. Draft Metro Plan Amendment, Chapter II, D. Jurisdictional Responsibility
- 4a. Draft Metro Plan Amendment, Chapter I, Introduction, Purpose #3.
- 4b. Draft Metro Plan Amendment, Chapter II, Metropolitan Goals, Citizen Involvement #2.
- 5a. Draft Metro Plan Amendment, Chapter III, Section K, Citizen Involvement Element
- 5b. Draft Metro Plan Amendment, Chapter IV, Policy #7.
- 5c. Draft Lane Code Amendment, LC 12.235(5)
- 5d. Metropolitan Policy Committee Bylaws
- 5e. Memorandum from Greg Mott to Byron Vanderpool
- 5f. Emails between Byron Vanderpool and Greg Mott
6. *Metro Plan* Boundary Amendment Project Phase Areas
7. TDR Pilot Program Application to DLCD and Board Order 10-5-19-9
8. Progress Matrix: JEO Subcommittee Recommendations
9. Attachment B. Metro Plan Chapter Updates by JEO Motion and Regional Issues

Attachment 1

JEO Subcommittee Recommendations

June 1, 2009

1. Direct staff from all three jurisdictions to develop a work plan that includes a timeline, cost estimate and implications for specific changes to the *Metro Plan* based on recommendations from each jurisdiction that include but are not limited to the following:
 - a. Overarching policies that identify and address regional issues.
 - b. Policies that allow for individual refinement Plans for Eugene and Springfield to address jurisdiction specific issues.
 - c. Adjustments to the *Metro Plan* boundary and text to address jurisdictional specific issues arising in the urbanizable areas and the area outside the urban growth boundary.
 - d. A dispute resolution process that reflects the changes described in a – c.

Attachment 2a

Oregon's Statewide Planning Goals & Guidelines GOAL 11: PUBLIC FACILITIES AND SERVICES

OAR 660-015-0000(11)

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.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable, and rural areas to be served. A provision for key facilities shall be included in each plan. Cities or counties shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

Counties shall develop and adopt community public facility plans regulating facilities and services for certain unincorporated communities outside urban growth boundaries as specified by Commission rules.

Local Governments shall not allow the establishment or extension of sewer systems outside urban growth boundaries or unincorporated community boundaries, or allow extensions of sewer lines from within urban growth boundaries or unincorporated community boundaries to serve land outside those boundaries,

except where the new or extended system is the only practicable alternative to mitigate a public health hazard and will not adversely affect farm or forest land.

Local governments may allow residential uses located on certain rural residential lots or parcels inside existing sewer district or sanitary authority boundaries to connect to an existing sewer line under the terms and conditions specified by Commission rules.

Local governments shall not rely upon the presence, establishment, or extension of a water or sewer system to allow residential development of land outside urban growth boundaries or unincorporated community boundaries at a density higher than authorized without service from such a system.

In accordance with ORS 197.180 and Goal 2, state agencies that provide funding for transportation, water supply, sewage and solid waste facilities shall identify in their coordination programs how they will coordinate that funding with other state agencies and with the public facility plans of cities and counties.

A Timely, Orderly, and Efficient Arrangement – refers to a system or plan that coordinates the type, locations and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

Rural Facilities and Services – refers to facilities and services suitable and appropriate solely for the needs of rural lands.

Urban Facilities and Services – Refers to key facilities and to appropriate types and levels of at least the following: police protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.

Public Facilities Plan – A public facility plan is a support document or documents to a comprehensive plan. The facility plan describes the water, sewer and transportation facilities which are to support the land uses designated in the appropriate acknowledged comprehensive plan or plans within an urban growth boundary containing a population greater than 2,500.

Community Public Facilities Plan – A support document or documents to a comprehensive plan applicable to specific unincorporated communities outside UGBs. The community public facility plan describes the water and sewer services and facilities which are to support the land uses designated in the plan for the unincorporated community.

Water system – means a system for the provision of piped water for human consumption subject to regulation under ORS 448.119 to 448.285.

Extension of a sewer or water system – means the extension of a pipe, conduit, pipeline, main, or other physical

component from or to an existing sewer or water system, as defined by Commission rules.

GUIDELINES

A. PLANNING

1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.

2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.

3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.

4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.

5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.

6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.

7. Plans providing for public facilities and services should consider

as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.

bodies operating in the planning area and having interests in carrying out the goal.

B. IMPLEMENTATION

1. Capital improvement programming and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.

2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adequate housing market in areas undergoing development or redevelopment.

3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.

4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.

5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.

6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental

Attachment 2b.

Chapter I Introduction

Background

The 2004 *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* is the third update of the *1990 Plan*. The *1990 Plan*, adopted in 1972, provided that a major update of the comprehensive plan should be initiated every five years. This reflects the fact that comprehensive plans must be adaptable to the changing needs and circumstances of the community if they are to retain their validity and usefulness.

Therefore, this *Metro Plan* is not an entirely new product, but rather has evolved from and reflects needed changes to the original *1990 Plan*.

The *Metro Plan* was acknowledged by the Land Conservation and Development Commission (LCDC) in 1982 for the area inside the urban growth boundary (UGB). The remaining area was acknowledged in September 1985. The *Metro Plan* was updated in 1987 and in 2004 through periodic review.

Purpose

The *Metro Plan* is the official long-range land use comprehensive plan (public policy document) of metropolitan Lane County and the cities of Eugene and Springfield. Its policies and land use designations apply only within the area under the jurisdiction of the *Metro Plan* as described in Chapter II-D. The *Metro Plan* sets forth general planning policies and land use allocations and serves as the basis for the coordinated development of programs concerning the use and conservation of physical resources, furtherance of assets, and development or redevelopment of the metropolitan area.

The *Metro Plan* is intended to designate a sufficient amount of urbanizable land to accommodate the need for future urban expansion. The existing *Metro Plan* regional urban growth boundary was determined in the last periodic review to have enough buildable land inventory to accommodate a population of 286,000 by the year 2015.¹ The *Metro Plan* also identifies the public facilities and services required by the statewide Goals and Administrative Rules to meet the land use needs designated within the UGB. The glossary identifies the level of public facilities and services to be provided within the UGB and *Metro Plan* Boundary. Lane County provides additional public facilities and services within the *Metro Plan* Plan Boundary (urban

1. The population projection range for the Residential Land Use and Housing Element in Chapter III-A is 291,700 to 311,100. The expected population for the year 2015 is 301,400. This [NOTE: 301,400?] projection is for the Metropolitan Study Area, a census tract area much larger than the UGB. The projection was used as the basis for deriving the population figure of 286,000 for the UGB for the year 2015 for the residential lands analysis performed in the 1999 Residential Lands and Housing Study.

and rural lands) which, though not a constituent of the *Metro Plan* land use policy framework, add significantly to the health, well being and quality of life of the residents and businesses within the *Metro Plan* boundary. These public facilities and services provided by Lane County include sheriff and corrections services, criminal prosecution (DA) services, parole and probation services, elections, regional transportation facilities and services, mental health services, public health services, workforce assistance services, animal services and regional park facilities and services.

Attachment 2c

Draft Amendments to *Metro Plan* Section C.

C. Growth Management Goals, Findings, and Policies

To effectively control the potential for urban sprawl and scattered urbanization, compact growth and the Eugene and Springfield urban growth boundaries (UGB's) are, and will remain, the primary growth management techniques for directing geographic patterns of urbanization in the community. In general, this means the filling in of vacant and underutilized lands, as well as redevelopment inside the Eugene and Springfield UGBs.

Outward expansion of the Eugene or Springfield UGB will occur only when it is ~~proven necessary according to~~ determined to be necessary in conformance with the policies set forth in this *Metro Plan*, particularly in this element, and with applicable statewide goals and administrative rules.

Goals

1. Use urban, urbanizable, and rural lands efficiently.
2. Encourage orderly and efficient conversion of land from rural to urban uses in response to urban needs, taking into account metropolitan and statewide goals.
3. Protect rural lands best suited for non-urban uses from incompatible urban encroachment.

Findings and Policies

Findings

1. Many metropolitan areas within the United States that have not implemented geographic growth management techniques suffer from scattered or leapfrog urban growth that leaves vacant and underutilized land in its path and encourages isolated residential developments far from metropolitan centers. Until adoption of the *1990 Plan's* urban service area concept, portions of this metropolitan area were characterized by these phenomena.
2. Beneficial results of compact urban growth include:
 - a. Use of most vacant leftover parcels where utilities assessed to abutting property owners are already in place.

- b. Protection of productive forest lands, agricultural lands, and open space from premature urban development.
 - c. More efficient use of limited fuel energy resources and greater use of bicycle and pedestrian facilities due to less miles of streets and less auto dependence than otherwise would be required.
 - d. Decreased acreage of leapfrogged vacant land, thus resulting in more efficient and less costly provision and use of utilities, roads, and public services such as fire protection.
 - e. Greater urban public transit efficiency by providing a higher level of service for a given investment in transit equipment and the like.
3. The disadvantages of a too-compact UGB can be a disproportionately greater increase in the value of vacant land within the Eugene-Springfield area, which would contribute to higher housing prices. Factors other than size and location of the UGB and city limits affect land and housing costs. These include site characteristics, interest rates, state and federal tax laws, existing public facility and service availability, and future public facility and service costs.
 4. Periodic evaluation of land use needs compared to land supply provides a basis for orderly and non-excessive conversion of rural land to urbanizable land and provides a basis for public action to adjust the supply upward in response to the rate of consumption.
 5. Prior to the late 1960s, Eugene and Springfield had no growth management policy and, therefore, growth patterns were generally dictated by natural physical characteristics.
 6. Mandatory statewide planning goals adopted by the Land Conservation and Development Commission (LCDC) require that all communities in the state establish UGBs to identify and separate urbanizable land from rural land.
 7. Between 1970 and 1983, Springfield's population increased about 4 percent and Eugene's about 2.5 percent a year, but unincorporated portions of the metropolitan area experienced a population decline. About 17 percent of the total increase in the population was related to annexations. This indicates that growth is occurring in cities, which is consistent with the compact urban growth concept, and limitations on urban scatteration into unincorporated areas, as first embodied in the *1990 Plan*.
 8. In addition to Finding 7 above, evidence that the Eugene and Springfield Urban Growth BoundariesUGB is an effective growth management tool includes the following:
 - a. Consistent reduction over time of vacant land within the Eugene and Springfield Urban Growth BoundariesUGB.
 - b. Reduction of vacant residential zoned land in Springfield and Eugene.

- c. Greater value of vacant land within Springfield and Eugene than similar land outside incorporated areas but within the Eugene and Springfield Urban Growth Boundaries~~UGB~~.
 - d. Increase since 1970 of the proportionate share of residential building permits issued within city limits.
9. Reduction in the use of zoning provisions and regulatory processes that favor single-family detached dwellings on standard size parcels would increase the opportunity to realize higher net residential densities than are presently occurring, particularly in newly developing areas.
10. A variety of public facilities and services are provided by Lane County and special service districts to ~~unincorporated portions of~~ the Eugene-Springfield metropolitan area.
11. In 1986, the Cities of Eugene and Springfield entered into Urban Transition Agreements with Lane County which transferred from the County to the Cities administration for building and land use within the urbanizable portion of the Eugene and Springfield Urban Growth Boundaries~~UGB~~.

Objectives

1. Continue to minimize urban scatteration and sprawl by encouraging compact growth and sequential development.
2. Insure that land supply is kept in proper relationship to land use needs.
3. Conserve those lands needed to efficiently accommodate expected urban growth.
4. Protect rural land and open space from premature urbanization.
5. When necessary to meet urban needs, utilize the least productive agricultural lands for needed expansion.
6. Encourage new and maintain existing rural land uses where productive or beneficial outside the urban growth boundary.
7. Shape and plan for a compact urban growth form to provide for growth while preserving the special character of the metropolitan area.
8. Encourage development of suitable vacant, underdeveloped, and redevelopable land where public facilities and services are available, thus capitalizing on public expenditures already made for these public facilities and services.
9. Protect life and property from natural hazards and natural disasters.
10. Allow smaller outlying communities the opportunity to plan for their own futures without being engulfed by unlimited outward expansion of the metropolitan area.
11. Identify methods of establishing an urban transition program which will eventually reduce service delivery inefficiencies by providing for the provision of key urban minimum level of urban facilities and services only by cities.

Policies

1. UGBs and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of ~~all~~ a minimum level or full range of urban facilities and urban services shall be concentrated inside the Eugene and Springfield Urban Growth Boundaries. ~~UGBs of Eugene and Springfield~~
2. ~~The Eugene and Springfield Urban Growth Boundaries~~ UGBs shall run along the outside edge of existing and planned rights-of-way that form a portion of the Eugene and Springfield Urban Growth Boundaries ~~UGBs~~ so that the full right-of-way is within the UGB.

3. Control of location, timing, and financing of the major public investments that directly influence the growth form of the metropolitan area shall be planned and coordinated on a metropolitan-wide basis by the Metropolitan Regional Policy Resolution Committee (MRPRC).
4. Lane County shall discourage urban development in urbanizable and rural areas and encourage compact development of outlying communities.
5. To maintain the existing physical autonomy of the smaller outlying communities, urban development on agricultural and rural lands beyond the Eugene and Springfield Urban Growth Boundaries~~two metropolitan area UGB~~ shall be restricted and based on at least the following criteria:
 - a. Preservation and conservation of natural resources
 - b. Conformity with the policies and provisions of the *Lane County Rural Comprehensive Plan* that borders the metropolitan area
 - c. Conformance with applicable mandatory statewide planning goals, rules and statutes
6. Outlying communities close to Springfield and Eugene shall be encouraged to develop plans and programs in support of compact urban development.
7. Conversion of rural and rural agricultural land to urbanizable land through *Metro Plan* amendments expanding either the Eugene or Springfield Urban Growth Boundary~~metropolitan area UGB~~ shall be consistent with mandatory statewide planning goals, rules and statutes.
8. Land within either the Eugene or Springfield Urban Growth Boundary ~~metropolitan area UGB~~ may be converted from urbanizable to urban only through annexation to the city's city UGB 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 a minimum level or full range of urban facilities and services ~~and facilities~~. Conversion of urbanizable land to urban shall also be consistent with the *Metro Plan*.
9. A full range of key urban facilities and services shall be provided to urban areas according to demonstrated need and budgetary priorities.
10. Annexation to a city through normal processes shall continue to be the highest priority.
11. The tax differential concept, as provided for in ORS 222.111 (32), shall be one mechanism that can be employed in urban transition areas.

12. When the following criteria are met either Springfield or Eugene may annex land which is not contiguous to its boundaries.
 - a. The area to be annexed will be provided an urban public facilities and services(s) which is (are) desired immediately by residents/property owners.
 - b. The area to be annexed can be serviced (with minimum level of ~~key~~ urban facilities and services as directed in the *Metro Plan*) in a timely and cost-efficient manner and is a logical extension of the city's service delivery system.
 - c. The annexation proposal is accompanied by support within the area proposed for annexation from the owners of at least half the land area in the affected territory.
 - d. The land is within the annexing city's area of jurisdictional responsibility as specified in its acknowledged comprehensive plan.
13. Police, fire and emergency medical services may be provided through extraterritorial extension with a signed annexation agreement or initiation of a transition plan and upon concurrence by the serving jurisdiction.
14. Both Eugene and Springfield shall examine potential assessment deferral programs for low-income households.
15. Creation of new special service districts or zones of benefit within the Plan Boundary of the Metro Plan for minimum level or full range of urban facilities and services shall be considered only when all of the following criteria are satisfied:
 - a. There is no other method of delivering public facilities and services which are required to mitigate against extreme health hazard or public safety conditions.
 - b. The three metropolitan area general purpose governments concur with the proposal to form the service district or zone of benefit.
 - c. The district or zone of benefit is an interim service delivery method, and there are legal assurances, such as annexation agreements, to ensure that annexation to the appropriate city occurs within the planning period.
 - d. The servicing city is not capable of providing the full range of urban facilities and services in the short term, although it is recognized that urban facilities and services will be provided by a city consistent with adopted public facilities plans and capital improvement programs.
16. The district or zone of benefit for minimum level or full range of urban facilities and services will contract with the appropriate city for interim service delivery until annexed to the appropriate city.

17. Ultimately, land within the UGB- Eugene or Springfield Urban Growth Boundaries shall be annexed to a city and provided with the required minimum level of urban facilities and services. While the time frame for annexation may vary, annexation should occur as land is needed for urban development.
18. Eugene and Springfield and their respective utility branches, Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB), shall be the water and electrical service providers within the UGB- Eugene and Springfield Urban Growth Boundaries consistent with adopted coordination agreements.
19. As annexations to cities occur over time, existing special service districts for minimum level or full range of urban facilities and services within the UGB- Eugene or Springfield Urban Growth Boundaries shall be dissolved. The cities should consider developing intergovernmental agreements, which address transition issues raised by annexation, with affected special service districts.
20. The realignment (possible consolidation or merger) of fringe special service districts shall be examined to:
- a. Promote a minimum level or full range of urban facility and service transition to cities within the Eugene and Springfield Urban Growth Boundaries.~~UGB~~.
 - b. Provide continued and comprehensive rural level of facilities and services to property and people outside the Eugene and Springfield~~Springfields~~ Urban Growth Boundaries.~~UGB~~.
 - c. Provide more efficient service delivery and more efficient governmental structure for serving ~~the immediate~~ urban fringe areas newly included inside the Eugene or Springfield Urban Growth Boundaries.
- ~~20~~21. Annexation of territory to existing service districts within the Eugene or Springfield Urban Growth Boundary~~UGB~~ shall occur only when the following criteria are met:
- a. Immediate annexation to a city is not possible because the required minimum level of key urban facilities and services cannot be provided in a timely manner (within five years, as outlined in an adopted capital improvements program);
 - b. Except for areas that have no fire protection, affected property owners have signed consent to annex agreements with the applicable city consistent with Oregon annexation law.
- Such annexations shall be considered as interim service delivery solutions until ultimate annexation to a city occurs.
- ~~21~~22. When unincorporated territory within the Eugene or Springfield Urban Growth Boundaries~~UGB~~ is provided with any new urban minimum level or full range of public

facilities and -services, that those public facilities and -services shall be provided by the following method (in priority order).

- a. Annexation to a city;
- b. Contractual annexation agreements with a city;
- c. Annexation to an existing district (under conditions described previously in Policy #20); or
- d. Creation of a new service district (under conditions described previously in Policy #15).

2523. Cities shall not extend water or wastewater service outside city limits to serve a residence or business without first obtaining a valid annexation petition, a consent to annex agreement, or when a health hazard annexation is required.

2624. Regulatory and fiscal incentives that direct the geographic allocation of growth and density according to adopted plans and policies shall be examined and, when practical, adopted.

27.25 To accomplish the Fundamental Principle of compact urban growth addressed in the text and on the *Metro Plan Diagram*, overall metropolitan-wide density of new residential construction, but not necessarily each project, shall average approximately six dwelling units per gross acre over the planning period.

2826. When conducting metropolitan planning studies, particularly the *Public Facilities and Services Plan*, consider the orderly provision and financing of public facilities and services and the overall impact on population and geographical growth in the metropolitan area. Where appropriate, future planning studies should include specific analysis of the growth impacts suggested by that particular study for the metropolitan area.

2927. Based upon direction provided in Policies 4, 8, and 24 of this section, any development taking place in the Eugene or Springfield Urban Growth Boundaries ~~an urbanizable area~~ shall be designed to the development standards of the city which would be responsible for eventually providing a minimum level of key-urban facilities and services to the area. Unless the following conditions are met, the minimum lot size for campus industrial designated areas shall be 50 acres and the minimum lot size for all other designations shall be 10 acres. Creation of new parcels in the Eugene or Springfield Urban Growth Boundaries ~~urbanizable area~~ will comply with the following standards:

- a. The approval of a conceptual plan for ultimate development at urban densities in accord with applicable plans and policies.
- b. Proposed land uses and densities conform to applicable plans and policies.

c. The owner of the property has signed an agreement with the adjacent city which provides:

(1) The owner and his or her successors in interest are obligated to support annexation proceedings should the city, at its option, initiate annexation.

(2) The owner and his or her successors in interest agree not to challenge any annexation of the subject property.

(3) The owner and his or her successors in interest will acquire city approval for any subsequent new use, change of use, or substantial intensification of use of the property. The city will not withhold appropriate approval of the use arbitrarily if it is in compliance with applicable plans, policies, and standards, as interpreted by the city, as well as the conceptual plan approved under subsection a above.

3028. Any lot under five acres in size to be created in an ~~urbanizable area~~ the Eugene or Springfield Urban Growth Boundary will require utilizing the following additional standards:

a. A majority of parcels located within 100 feet of the property are smaller than five acres.

b. No more than three parcels are being created.

3129. The siting of all residences on urbanizable lots served by on-site sewage disposal systems shall be reviewed by Lane County to ensure the efficient future conversion of these lots to urban densities according to *Metro Plan* assumptions and minimum density requirements.

3230. The approval of on-site sewage disposal systems for rural and urbanizable area uses and developments shall be the responsibility of Lane County, subject to: (a) applicable state law; (b) the criteria for the creation of new lots in Policies 276, 287 above; (c) the requirement for the siting of residences in Policy 298 above; (d) requirements of Policy 310; and (e) the requirements for special heavy industrial designated areas.

3331. In order to encourage economic diversification, on-site sewage disposal systems shall be allowed for industrial development and for commercial development allowed within Campus Industrial designated areas in conjunction with annexation to a city, when extension of the public wastewater system is imminent or is identified as part of an approved capital improvement program.

3432. Eugene, Springfield, and Lane County shall continue to involve affected local governments and other ~~urban~~ public facilities and service providers in development of future, applicable *Metro Plan* revisions, including amendments and updates.

3533. If expansion of either the Eugene or Springfield Urban Growth Boundary ~~UGB~~ is contemplated, all other options should be considered and eliminated before consideration of

| expanding the Eugene Urban Growth Boundary UGB in the area west of Highway 99 and north of Royal Avenue.

Note: For other related policy discussion, see the Public Facilities and Services Element in Chapter III-G.

Attachment 2d

Chapter V Glossary

The purpose of the Glossary is to define commonly used terms in the *Metro Plan*.

1. Affordable housing: Housing priced so that a household at or below median income pays no more than 30 percent of its total gross income on housing and utilities. (The U.S. Department of Housing and Urban Development's (HUD) figure for 1997 annual median income for a family of three in Lane County is \$33,900; 30 percent = \$847/month.)
2. Annexation: An extension of the boundaries of a city or special district. Annexations are governed by Oregon Revised Statutes.
3. Assumption: A position, projection, or conclusion considered to be reasonable. Assumptions differ from findings in that they are not known facts.
4. Best Management Practices (BMPs): Management practices or techniques used to guide design and construction of new improvements to minimize or prevent adverse environmental impacts. Often organized as a list from which those practices most suited to a specific site can be chosen to halt or offset anticipated problems.
5. Buildable residential lands: Land in urban and urbanizable areas that is suitable, available, and necessary for residential uses. Buildable land includes both vacant land and developed land likely to be redeveloped. Lands defined as unbuildable within the Eugene and Springfield Urban Growth Boundaries ~~metropolitan urban growth boundary (UGB)~~ are those within the floodway, land within easement of 230 KV power lines, land within 75 feet of Class A streams or ponds, land within 50 feet of Class B streams or ponds, protected wetlands and wetland mitigation sites in Eugene, and wetlands larger than 0.25 acres in Springfield. Publicly owned land is generally not considered available for residential use. Buildable land includes property not currently sewered but scheduled to be sewered within the 20-year planning period.
6. Class F Streams (currently Class I Streams in Lane Code): "Streams that have fish use, including fish use streams that have domestic water use," as defined in OAR 629 to 635.
7. Compact Urban Growth: The filling in of vacant and underutilized lands in the Eugene and Springfield Urban Growth BoundariesUGB, as well as

redevelopment, inside the Eugene and Springfield Urban Growth Boundaries two metropolitan area UGBs.

8. Density: The average number of families, persons, or housing units per unit of land. Density is usually expressed as dwelling units per acre.
9. Density bonus: A mechanism used in incentive-based zoning that allows a developer to build at higher densities in return for providing more open space, building affordable housing, or some other public amenity.
10. Density (gross): The number of dwelling units per each acre of land, including areas devoted to dedicated streets, neighborhood parks, sidewalks, and other public facilities.
11. Density (net): The number of dwelling units per each acre of land in residential use, excluding from the acreage dedicated streets, neighborhood parks, sidewalks, and public facilities.
12. Development: The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any excavation, landfill, or land disturbance; and any human-made use or extension of land use.
13. Drinking water protection (source water protection): Implementing strategies within a drinking water protection area to minimize the potential impact of contaminant sources on the quality of water used as a drinking water source by a public water system.
14. Extension of ~~urban~~ public facilities: Construction of the facilities necessary for future service provision.
15. Facilities and services. See public facilities and services.
[renumber]
1516. Fair housing: Refers to the prevention of discrimination against protected classes of people. Protected classes, as defined by the federal government, refer to race, color, religion, national origin, or sex. Protected classes are disproportionately comprised of very low-income populations.
1617. Finding: Factual statement resulting from investigations, analysis, or observation.
1718. Floodplain: The area adjoining a river, stream, or watercourse that is subject to 100-year flooding. A 100-year flood has a one-percent chance of occurring in any one year as a result of periods of higher-than-normal rainfall or stream flows, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combinations thereof.

- 1819. Floodway: The normal stream channel and that adjoining area of the floodplain needed to convey the waters of a 100-year flood.
- 1920. Goal: Broad statement of philosophy that describes the hopes of a community for its future. A goal may never be completely attainable but is used as a point towards which to strive.
- 2021. Groundwater: Water that occurs beneath the land surface in the zone(s) of saturation.
- 2122. Impervious surface: Surfaces which prevent water from soaking into the ground. Concrete, asphalt, and rooftops are the most common urban impervious surfaces.
- 2223. In-fill: Development consisting of either construction on one or more lots in an area that is mostly developed or new construction between existing structures. Development of this type can conserve land and reduce sprawl.
- 2324. Infrastructure: The facilities and services that support the functions and activities of a community, including roads, street lights, wastewater lines, storm drainage, power lines, and water lines.

24. Key urban facilities and services:

~~Minimum level: Wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis (in other words, not necessarily within walking distance of all students served).~~

~~Full range: The minimum level of urban facilities and services plus urban public transit, natural gas, street lighting, libraries, local parks, local recreation facilities and services, and health services.~~

- 25. Low-income housing: Housing priced so that a household at or below 80 percent of median income pays no more than 30 percent of its total gross household income on housing and utilities. (HUD's figure for 1997 annual 80 percent of median income for a family of three in Lane County is \$27,150; 30 percent = \$687/month.)
- 26. Manufactured dwelling: A structure constructed at an assembly plant and moved to a space in a manufactured dwelling park or a lot. The structure has sleeping, cooking, and plumbing facilities and is intended for residential purposes.
- 27. Manufactured dwelling park: Any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space.

28. Metro Plan Plan Boundary: Defines that area shown on the *Metro Plan* Diagram that includes Springfield, Eugene, and unincorporated urban, urbanizable, rural, and agricultural lands exclusive of areas encompassed in the *Lane County Rural Comprehensive Plan*. (Note: Assumes boundaries between the area of the *Metro Plan* and the *Lane County Rural Comprehensive Plan* will coincide.)
29. Metro Plan Diagram: A graphic depiction in the *Metro Plan* of: (a) the land use planned for the metropolitan area; and (b) the goals and policies embodied in the text and elements of the *Metro Plan*. Information includes land use designations and the Eugene and Springfield Urban Growth Boundaries-UGB.
30. Metropolitan area: Generally, an area that includes and surrounds a city or group of cities. The Eugene-Springfield metropolitan area is the area within the *Metro Plan* Plan Boundary (Plan Boundary).
31. Mixed use: A building, project or area of development that contains at least two different land uses such as housing, retail, and office uses.
32. Mode: The transportation system used to make a trip, such as automobile, transit, pedestrian, bicycle, or paratransit.
33. Nodal development (node): Nodal development is a mixed-use, pedestrian-friendly land use pattern that seeks to increase concentrations of population and employment in well-defined areas with good transit service, a mix of diverse and compatible land uses, and public and private improvements designed to be pedestrian and transit oriented. Fundamental characteristics of nodal development require:
- Design elements that support pedestrian environments and encourage transit use, walking and bicycling;
 - A transit stop which is within walking distance (generally ¼ mile) of anywhere in the node);
 - Mixed uses so that services are available within walking distance;
 - Public spaces, such as parks, public and private open space, and public facilities and services, that can be reached without driving; and
 - A mix of housing types and residential densities that achieve an overall net density of at least 12 units per net acre.
- Nodal developments will vary in the amount, type, and orientation of commercial, civic, and employment uses; target commercial floor area ratios; size of building; and the amount and types of residential uses.
34. Objective: An attainable target that the community attempts to reach in striving to meet a goal. An objective may also be considered as an intermediate point that will help fulfill the overall goal.

35. Paratransit: The various types of ride sharing programs such as carpooling, vanpooling, taxi service, and subscription bus service.
36. Policy: A statement adopted as part of the *Metro Plan* or other plans to provide a specific course of action moving the community toward attainment of its goals.

24. 37. Public facilities and services:

Minimum level of urban facilities and services: Wastewater service, stormwater service, transportation, solid waste management, water service, fire and emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis (in other words, not necessarily within walking distance of all students served).

Full range of urban facilities and services: The minimum level of urban facilities and services plus urban public transit, natural gas, street lighting, libraries, local parks, local recreation facilities and services, and health services.

Other public facilities and services provided by Lane County within the *Metro Plan Plan Boundary* (urban and rural lands) may include but are not limited to: sheriff and corrections services, criminal prosecution (DA) services, parole and probation services, elections, regional transportation facilities and services, mental health services, public health services, workforce assistance services, animal services and regional park facilities and services.

Rural level of facilities and services: refers to facilities and services suitable and appropriate solely for the needs of rural lands.

3738. Public facility projects: Public facility project lists and maps adopted as part of the *Metro Plan* are defined as follows:

- a. Water: Source, reservoirs, pump stations, and primary distribution systems. Primary distribution systems are transmission lines 12 inches or larger for Springfield Utility Board (SUB) and 24 inches or larger for Eugene Water & Electric Board (EWEB).
- b. Springfield Utility Board (SUB) and 24 inches or larger for Eugene Water & Electric Board (EWEB).
- c. Wastewater: Primary Collection System: Pump stations and wastewater lines 24 inches or larger.

Treatment Facilities System: Water Pollution Control Facility (WPCF) project, beneficial reuse project and residuals project necessary to meet wastewater treatment

facilities system design capacities for average flow, peak flow, biochemical oxygen demand and total suspended solids so as to provide service within the urban growth boundary (UGB) for a projected population in 2025 consistent with the population assumed in this Plan, in compliance with MWMC's discharge permit. MWMC's Capital Improvements Plan, as amended from time to time, shall be used as the guide for detailed planning and implementation of the WPCF project, the beneficial reuse project and the residuals project.

- d. Stormwater: Drainage/channel improvements and/or piping systems 36 inches or larger; proposed detention ponds; outfalls; water quality projects; and waterways and open systems.
- e. Specific projects adopted as part of the *Metro Plan* are described in the project lists and their general location is identified in the planned facilities maps in Chapter II of the *Eugene-Springfield Metropolitan Public Facilities and Services Plan (Public Facilities and Services Plan)*.

39. Public water and wastewater service provision: The physical connection to the water or wastewater system.

3840. Redevelopable land: Land on which development has already occurred, but on which, due to present or expected market forces, there is a strong likelihood that existing development will be converted to or replaced by a new and/or more intensive use. This land might have one or more of the following characteristics: low improved value to land value ratio; poor physical condition of the improvement; low improved value; large size; and/or higher zoning potential.

3941. Redevelopment: Rebuilding or adaptive reuse of land that has been previously built upon. It may promote the economic development of an area that has been run-down or is no longer needed for its previous use, such as industrial land that is redeveloped as residential.

4042. Refinement plan: A detailed examination of the service needs and land use issues of a specific area, topic, or public facility and service. 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.

4143. Refinement planning process: Refinement plans are developed through a process which includes at least the following elements: a predetermined citizen involvement process, preestablished policy direction in locally adopted planning documents, and a planning commission and elected official process. In some

cases, these processes would have to be expanded to include review and involvement by citizens and appointed and elected officials.

- | 4244. Riparian: The land bordering a stream or river; also pertaining to the vegetation typical of those borders (grasses, shrubs, and trees such as reed canary grass, spiraea, willows, ash, and cottonwoods).
- | 4345. Rural lands: Those lands that are outside the Eugene and Springfield Urban Growth Boundaries-UGBs. Rural lands are agricultural, forest, or open space lands; or other lands suitable for sparse settlement, small farms, or acreage homesites with limited public services, and which are not suitable, necessary or intended for urban use.
- | 4446. Rural levels of facilities and services: See Public facilities and services.
- | 4547. Service enhancements: Services and amenities provided (or delivered) to lower income tenants based on individual needs on-site in order to promote empowerment toward self-sufficiency.
- | 4548. Single-family detached: A free-standing dwelling unit that does not share any walls or the roof with another dwelling unit.
- | 4649. Special need housing: Housing for special needs populations. These populations represent some unique sets of housing problems and are usually at a competitive disadvantage in the marketplace due to circumstances beyond their control. These subgroups include, but are not limited to: the elderly, persons with disabilities, homeless individuals and families, at-risk youth, large families, farm workers, and persons being released from correctional institutions.
- | 4750. Special service district: Any unit of local government, other than a city, county, and association of local governments performing land use planning functions under ORS 195.025 authorized and regulated by statute, or metropolitan service district formed under ORS 268. Special service districts include but are not limited to the following: domestic water districts; domestic water associations and water cooperatives; irrigation districts; regional air quality control authorities; rural fire protection districts; school districts; mass transit districts; sanitary districts; and park and recreation districts.
- | 4851. System development charge (SDC): A reimbursement fee, an improvement fee, or a combination thereof assessed or collected at the time of increased usage of a capital improvement, connection to the capital improvement, or issuance of a development permit or building permit.
- | 4952. Tax differential: Tax differential is a provision in Oregon city annexation law which provides an opportunity to phase in the city's tax rate over a period not to

exceed 10 years. The proposal is specified at the time of annexation and cannot be modified thereafter.

- | ~~§053.~~ Underdeveloped land: The vacant or redevelopable portion of land not having the highest and best use allowed by zoning.
- | ~~§154.~~ Underutilized human resources: Persons who are: (a) unemployed; (b) employed part-time but want to work full-time; or (c) in positions that do not fully utilize their skills.
- | ~~§255.~~ Undeveloped land: Land that is vacant or used for agricultural purposes.
- | ~~§356.~~ Urban growth boundary (UGB): A site-specific line, delineated on a map or by written description, that separates urban and urbanizable lands from rural lands.
- | ~~§457.~~ Urban lands: Lands located within an incorporated city.
- | ~~§5~~ ~~Urban water and wastewater service provision~~: ~~The physical connection to the water or wastewater system.~~
- | ~~§658.~~ Urbanizable land: Urbanizable lands are those unincorporated lands between the city limits and the Eugene or Springfield Urban Growth BoundaryUGB.
- | ~~§759.~~ Very low income housing: Housing priced so that a household at or below 50 percent of median income pays no more than 30 percent of its total gross household income on housing and utilities. (HUD's figure for 1997 annual 50 percent of median income of a family of three in Lane County is \$16,950; 30 percent = \$423/month.)
- | ~~§760.~~ Zoning: A measure or regulation enacted primarily by local governments in which the community is divided into districts or zones within which permitted and special uses are allowed. Zoning regulations govern lot size, building bulk, placement, and other development standards. A zoning ordinance typically consists of two parts: a text and a map.

Attachment 3

Metro Plan Chapter II

Fundamental Principles and Growth Management Policy Framework

D. Jurisdictional Responsibility

The division of responsibility for metropolitan planning between the two cities is the Interstate 5 Highway. Each city is separately responsible for preparing, adopting and amending buildable lands inventories, establishing an urban growth boundary, and meeting its other obligations under state land use planning statutes, goals, and rules within its area of jurisdictional responsibility. To become effective, Lane County must co-adopt each city's separate urban growth boundary. Lane County has sole land use jurisdiction for land outside the Eugene and Springfield Urban Growth Boundaries; and shares jurisdiction with each respective city for land between the city limits and the Urban Growth Boundary. Lane County jurisdiction is between the urban growth boundary (UGB) and Metro Plan Plan Boundary (Plan Boundary); and the county has joint responsibility with Eugene between the city limits and UGB west of Interstate 5 Highway and with Springfield between the city limits and UGB east of Interstate 5 Highway. State law (1981) provides a mechanism for creation of a new city in the River Road and Santa Clara area. Refer to Metro Plan Chapter IV and intergovernmental agreements to resolve specific issues of jurisdiction.

Attachment 4a.

Chapter I Introduction

Background

The 2004 *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* is the third update of the *1990 Plan*. The *1990 Plan*, adopted in 1972, provided that a major update of the comprehensive plan should be initiated every five years. This reflects the fact that comprehensive plans must be adaptable to the changing needs and circumstances of the community if they are to retain their validity and usefulness.

Therefore, this *Metro Plan* is not an entirely new product, but rather has evolved from and reflects needed changes to the original *1990 Plan*.

The *Metro Plan* was acknowledged by the Land Conservation and Development Commission (LCDC) in 1982 for the area inside the urban growth boundary (UGB). The remaining area was acknowledged in September 1985. The *Metro Plan* was updated in 1987 and in 2004 through periodic review.

Purpose

The *Metro Plan* is the official long-range land use comprehensive plan (public policy document) of metropolitan Lane County and the cities of Eugene and Springfield. Its policies and land use designations apply only within the area under the jurisdiction of the *Metro Plan* as described in Chapter II-D. The *Metro Plan* sets forth general planning policies and land use allocations and serves as the basis for the coordinated development of programs concerning the use and conservation of physical resources, furtherance of assets, and development or redevelopment of the metropolitan area.

The *Metro Plan* is intended to designate a sufficient amount of urbanizable land to accommodate the need for further urban expansion. The existing *Metro Plan* regional urban growth boundary was determined in the last periodic review to have enough buildable land inventory to accommodate a population of 286,000 by the year 2015.² The *Metro Plan* also identifies the public facilities and services required by the statewide Goals and Administrative Rules to meet the land use needs designated within the UGB. The glossary identifies the level of public facilities and services to be provided within the

1. The population projection range for the Residential Land Use and Housing Element in Chapter III-A is 291,700 to 311,100. The expected population for the year 2015 is 301,400. This [NOTE: 301,400?] projection is for the Metropolitan Study Area, a census tract area much larger than the UGB. The projection was used as the basis for deriving the population figure of 286,000 for the UGB for the year 2015 for the residential lands analysis performed in the 1999 Residential Lands and Housing Study.

UGB and Metro Plan Boundary. Lane County provides additional public facilities and services within the Metro Plan Plan Boundary (urban and rural lands) which, though not a constituent of the Metro Plan land use policy framework, add significantly to the health, well being and quality of life of the residents and businesses within the Metro Plan boundary. These public facilities and services provided by Lane County include sheriff and corrections services, criminal prosecution (DA) services, parole and probation services, elections, regional transportation facilities and services, mental health services, public health services, workforce assistance services, animal services and regional park facilities and services.

More specifically, the *Metro Plan* provides the overall framework for the following planning functions. The *Metro Plan*:

1. Guides all governments and agencies in the metropolitan area in developing and implementing their own activities which relate to the public planning process.
2. Establishes the policy basis for a general, coordinated, long-range approach among affected agencies for the provision of the public facilities and services needed in the metropolitan area.
3. Makes planning information available to assist citizens to better understand the basis for public and private planning decisions and encourages their participation in the planning process. An administrative process is available for those citizens outside the city limits who require assistance with implementation of Metro Plan jurisdictional responsibilities.
4.

Attachment 4b.

***Metro Plan* Chapter II, Fundamental Principles and Growth Management Policy Framework**

This chapter contains Fundamental Principles that reflect the overall themes of the *Metro Plan*. The chapter also contains: Metropolitan Goals; Growth Management Goals, Findings, and Policies; Eugene and Springfield Jurisdictional Responsibility; Urban and Urbanizable Land; River Road and Santa Clara Goals, Findings and Policies; and *Metro Plan* Diagram.

A. Fundamental Principles

There are seven principles that are fundamental to the entire *Metro Plan*. They are implicitly included in the various individual *Metro Plan* components. These Fundamental Principles are:

1. The *Metro Plan* is a long-range land use policy document providing the framework within which more detailed refinement plans are prepared. This concept is discussed in more detail in the Introduction (Chapter I).
2. To be meaningful, the *Metro Plan* requires cooperation by all general purpose, special district, and special function agencies in the community. This reflects its comprehensive nature encompassing physical land use, social, and economic implications for the metropolitan area. Examples where cooperation is essential include planning and implementation of a transportation system, development of a metropolitan-wide energy plan, metropolitan-wide analysis and resolution of certain housing issues, and planning for areas outside the Eugene and Springfield urban growth boundaries and within the Plan Boundary.
3. The *Metro Plan* and most of its elements are oriented to and require that urban development occur in a compact configuration within the Eugene and Springfield Urban Growth BoundariesUGB. Elaboration of this principle is treated in the other sections of this chapter, and in the Public Facilities and Services Element in Chapter III.
4. Comprehensive plans identify and establish the plan-zoning consistency concept and recognize the importance of timing concerning implementation techniques. Implementation techniques, including zoning, shall generally be consistent with the precepts established in the *Metro Plan*, which is the broad land use policy document for the metropolitan area. The consistency test shall continuously be applied to implementation measures and public actions taken to rectify

inconsistencies when the general direction provided by the *Metro Plan* is modified. A variety of potential solutions to consistency problems exist, including modification to the *Metro Plan* or alteration to the implementation techniques themselves.

5. The zoning process shall be monitored and adjusted to meet current urban land use demands through the planning period for all land use categories.
6. The *Metro Plan* is based on the premise that Eugene and Springfield, the two existing cities, are responsible for approving the appropriate level and delivery of the logical providers of public facilities and services accommodating urban levels of development within the UGB Eugene and Springfield Urban Growth Boundaries.
7. The *Metro Plan* was developed to meet the supporting public facilities and services necessary to serve a population of 286,000 within the UGB by the year 2015.

B. Metropolitan Goals

The following Metropolitan Goals are listed under the applicable section in this chapter or in Chapter III (*Metro Plan Elements*) and **Chapter IV (*Metro Plan Review, Amendments, and Refinements*)**.

Growth Management

1. Use urban, urbanizable, and rural lands efficiently.
2. Encourage orderly and efficient conversion of land from rural to urban uses in response to urban needs, taking into account metropolitan and statewide goals.
3. Protect rural lands best suited for non-urban uses from incompatible urban encroachment.

Residential Land Use and Housing

1. Provide viable residential communities so all residents can choose sound, affordable housing that meets individual needs.

Economic

1. Broaden, improve, and diversify the metropolitan economy while maintaining or enhancing the environment.

Environmental Resources

1. Protect valuable natural resources and encourage their wise management and proper use and reuse, reflecting their important function and role in maintaining and improving the quality of life in the metropolitan area.
2. Maintain a variety of open spaces within and on the fringe of the developing area.
3. Protect life and property from the effects of natural hazards.
4. Provide a healthy and attractive environment, including clean air and water, for the metropolitan population.

Willamette River Greenway, River Corridors, and Waterways

1. Protect, conserve, and enhance the natural, scenic, environmental, and economic qualities of river and waterway corridors.

Environmental Design

1. Secure a safe, clean, and comfortable environment which is satisfying to the mind and senses.
2. Encourage the development of the natural, social, and economic environment in a manner that is harmonious with our natural setting and maintains and enhances our quality of life.
3. Create and preserve desirable and distinctive qualities in local and neighborhood areas.

Transportation

1. Provide an integrated transportation and land use system that supports choices in modes of travel and development patterns that will reduce reliance on the automobile and enhance livability, economic opportunity, and the quality of life.
2. Enhance the Eugene-Springfield metropolitan area's quality of life and economic opportunity by providing a transportation system that is:
 - Balanced
 - Accessible
 - Efficient
 - Safe
 - Interconnected

- Environmentally responsible
- Supportive of responsible and sustainable development
- Responsive to community needs and neighborhood impacts and
- Economically viable and financially stable

Public Facilities and Services

1. Provide and maintain public facilities and services in an efficient and environmentally responsible manner.
2. Provide public facilities and services in a manner that encourages orderly and sequential growth.

Parks and Recreation Facilities

1. Provide a variety of parks and recreation facilities to serve the diverse needs of the community's citizens.

Historic Preservation

1. Preserve and restore reminders of our origin and historic development as links between past, present, and future generations.

Energy

1. Maximize the conservation and efficient utilization of all types of energy.
2. Develop environmentally acceptable energy resource alternatives.

Citizen Involvement

1. Continue to develop, maintain, and refine programs and procedures that maximize the opportunity for meaningful, ongoing citizen involvement in the community's planning and planning implementation processes consistent with mandatory statewide planning standards.
2. Provide an administrative process for those citizens outside the city limits who require assistance with implementation of *Metro Plan* jurisdictional responsibilities.

***Metro Plan* Review, Amendments, and Refinements**

1. Ensure that the *Metro Plan* is responsive to the changing conditions, needs, and attributes of the community.

Attachment 5a

Metro Plan Chapter III. Specific Elements

K. Citizen Involvement Element

Active, on-going, and meaningful citizen involvement is an essential ingredient to the development and implementation of any successful planning program. Citizens in the Eugene-Springfield metropolitan area have participated in and articulated their concerns on planning activities and decisions as individuals and through various private interest groups, community and neighborhood organizations, and citizen advisory committees.

A citizen's advisory committee was established for the *1990 Plan* and was an integral part of that plan's development. The adopted *1990 Plan* included a recommendation that a permanent citizen's advisory committee be established. That recommendation was implemented by the three governing bodies when the Metropolitan Area Planning Advisory Committee (MAPAC) was established. (MAPAC consisted of 21 members, seven from each jurisdiction.) MAPAC's responsibilities included monitoring the use and implementation of the *Metro Plan*, serving as the Lane Council of Government (LCOG) advisory committee on natural resources, and reviewing and commenting on planning issues of metropolitan-wide significance. MAPAC's responsibilities for conducting a citizen involvement program for the *Metro Plan* were transferred to the Joint Planning Commission Committee (JPCC) in 1990. The JPCC is made up of two planning commissioners from Eugene, Springfield, and Lane County.

In recent years, citizen advisory committees have also been established to provide the citizen's perspective on a wide variety of specific planning issues (e.g., transportation, Greenway, solid waste management).

This emphasis on citizen participation has been recognized at the state level where the Land Conservation and Development Commission (LCDC) adopted citizen involvement as a mandatory statewide planning goal. Eugene, Springfield, and Lane County, in accordance with LCDC's Statewide Planning Goal 1: Citizen Involvement, have each appointed committees for citizen involvement whose responsibilities include developing, monitoring, and evaluating the citizen involvement programs in their respective jurisdictions and recommending programs and techniques which will increase citizen participation.

For the purposes of future updates of the *Metro Plan*, the three governing bodies designated JPCC as the citizens committee for coordinating and soliciting citizen input on the update process. The functions of JPCC also include the monitoring of the citizen involvement process regarding amendments to and the implementation of the *Metro Plan*.

Goal

Continue to develop, maintain, and refine programs and procedures that maximize the opportunity for meaningful, ongoing citizen involvement in the community's planning and planning implementation processes consistent with mandatory statewide planning standards.

Findings, Objectives, and Policies

Findings

1. The Eugene-Springfield metropolitan area has a history of encouraging and recognizing citizen involvement as an essential element in its planning program.
2. Citizen advisory committees have been established to provide the citizen's perspective on a variety of metropolitan-wide planning and related issues.
3. Springfield, Lane County, and Eugene each use either their local planning commission or a committee for citizen involvement in monitoring citizen involvement in the planning process.
4. JPCC has been designated as the citizen organization for developing and conducting a citizen involvement program for the *Metro Plan*, including update processes.
5. The governing bodies have furthered their efforts at citizen involvement through the development and support of community neighborhood organizations, community surveys, citizen involvement advisory committees, and various media techniques for citizen involvement and education.
6. How effective the *Metro Plan* will be depends to a large extent upon how much support is provided by the metropolitan area residents in seeing that the *Metro Plan* is implemented.
7. Successful *Metro Plan* development and implementation is dependent on a joint effort of citizens, public and semi-public agencies, and elected officials.
8. Benefits of an ongoing metropolitan area planning advisory committee to provide citizen perspective include an accumulation of knowledge and experience in the planning process.
9. In 1984, an ongoing metropolitan policy committee, the Metropolitan Planning Committee, was formed to provide policy direction for the *Metro Plan 2-1/2-Year Mid-Period Review*. It was comprised of two elected officials and one Planning Commissioner each from Eugene, Springfield, and Lane County, and one

representative of the metropolitan citizen committee participates as a non-voting member.

10. In 1987, the Metropolitan Planning Committee was replaced by the Metropolitan Policy Committee (MPC). The MPC is comprised of two elected officials each from Eugene, Springfield, and Lane County. The chief administrative officers of the three jurisdictions serve as non-voting, ex-officio members of the MPC. When the MPC is considering metropolitan transportation matters, the two members of the Lane Transit District (LTD) Board shall serve as voting members and the General Manager of LTD and the Director of the Oregon Department of Transportation (ODOT) shall also serve as non-voting, ex-officio members of MPC.
11. The Metropolitan Policy Committee's (MPC's) role in *Metro Plan* land use policy matters has diminished over time. Since 2003, MPC has primarily addressed transportation issues for the Eugene-Springfield Metropolitan Policy Organization (MPO). There is a need for establishing a metropolitan regional policy resolution committee to resolve land use issues and other land use related disagreements at the elected official level among the two cities and the county and fulfill other intergovernmental land use functions as required by the three metropolitan governments.

Objectives

1. Promote and strengthen communication and coordination among various citizens organizations; business, industrial, and other groups in the community; and between these groups and government.
2. Insure adequate opportunities and provide adequate support for citizen involvement in metropolitan planning and related issues.
3. Insure that the roles and responsibilities of the various citizen advisory committees remain effective and responsive vehicles for citizen involvement.
4. Maintain a permanent citizen's advisory committee to monitor the adequacy of citizen involvement in metropolitan-wide planning processes.

Policies

- K.1 Maintain an ongoing citizen advisory committee to the governing bodies of Springfield, Eugene, and Lane County to monitor the adequacy of citizen involvement in the update, review, and amendments to the *Metro Plan*.
- K.2 Maintain and adequately fund a variety of programs and procedures for encouraging and providing opportunities for citizen involvement in metropolitan

area planning issues. Such programs should provide for widespread citizen involvement, effective communication, access to technical information, and feedback mechanisms from policymakers. These programs shall be coordinated with local citizen involvement programs and shall be prepared on the metropolitan level by the JPCC, a committee composed of two representatives from each of the three metropolitan planning commissions.

- K.3 Improve and maintain local mechanisms that provide the opportunity for residents and property owners in existing residential areas to participate in the implementation of policies in the *Metro Plan* that may affect the character of those areas.
- K.4 ~~Maintain~~ Establish an ongoing metropolitan regional policy resolution committee, known as the MRPRC, to provide policy direction on major *Metro Plan* updates, *Metro Plan* amendments, and special studies. MPC shall resolve land use issues and other land use related disagreements at the elected official level among the two cities and the county and fulfill other intergovernmental land use functions as required by the three metropolitan governments. The MRPRC will convene when proposed amendments for which there is no consensus need additional study, conflict resolution, and recommendation back to the governing bodies.
- K.5 In addition to its citizen involvement responsibilities, JPCC shall provide guidance for intergovernmental studies and projects and shall provide a forum at the Planning Commission level for resolving intergovernmental planning issues, including proposed *Metro Plan* amendments.

Attachment 5b

Chapter IV *Metro Plan* Review, Amendments, and Refinements

The *Metro Plan* is the long-range land use public policy document which establishes the broad framework upon which Eugene, Springfield, and Lane County make coordinated land use decisions. While the *Metro Plan* is the basic guiding land use policy document, it may be amended from time to time. Likewise, the *Metro Plan* may be augmented and implemented by more detailed refinement plans and regulatory measures.

Goal

Ensure that the *Metro Plan* is responsive to the changing conditions, needs, and attitudes of the community.

Findings, Objectives, and Policies

Findings

1. If the *Metro Plan* is to maintain its effectiveness as a policy guide, it must be adaptable to the changing needs and circumstances of the community.
2. Between *Metro Plan* updates, changes to the *Metro Plan* may occur through Periodic Review and amendments initiated by the governing bodies and citizens.
3. Refinements to the *Metro Plan* are necessary in certain geographical portions of the community where there is a great deal of development pressure or for certain special purposes.
4. Refinement plans augment and assist in the implementation of the *Metro Plan*.

Objectives

1. Maintain a schedule for monitoring, reviewing, and amending the Metropolitan Area General Plan so it will remain current and valid.
2. Maintain a current land use and parcel information base for monitoring and updating the Metropolitan Area General Plan.
3. Prepare refinement and functional plans that supplement the Metropolitan Area General Plan.

Policies

1. A special review, and if appropriate, Metro Plan amendment, shall be initiated if changes in the basic assumptions of the Metro Plan occur. An example would be a change in public demand for certain housing types that in turn may affect the overall inventory of residential land.
2. The regional land information database shall be maintained on a regular basis.
3. All amendments to the *Metro Plan* shall be classified as a Type I or Type II amendment depending upon the specific changes sought by the initiator of the proposal.
 - a. A Type I amendment shall include any change to the urban growth boundary (UGB) or the *Metro Plan* Plan Boundary (Plan Boundary) of the *Metro Plan*; any change that requires a goal exception to be taken under Statewide Planning Goal 2 that is not related to the UGB expansion; and any amendment to the *Metro Plan* text that is non-site specific.
 - b. A Type II amendment shall include any change to the Metro Plan Diagram or Metro Plan text that is site specific and not otherwise a Type I category amendment.
 - c. Adoption or amendment of some refinement plans, functional plans, or special area plans may, in some circumstances, be classified as Type I or Type II amendments. Amendments to the *Metro Plan* that result from state mandated Periodic Review or *Metro Plan* updates also shall be classified as Type I or Type II amendments depending upon the specific changes that would result from these actions.
4. Initiation of *Metro Plan* amendments shall be as follows:
 - a. A Type I amendment may be initiated at the discretion of any one of the three governing bodies. (Note: this correction reflects adopted ordinance and code.)
 - b. A Type II amendment may be initiated at the discretion of any one of the three governing bodies or by any citizen who owns property that is subject of the proposed amendment.
 - c. Only a governing body may initiate a refinement plan, a functional plan, a special area study or Periodic Review or *Metro Plan* update.
 - d. The governing bodies of the three metropolitan jurisdictions may initiate an amendment to the *Metro Plan* at any time. Citizen initiated Type II amendments may be initiated at any time.

5. The approval process for *Metro Plan* amendments, including the number of governing bodies who participate and the timeline for final action, will vary depending upon the classification of amendment and whether a determination is made that the proposed amendment will have Regional Impact.
 - a. All three governing bodies must approve non-site-specific text amendments; site specific Metro Plan Diagram amendments that involve a UGB or Plan Boundary change that crosses the Willamette or McKenzie Rivers or that crosses over a ridge into a new basin; and, amendments that involve a goal exception not related to a UGB expansion.
 - b. A site specific Type I Metro Plan amendment that involves a UGB expansion or Plan Boundary change and a Type II Metro Plan amendment between the city limits and Plan Boundary, must be approved by the home city and Lane County (Springfield is the home city for amendments east of I-5 and Eugene is the home city for amendments west of I-5). The non-home city will be sent a referral of the proposed amendment and, based upon a determination that the proposal will have Regional Impact, may choose to participate in the decision. Unless the non-home city makes affirmative findings of Regional Impact, the non-home city will not participate in the decision.
 - c. An amendment will be considered to have Regional Impact if:
 - (1) It will require an amendment to a jointly adopted functional plan [*Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan)*, *Eugene-Springfield Public Facilities and Services Plan (Public Facilities and Services Plan)*, etc.] in order to provide the subject property with an adequate level of public facilities and services; or
 - (2) It has a demonstrable impact on the water, storm drainage, wastewater, or transportation facilities of the non-home city; or
 - (3) It affects the buildable land inventory by significantly adding to Low Density Residential (LDR), Campus Industrial (CI), Light-Medium Industrial (LMI), or Heavy Industrial (HI) designations or significantly reducing the Medium Density Residential (MDR), High Density Residential (HDR), or Community Commercial (CC) designations.
 - d. A jurisdiction may amend a *Metro Plan* designation without causing Regional Impact when this action is taken to: compensate for reductions in buildable land caused by protection of newly discovered natural

resources within its own jurisdiction; or accommodate the contiguous expansion of an existing business with a site-specific requirement.

- e. Decisions on all Type II amendments within city limits shall be the sole responsibility of the home city.
6. Public hearings by the governing bodies for *Metro Plan* amendments requiring participation from one or two jurisdictions shall be held within 120 days of the initiation date. *Metro Plan* amendments that require a final decision from all three governing bodies shall be concluded within 180 days of the initiation date. When more than one jurisdiction participates in the decision, the Planning Commissions of the participating jurisdictions shall conduct a joint public hearing and forward that record and their recommendations to their respective elected officials. The elected officials also shall conduct a joint public hearing prior to making a final decision. The time frames prescribed in connection with Type II *Metro Plan* amendment processes can be waived if the applicant agrees to the waiver.
7. If all participating jurisdictions reach a consensus to approve a proposed amendment, substantively identical ordinances affecting the changes shall be adopted. Where there is a consensus to deny a proposed amendment, it may not be re-initiated, except by one of the three governing bodies, for one year. Amendments for which there is no consensus shall be referred to an agreed upon subset of the three governing bodies called the Metropolitan Regional Policy Resolution Committee (MRPRC) for additional study, conflict resolution, and recommendation back to the governing bodies.
8. Adopted or denied *Metro Plan* amendments may be appealed to the Oregon Land Use Board of Appeals (LUBA) or the Department of Land Conservation and Development (DLCD) according to applicable state law.
9. The three metropolitan jurisdictions shall jointly develop and adopt *Metro Plan* amendment application procedures and a fee schedule.
10. *Metro Plan* updates shall be initiated no less frequently than during the state required Periodic Review of the *Metro Plan*, although the governing bodies may initiate an update of the *Metro Plan* at any time.
11. In addition to the update of the *Metro Plan*, refinement studies may be undertaken for individual geographical areas and special purpose or functional elements, as determined appropriate by each governing body.
12. All refinement and functional plans must be consistent with the *Metro Plan* and should inconsistencies occur, the *Metro Plan* is the prevailing policy document.

13. Refinement plans developed by one jurisdiction shall be referred to the other two jurisdictions for their review. Either of the two referral jurisdictions may determine that an amendment to the *Metro Plan* is required.
14. Local implementing ordinances shall provide a process for zoning lands in conformance with the *Metro Plan*.

Attachment 5c

Lane Code Chapter 12

LC 12.235(5)

(5) Conflict Resolution Process. The following process shall be used when the governing bodies do not enact identical decisions on the proposed Metro Plan amendment.

- (a) The Metro Plan amendment shall be referred to the Metropolitan Regional Policy Resolution Committee within five days after the last governing body action. The Metropolitan Regional Policy Resolution Committee shall meet within 30 days of the referral to hear comments on the proposed amendment from the applicant, staff of the affected jurisdictions and interested persons. The committee may develop a recommendation to the governing bodies on the proposed amendment. The Metro Plan amendment shall be denied if the committee fails to act within 30 days of the referral date or if the governing bodies fail to adopt identical plan amendment actions within 45 days of receiving a recommendation from the committee.
- (b) If the plan amendment is denied because of lack of consensus or committee inaction, within 5 days the planning director of the home jurisdiction where the application originated shall issue a denial decision on the amendment containing findings and conclusions on why the proposed amendment does not meet the approval criteria. Those findings and conclusions may incorporate findings and conclusions previously adopted by one or both of the governing bodies. The decision of the director is final.

Attachment 5d

BYLAWS METROPOLITAN POLICY COMMITTEE

ARTICLE I: NAME

This Committee, being duly and officially established by joint resolution of the Cities of Springfield and Eugene and Lane County, Oregon, shall be known as the Metropolitan Policy Committee (MPC).

ARTICLE II: PURPOSES AND FUNCTIONS

The MPC is an intergovernmental committee created to promote problem solving and to resolve intergovernmental disagreements among the two cities and the county.

A. Purpose: MPC's purposes are as follows:

1. To develop and negotiate solutions to intergovernmental problems.
2. To serve as a forum for developing recommendations for resolving intergovernmental disputes.
3. To identify a long-term agenda for intergovernmental efforts.
4. To promote intergovernmental cooperation and coordination between and among local governments.

B. Functions: MPC's functions are as follows:

1. To fulfill the functions of MPC, as outlined in the Eugene-Springfield Metropolitan Area General Plan, and to resolve intergovernmental land use issues.
2. To fulfill the intergovernmental policy committee functions associated with the metropolitan cable television system, as required of the Metropolitan Cable Television Commission under the franchise ordinances.
3. To fulfill the metropolitan transportation planning responsibilities as delegated by the Lane Council of Governments Board of Directors, the designated Metropolitan Planning Organization for the metropolitan region including, but not limited to:
 - 3.1. Providing policy guidance related to the conduct of the transportation planning process,
 - 3.2. Adoption of the Regional Transportation Plan meeting federal requirements,
 - 3.3. Adoption of the annual Unified Planning Work Program,
 - 3.4. Adoption of the Transportation Improvement Program meeting federal requirements,
 - 3.5. Conducting the Air Quality Conformity determination,
 - 3.6. Adoption of a Congestion Management Plan, and
 - 3.7. Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule
 - 3.8. Providing a report to the LCOG Board of Directors at least annually on performance of its Metropolitan Planning Organization duties, including the results of any federal certification review
4. To fulfill the policy committee functions associated with the urban services transition process.

5. To fulfill the intergovernmental policy committee functions associated with the oversight of the Regional Parks and Open Space Study.
6. To fulfill other intergovernmental functions as recommended by one or more of the three elected bodies and formally accepted by MPC.

ARTICLE III: MEMBERSHIP

Section 1: General Membership

The MPC shall consist of six voting members and three non-voting ex-officio members from Eugene, Springfield, and Lane County.

Section 2: Special Membership

When MPC is considering transportation matters related to the MPO, the MPC shall consist of ten voting members and six non-voting ex-officio members.

When MPC is considering matters involving the Regional Parks and Open Space Study, the MPC shall consist of eight voting members and four non-voting ex-officio members.

Section 3: Appointment

The members of the MPC shall be appointed in the following manner:

- A. For all matters before MPC, Eugene, Springfield, and Lane County shall each select two elected officials from their respective jurisdictions as voting members.
- B. For consideration of metropolitan transportation matters, the Board of the Lane Transit District shall appoint two of its members to serve as voting members.
- C. For consideration of transportation matters which are related to the MPO, the Director of ODOT shall appoint a senior staff representative (and one or more alternates) to serve as a voting member. The City of Coburg shall appoint an elected official from that jurisdiction to serve as a voting member.
- D. For consideration of regional parks and open space study matters, the Board of the Willamalane Park and Recreation District shall appoint two of its members to serve as voting members.
- E. The City Managers of Eugene and Springfield and the Lane County Administrator shall serve as non-voting ex-officio members on all matters before MPC.
- F. When MPC is considering metropolitan transportation matters, the General Manager of Lane Transit District or his/her designee shall serve as a non-voting ex-officio member.
- G. For consideration of transportation matters which are related to the MPO, the Director of ODOT or his/her designee, and the City Administrator of Coburg or his/her designee shall serve as non-voting ex-officio members.
- H. When MPC is considering regional parks and open space study matters, the Superintendent of Willamalane Park and Recreation District shall serve as a non-voting ex-officio member.

Section 4: Alternates

The Councils and Board of Commissioners may appoint an elected official alternate. The District Boards may appoint one of their members as an alternate. The ODOT Director may appoint senior staff as alternates. Each non-voting ex-officio member may designate an alternate.

Section 5: Tenure

The voting committee members shall serve at the pleasure of their respective Council, Board of Commissioners, District Board, or the ODOT Director.

Section 6: Vacancies

If a vacancy occurs, the respective Council, Board of Commissioners, District Board, or the ODOT Director shall select a new member.

ARTICLE IV: MEETINGS

Section 1: Regular Meetings

The Committee shall establish the time and place for the holding of regular monthly meetings. Special meetings may be held as necessary.

Section 2: Special Meetings

- A. Special meetings of the Committee may be called by the Chairperson, Vice-Chairperson, or a majority of the voting MPC membership from Eugene, Springfield, and Lane County.
- B. The person(s) calling such meetings shall fix the time and place for the holding of such meetings.

Section 3: Notice of Meetings

Notice of all meetings shall be given to all members and ex-officio members at least three days prior to such meetings.

Section 4: Conduct of Meeting

- A. Five voting members, including at least one representative from Eugene, Springfield, Lane County, and the Lane Transit District, shall constitute a quorum when the MPC is considering metropolitan transportation.
- B. Five voting members, including at least one representative Eugene, Springfield, Lane County, and the Willamalane Park and Recreation District, shall constitute a quorum when the MPC is considering regional parks and open space study matters.
- C. Otherwise, four voting members from Eugene, Springfield, and Lane County, including at least one elected representative from each of these jurisdictions, shall constitute a quorum of the MPC.
- D. All formal actions shall require the vote of at least a simple majority of the quorum present and the affirmative vote of at least one elected representative from Eugene, Springfield, and Lane County. In the case of a tie vote, the issue shall be considered unresolved and may be voted upon again.
- E. All meetings shall be conducted in accordance with "Roberts's Rules of Order, Newly Revised," and the Oregon Open Meetings Law (ORS 192.610 to 199.710).
- F. Ex-officio members can participate in all discussions and deliberations of the MPC. The ex-officio members shall have no vote and shall not make or second motions.

ARTICLE V: OFFICERS AND DUTIES

Section 1: Officers

- A. The officers of the Committee shall be a Chairperson and Vice-Chairperson elected by the voting membership for a one-year term. Officers shall be drawn from Eugene, Springfield, or Lane County voting members.

- B. In the event an officer is not able to complete his or her duties, the Committee shall elect a new officer.

Section 2: Duties

- A. The Chairperson shall preside at all meetings and is entitled to vote on all issues.
- B. The Vice-Chairperson shall perform all duties of the Chairperson when the Chairperson is absent; the Vice-Chairperson is entitled to vote on all issues.
- C. In the absence of the Chairperson and Vice-Chairperson, the Committee shall elect a Chairperson Pro Tem for the particular meeting in question.

ARTICLE VI: ADOPTION AND AMENDMENTS TO BYLAWS

Immediately following adoption of the original MPC bylaws, the bylaws shall be submitted to the two Councils and the Board of Commissioners for review. Any Council or Board objections to the original MPC bylaws shall be forwarded to MPC within 14 days of MPC action.

These bylaws may be amended or repealed, or new bylaws may be adopted, by an affirmative vote of the majority of the members of the Committee present at any meeting called for that purpose at which a quorum is present. Written notice of such proposed amendment and the nature thereof shall have been given to the membership of the Committee and the Councils and Board of Commissioners at least 30 days prior to the date of the meeting at which the amendments are to be considered. Distribution of proposed bylaw changes to the Chief Administrative Officers of member's agencies shall be in addition to notice to Councils and Boards. Any Council or Board objections to the proposed amendments shall be forwarded to MPC within 30 days of receipt.

Approved by MPC: 5/7/87

Amended by MPC: 11/14/91

Amended by MPC: 2/8/01

Amended by MPC: 8/15/02

Amended by MPC: 2/13/03

Attachment 5e

MEMORANDUM

City of Springfield

To: Byron Vanderpool, Director Lane Council of Governments
From: Greg Mott, Planning Manager, City of Springfield
Date: February 23, 2010
Subject: Policy Set

Byron,

We talked a little about the policy set issue for SEL at Planning Director's on February 18th, so for your benefit I'll reprise my comments for what they're worth to this project. You may have heard these before so I'll apologize in advance for the gaffe.

The designation of CLMPO as a TMA precipitated several changes in the structure and relationship of the MPC, the *Metro Plan*, *TransPlan*, the emerging stand alone document known as the RTP and an entirely new piece of work known administratively as the Regional Transportation System Plan (RTSP). I believe that this transformative occurrence to our historic working relationship within the MPO in general, and transportation planning in particular, did not receive the attention it deserved and as a result we (MPO and partners) are still reaping the consequences of our inattention to the full weight of this matter. The TMA designation resulted in the following *significant* changes:

A New Plan Boundary for the MPO

The establishment of a new transportation area planning boundary that included the City of Coburg and several population concentrations outside of the *Metro Plan* boundary. Prior to the TMA designation the transportation area planning boundary and the *Metro Plan* boundary were one and the same therefore the land use transportation connection required by state law [and recognized by the *coordination* requirements of federal law] was accommodated by the *Metro Plan* and *TransPlan*. The new TMA boundary could not be matched by/with the *Metro Plan* or *TransPlan* without an expansion of the *Metro Plan* boundary and the City of Coburg becoming the fourth governing body to adopt the *Metro Plan*. Both of these circumstances are so thoroughly encumbered by state law and local politics that such an outcome is beyond reasonable expectation.

In response to this unrealistic proposition, a "new" self-contained transportation plan, the CLMPO Regional Transportation Plan (RTP), was created. Such an outcome was inevitable even if it wasn't required by federal law if for no other reason to be able to distinguish between the MPO's federal obligations and local government's state law obligations. However, instead of limiting the development of this new plan to federal standards, the bulk of state law (TPR) included in *TransPlan* was included in the RTP, up to and including alternative performance standards imposed by LCDC that required *land use amendments* to the *Metro Plan*. Of course

you know that neither the MPO nor the MPC has the authority to make land use decisions as that action is described by state law.

At the same time the RTP was being dressed in *TransPlan* clothing, *TransPlan* was not amended to delete the federal components, in particular the “financially constrained project list,” no longer necessary with the ascendancy of the RTP as the MPO’s federally required transportation plan. As a result, about the only meaningful difference discernible to the public at large between the RTP and *TransPlan* (save the boundaries) is the adoption/amendment process: the former is the sole responsibility of MPC (now) and subject to *federal law*; the latter is the joint responsibility of Eugene, Springfield and Lane County elected officials (JEO) and is subject to *state law*.

A New Transportation Plan for the MPO

2) The federal planning component contained in *TransPlan* was elevated to its own status of Regional Transportation Plan. The requirements of the RTP were/are based on federal law, *not state land use law*, yet all of the state law requirements (TPR) of a transportation system plan, which are contained in *TransPlan*, were for all intents and purposes transferred intact into the RTP. The hasty creation of the RTP also left no time to make appropriate changes to *TransPlan*, including *deleting* unnecessary federal components. This has led to the false impression that state land use law is implemented by federal law and federal agencies (MPC’s new role). Corroborating this impression was a law suit brought by the Friends of Eugene after the RTP update was adopted in December, 2004 (*Friends of Eugene v. Lane Council of Governments*; LUBA No. 2004-223). The LUBA decision included the following observations that are relevant to our current predicament:

“As far as we can tell, respondents are correct that TransPlan was used as a template, and the MPC simply pasted many of the provisions of TransPlan into the new RTP. The RTP was not adopted by the jurisdictions that would have been required to adopt it if it were to serve as the local TSP, demonstrating compliance with the TPR. The purpose and intent of the decision maker was to bifurcate the local TSP documents from the federally mandated RTP. It seems clear that the decision maker [MPC] used the TransPlan format and carried over some of the policies in TransPlan as a result of the short timeline required for adoption of the RTP. However, the references to the TPR and local comprehensive plan provisions are merely words on a page. (Emphasis added)

“While provisions of the TPR and local comprehensive plan are cited in the RTP, petitioners have not demonstrated that the MPC was required to apply, or that it in fact applied, the goals, a comprehensive plan provision or land use regulation in adopting a federally mandated transportation plan. See Jaqua v. City of Springfield, 46 Or LUBA at 574; see also Price v. Clatsop County, 25 Or LUBA 341, 347-48 (1993) (the burden is on petitioner to establish that the challenged decision is a land use decision and where petitioner fails to identify any comprehensive plan provision as applicable to, or argue that any plan provision is an approval standard for, the challenged decision, LUBA does not have jurisdiction)). In our view, mere references to statewide planning goals, comprehensive plan provisions or land use regulations in a transportation planning document that is intended to demonstrate compliance with federal law is not an application of those goals, plan provisions or land use regulations for purposes of ORS 197.015(10).”

The following citations from OAR 660-012 are instructive in the description of plans, planning efforts and planning responsibilities related to federal, regional and local transportation plans:

OAR 660-012-0005

(14) "Metropolitan Planning Organization (MPO)" means an organization located within the State of Oregon and designated by the Governor to coordinate transportation planning in an urbanized area of the state including such designations made subsequent to the adoption of this rule.

(26) "Regional Transportation Plan" or "RTP" means the long-range transportation plan prepared and adopted by a metropolitan planning organization for a metropolitan area as provided for in federal law.

38) "Transportation System Plan (TSP)" means a plan for one or more transportation facilities that are planned, developed, operated and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas.

OAR 660-012-0010

(2) MPOs and counties shall prepare and amend regional TSPs in compliance with this division. MPOs shall prepare regional TSPs for facilities of regional significance within their jurisdiction. Counties shall prepare regional TSPs for all other areas and facilities:

a) Regional TSPs shall establish a system of transportation facilities and services adequate to meet identified regional transportation needs and shall be consistent with adopted elements of the state TSP;

I Regional TSPs prepared by MPOs other than metropolitan service districts shall be adopted by the counties and cities within the jurisdiction of the MPO.

(3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division:

(a) Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP;

(4) Cities and counties shall adopt regional and local TSPs required by this division as part of their comprehensive plans.

(5) The preparation of TSPs shall be coordinated with affected state and federal agencies, local governments, special districts, and private providers of transportation services.

(1) In metropolitan areas, local governments shall prepare, adopt, amend and update transportation system plans required by this division in coordination with regional

transportation plans (RTPs) prepared by MPOs required by federal law. Insofar as possible, regional transportation system plans for metropolitan areas shall be accomplished through a single coordinated process that complies with the applicable requirements of federal law and this division. Nothing in this rule is intended to make adoption or amendment of a regional transportation plan by a metropolitan planning organization a land use decision under Oregon law.

OAR 660-012-0025

(1) Except as provided in section (3) of this rule, adoption of a TSP shall constitute the land use decision regarding the need for transportation facilities, services and major improvements and their function, mode, and general location.

(2) Findings of compliance with applicable statewide planning goals and acknowledged comprehensive plan policies and land use regulations shall be developed in conjunction with the adoption of the TSP.

OAR 660-012-0035

(e) Metropolitan areas shall adopt TSP policies to evaluate progress towards achieving the standard or standards adopted and approved pursuant to this rule. Such evaluation shall occur at regular intervals corresponding with federally-required updates of the regional transportation plan. This shall include monitoring and reporting of VMT per capita.

OAR 660-012-0045

(1) Each local government shall amend its land use regulations to implement the TSP.

A New Decision-Making Role for MPC

3) The LCOG Board delegated its approval authority for the RTP to the MPC (this is analogous to the group of elected officials who serve on the Metropolitan Waste Water Management Commission). This new role required amending the MPC by-laws to include this federal responsibility but the other principal functions of the MPC (including Cable TV) remain and present another confusing relationship regarding purpose and function:

To fulfill the functions of MPC, as outlined in the Eugene-Springfield Metropolitan Area General Plan, and to resolve intergovernmental land use issues. To fulfill the policy committee functions associated with the urban services transition process.

To fulfill the intergovernmental policy committee functions associated with the oversight of the Regional Parks and Open Space Study.

To fulfill other intergovernmental functions as recommended by one or more of the three elected bodies and formally accepted by MPC.

These multiple hats are confusing and, based on the past 5 years of MPC meetings, increasingly irrelevant. Virtually every MPC meeting agenda since adoption of the RTP in 2004 has been for the purpose of complying with federal requirements, including discussions, public hearings or voting on federal transportation matters consistent with the bylaws enacted after the TMA designation. This specific responsibility includes the following:

- Adoption of the Regional Transportation Plan meeting federal requirements,
- Adoption of the annual Unified Planning Work Program,
- Adoption of the Transportation Improvement Program meeting federal requirements,
- Conducting the Air Quality Conformity determination,
- Adoption of a Congestion Management Plan, and
- Other responsibilities of a Metropolitan Planning Organization/Transportation Management Area as set forth by federal or State statute or rule

MPC used to have a more dynamic role in *Metro Plan* and *TransPlan* matters, particularly when the *Metro Plan* was first prepared and then during subsequent periodic reviews (1986, 1994). Staff made numerous presentations to MPC to elicit recommendations on policy development as the *Metro Plan* and *TransPlan* updates were prepared. These recommendations were routinely accepted by each of the governing bodies when formal action was undertaken.

MPC also is the recognized dispute resolution mechanism when one or more of the partners can't agree on a *Metro Plan* or *TransPlan* amendment proposal that requires unanimous concurrence. This process and function is not always successful, but as originally conceived and practiced, there was a positive expectation that differences among the governing bodies could be isolated and either excluded from the proposal or amended in a way that moderated the issue sufficiently to allow the proposal to be acceptable. Recent experience with this process has led to JEO agreement that an alternative conflict resolution process needs to be developed; the local government staff, with assistance from LCOG staff, are preparing several options for JEO consideration later this year.

The MPO staff used to have more direct participation in the development of the *Metro Plan*, *TransPlan* and subsequent amendments and updates to those documents. As recently as the last Periodic Review and *TransPlan* update (late 1990's through 2004), LCOG staff acted as project managers for much of this work and local government staff were technical advisors and policy experts for their respective jurisdictions. Since the advent of the TMA designation and the restructuring of MPC's role, LCOG staff has participated in *Metro Plan* and *TransPlan* activities exclusively in a coordinating or support capacity, never as lead staff or project managers (RTSP development being the single exception). Contemporary examples of the current MPO-local government relationship are: the new county-wide population forecasting process; the work each city is undertaking to comply with HB 3337; the work each city is undertaking to comply with the October 2008 LCDC order for TPR compliance; and the work each city will need to complete to amend the *Metro Plan* in response to new urban growth boundaries, new transportation system plans and ultimately the new Regional Transportation System Plan. I fully recognize the active participation of LCOG in the project management of the preparation of the RTSP; however, this is a specific requirement of state law (See OAR 660-012-0010 above); the preparation of documents needed to support amendment of the *Metro Plan* and *TransPlan* to include the RTSP is the responsibility of local government staff and the decision to amend the *Metro Plan* and *TransPlan* lies with the governing bodies of Eugene, Springfield and Lane County, not the MPO

or MPC. This distinction is blurred by MPC as decision-maker for federal MPO requirements, the MPO as the preparer of the RTSP and the local governments, including Coburg now, as those responsible for *adopting* the RTSP into the *Metro Plan* or Coburg land use plan.

As the TMA designation has resulted in the restructuring of the RTP and *TransPlan* and triggered the need to create the RTSP; and as the restructuring of the Eugene and Springfield urban growth boundaries (HB3337) has triggered the need to develop new *Metro Plan* procedures; and as the appointment of the MPC as decision-maker for federal transportation issues has restructured the role of this group and the MPO staff; it is obvious that the purpose and role of the MPC in the evolving context of the *Metro Plan* and *TransPlan* needs a thorough evaluation. I believe such an evaluation can be incorporated into the ongoing work assigned to the Planning Directors by the JEO last summer and can be completed well in advance of the adoption schedule for the RTSP and the necessary amendments to the *Metro Plan* and *TransPlan* that project will require. I believe that the sooner MPC's role within the MPO is linked exclusively to federal responsibilities, and MPC's role (if retained) within the *Metro Plan* and *TransPlan*, is clearly linked to state responsibilities, the easier it will be for the citizens of this region to participate in the myriad and overlapping land use and transportation decision packages. This memorandum reflects my opinion and not that of the City of Springfield or the regional planning directors.

Attachment 5f

E-mails between Byron Vanderpool and Greg Mott regarding Greg's Memo

Greg:

No offense meant or taken on my part. I hate e-mail for these discussions because it may seem I'm sounding critical when that's absolutely not the case. Hence my suggestion of a meeting.

I do know that you and Tom worked very hard to head off changes to the TPR which created the RTSP requirements. I agree completely, and believe I've stated publicly more than once, that I see no useful purpose in forcing the locals to create an RTSP. Seems like duplicative, non-value adding work to me. My questions to DLCD staff about the value of this work have never been answered to my satisfaction. When they can neither describe such a document, nor provide me with a real example of one, I really have to question the process.

Byron...

From: MOTT Gregory [mailto:gmott@ci.springfield.or.us]
Sent: Thursday, February 25, 2010 14:06
To: VANDERPOOL Byron
Cc: GRIMALDI Gino; GRILE Bill; GARDNER Lisa A; HOWE Kent; LAIRD Matt P; MUJIR Susan L; KENT Jamon (LCOG); BANKS Megan H; RINER Andrea G
Subject: RE: Memo to Brian Vanderpool Policy Set

Byron,

I appreciate the response. My opinion about discussing the continued relevance of the MPC as part of the Metro Plan-TransPlan structure is partly because of the new purpose it serves for the MPO, partly because a new reality is rapidly approaching the Metro Plan, and partly because the JEO have decided to meet quarterly to discuss issues of mutual interest. I don't disagree that MPC or some variation of MPC might continue to serve a legitimate purpose, but I think it needs to be determined in the context of a post HB3337 Metro Plan so I'm not sure the existing Metro Plan text or the continuing auspices of the MPO will remain germane.

I know there are budgetary considerations for many of the tasks we perform and I didn't speak directly to that in my memo; I didn't mean to offend.

You may not recall, but Tom Schwetz and I traveled to Medford several years back so that I could testify before LCDC that I thought some of the revisions proposed for the TPR were problematic. I was concerned with the confusing and duplicative requirement for MPO's to prepare a RTP and a RTSP and require local government to have TSPs; two regional plans? I didn't see the added value to that even if the RTP was not subject to state law. The issues addressed by/in the RTP are nearly identical to the requirements for the RTSP. Combine the

direction and policy contained in the RTP with the elements of local TSPs and there really aren't any meaningful gaps in the region's transportation planning. Apparently my testimony wasn't very compelling because we are in the very spot I hoped I could persuade LCDC wasn't necessary.

gmott

From: VANDERPOOL Byron [mailto:BVanderpool@lcog.org]
Sent: Thursday, February 25, 2010 11:29 AM
To: MOTT Gregory
Cc: GRIMALDI Gino; GRILE Bill; GARDNER Lisa A; HOWE Kent; LAIRD Matt P; MUIR Susan L; KENT Jamon (LCOG); BANKS Megan H; RINER Andrea G
Subject: RE: Memo to Brian Vanderpool Policy Set

Greg:

Thanks for putting this together. I agree with most of it, but disagree on a couple of items.

In particular, I'd suggest the MPC can still be used for general metro planning purposes (actually my opinion is *it should be*), but that needs to be a decision by the MPC owners (Eugene, Springfield and Lane County) to use it for that purpose. Once development of the Metro Plan, TransPlan, and to a lesser degree periodic review were completed, I've seen less and less referred there. Since it's a standing meeting, with an established structure, and is staffed, I see it as a logical choice for exactly those discussions you describe. I'd love to move the MPO business along more expeditiously, and having other important regional discussions would, I believe, help.

Second, with respect to MPO staff involvement in direct development and/or leadership of the development of TSP's, etc. that was the result of FHWA informing us we could no longer use MPO (federal) planning funds for local process. LCOG is still willing to fill this role, we can simply no longer provide the funding for it from the federal sources we once (apparently inappropriately) used. We could talk about adding this into, for example, the Metro Plan contract. I sensed a couple of years back, perhaps inaccurately, that there was concern LCOG was driving the regional process too much. If I was/am in error, and you want us to be more forceful (for lack of a better term) in this role, I apologize and would be happy to work with the group to ensure you're receiving the type and level of service you want.

With respect to the RTSP, note that's a relatively recent requirement under state law. It is not a result of change in MPO status to a TMA. In the good old days, the LCOG board adopted "TransPlan" as the RTP, the local jurisdictions adopted it as their respective TSP's, thus both federal and state requirements were met. I certainly wouldn't disagree that a further separation of the state elements out of the RTP would be very desirable.

Please take these as minor disagreements with your work. It's an outstanding document and can serve to inform the process further.

Would it be possible to join in a meeting with all of you to discuss this?

Byron...

PASSED

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

ORDER No.) IN THE MATTER OF AUTHORIZING STAFF TO
10-5-19-9) MAKE APPLICATION TO DEPARTMENT OF
) LAND CONSERVATION AND DEVELOPMENT
) FOR OREGON TRANSFER OF DEVELOPMENT
) RIGHTS PILOT PROGRAM

WHEREAS, the Board of County Commissioners of Lane County are interested in developing a Transfer of Development Rights program; and

WHEREAS, the 2009 Oregon Legislature enacted Senate Bill 763 to encourage Transfer of Development Rights in Oregon and HB 2228 enacted the Oregon Transfer of Development Rights (TDR) Pilot Program; and

WHEREAS, the Board of County Commissioners of Lane County is interested in exploring and developing local TDR projects that conserve private forest lands for timber production and for other forest uses; and

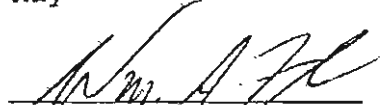
WHEREAS, the Board of County Commissioners of Lane County can hold conservation easements, monitor and restrict residential development on vacant M49 claim forestland from which the development rights could be transferred to the Unincorporated Community of Blue River; and

WHEREAS, on April 28 and May 19, 2010, the Board of County Commissioners considered exploring and developing local TDR projects and participating in the Oregon Transfer of Development Rights Pilot Program; and

WHEREAS, this matter having been fully considered by the Lane County Board of Commissioners.

NOW, THEREFORE IT IS HEREBY ORDERED that the Land Management Division is authorized to make application to the Department of Land Conservation and Development Oregon Transfer of Development Rights Pilot Program to explore and develop local TDR projects that conserve private forest lands for timber production and other forest uses.

DATED this 19th day of May, 2010.



Bill Fleenor, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 5-13-2010 Lane County



OFFICE OF LEGAL COUNSEL

Department of Land Conservation and Development
Oregon TDR Pilot Program

APPLICATION

Please provide the information requested below.

Applicants must be units of local government.

Type or write requested information in the space provided.

Submit completed application and enclosures – NO LATER THAN JUNE 1, 2010

Date: May 19, 2010

Applicant: Lane County Land Management Division

Address: 125 E. 8th Ave./PSB, Eugene, OR 97401

Phone: 541-682-3734 Email address: kent.howe@co.lane.or.us

Contact person and title: Kent Howe, Planning Director

Co-Applicant: 1000 Friends of Oregon

Address: 220 E. 11th Ave., Suite 5, Eugene, OR 97401

Phone: 541-653-8703 Email address: Mia@friends.org

Contact person and title: Mia Nelson, Willamette Valley Advocate

Enclosures: A letter of interest from the owner(s) of at least 50% of the land in the proposed sending area

A concept plan consistent with the requirements of OAR 660-028-0030 that describes the proposed TDR pilot project (see p. 2)

Abstract: Use up to 50 words to describe the proposed TDR project and partners

Lane County has 161 M49 Claims in the Forest Land Zones (39 claims in the Nonimpacted, F-1 zone and 123 claims in the Impacted, F-2). These claims comprise approximately 14,783 acres (8,191 acres F-2 land and 6,592 acres F-1 land). We propose to develop a TDR program that would allow the transfer of development rights from qualifying (less than 5 dwellings per square mile) M49 Forest Land sending areas to the economically depressed Rural Unincorporated Community of Blue River receiving areas.

Sending area information:

1. Zone: Nonimpacted (F-1) and Impacted (F-2) Forest Zones Minimum lot size: 80 acres
2. Number of ownerships: 162 M49 Claims
3. Total acreage: 14,783 ac. from which a subset of qualifying M49 claims will not exceed 10,000 acres.
4. Forest land productivity (cu ft site class): Variable
5. Other forest values: open space, wildlife habitat, etc.
6. Existing residential density per square mile: Less than 5 dwellings/sq. mile
7. Proximity to a UGB (miles): Variable
8. Proposed holder of conservation easement or otherwise ensure on a permanent basis that additional residential development does not occur in the sending area: Lane County

Receiving area information:

1. Zone: Rural Residential Minimum lot size: 1 acre or not to exceed sewer capacity
2. Number of ownerships: 190
3. Total acreage: 245 ac.
4. Buildable land area: depends on allowed density (1 ac or not to exceed sewer cap)
5. Proximity to Metro UGB (miles): N/A
6. Proximity to public sewer and water (miles): Not available at present
7. Location:
 - a. Inside a UGB
 - b. In an exception area adjacent to a UGB
 - c. In an unincorporated community X (coterminous with the boundary of the Rural Unincorporated Community of Blue River)
8. If 7b applies, is the UGB proposed for expansion to include exception area? N/A
9. If 7b and/or 8 applies, will the receiving area be authorized for 10 dus/acre? N/A
10. Proposed TDR transfer ratio (sending/receiving): 1:1

Concept Plan

On a separate sheet(s), please describe the proposed project addressing each of the sections below:

1. Proposed amendments to the local government comprehensive plan and land use regulations necessary to implement the pilot project.
2. A tentative schedule for adoption of the amendments.
3. A description of any other proposed actions intended to implement the project.
4. Maps and other pertinent information describing the proposed sending areas and receiving areas.
5. Proposed transfer ratios and other incentives for participation.
6. A letter from a qualified entity as defined in ORS 271.715 expressing interest in holding and monitoring any conservation easement or similar restriction on development.

Lane County TDR Pilot Program Concept Plan

1. Proposed amendments to the local government comprehensive plan and land use regulations necessary to implement the pilot project.
Post Acknowledgement Plan Amendment (PAPA) to increase residential density in Rural Unincorporated Community of Blue River pursuant to OAR 660-022-0030, Planning and Zoning of Unincorporated Communities.

Develop overlay zone for TDR receiving area in the Rural Unincorporated Community of Blue River.

Upon sewer capability, PAPA to redesignate the Rural Unincorporated Community of Blue River an Urban Unincorporated Community and increase residential density and small-scale, low impact commercial use, and mixed use zone pursuant to OAR 660-022-0030 – 0060.
2. A tentative schedule for adoption of the amendments.
Jan – Mar 2011 – Community Vision – qualifying M49 forestland claimants and Blue River Community.
Apr – Jun 2011 - Draft Community Plan Diagram, Text Amendments and TDR receiving area overlay zone.
Jul – Sep 2011 - Community Presentations, qualifying M49 forestland claimants and Blue River Community.
Oct. – Dec 2011 - Public Hearings for PAPA to adopt TDR Receiving Area Overlay Zone in Unincorporated Community of Blue River, increase residential density in Rural Unincorporated Community of Blue River pursuant to OAR 660-022-0030.
3. A description of any other proposed actions intended to implement the project.
 - Develop tracking system for County management of conservation easements.
 - Will need to establish the number of development rights that might transfer from qualifying M49 forestland properties to the Blue River Community.
 - Will need to establish the number of receiving areas available in the Blue River Community.
4. Maps and other pertinent information describing the proposed sending areas and receiving areas.
Attached maps
 - Lane County sending areas (M49 Claims on land designated Forest Land)
 - Rural Unincorporated Community of Blue River

5. Proposed transfer ratios and other incentives for participation.
Determine if maximum 1:1 transfer ratio allowed by law is enough incentive to encourage development in receiving area.

6. A letter from a qualified entity as defined in ORS 271.715 expressing interest in holding and monitoring any conservation easement or similar restriction on development.
As the permitting authority for residential development, Lane County can hold, monitor and restrict residential development on the vacant M49 forestland from which the development right is transferred to the Urban Unincorporated Community of Blue River.

Attachment 7

Department of Land Conservation and Development Oregon TDR Pilot Program

DRAFT APPLICATION

Please provide the information requested below.

Applicants must be units of local government.

Type or write requested information in the space provided.

Submit completed application and enclosures – NO LATER THAN JUNE 1, 2010

Date: July 29, 2010

Applicant: Lane County Land Management Division

Address: 125 E. 8th Ave./PSB, Eugene, OR 97401

Phone: 541-682-3734 Email address: kent.howe@co.lane.or.us

Contact person and title: Kent Howe, Planning Director

Co-Applicant: 1000 Friends of Oregon

Address: 220 E. 11th Ave., Suite 5, Eugene, OR 97401

Phone: 541-653-8703 Email address: Mia@friends.org

Contact person and title: Mia Nelson, Willamette Valley Advocate

- Enclosures:
- A letter of interest from the owner(s) of at least 50% of the land in the proposed sending area
 - A concept plan consistent with the requirements of OAR 660-028-0030 that describes the proposed TDR pilot project (see p. 2)

Abstract: Use up to 50 words to describe the proposed TDR project and partners

Lane County has 162 M49 Claims in the Forest Land Zones (39 claims in the Nonimpacted, F-1 zone and 123 claims in the Impacted, F-2). These claims comprise approximately 14,783 acres (8,191 acres F-2 land and 6,592 acres F-1 land). We propose to develop a TDR program that would allow the transfer of development rights from qualifying (less than 5 dwellings per square mile) M49 Forest Land sending areas to the economically depressed Rural Unincorporated Community of Blue River receiving areas.

Sending area information:

1. Zone: Nonimpacted (F-1) and Impacted (F-2) Forest Zones Minimum lot size: 80 acres
2. Number of ownerships: 162 M49 Claims
3. Total acreage: 14,783 ac. from which a subset of qualifying M49 claims will not exceed 10,000 acres.
4. Forest land productivity (cu ft site class): Variable
5. Other forest values: open space, wildlife habitat, etc.
6. Existing residential density per square mile: Variable *
7. Proximity to a UGB (miles): Variable
8. Proposed holder of conservation easement or otherwise ensure on a permanent basis that additional residential development does not occur in the sending area: Lane County

Receiving area information:

1. Zone: Rural Residential Minimum lot size: 1 acre or not to exceed sewer capacity
2. Number of ownerships: 190
3. Total acreage: 245 ac.
4. Buildable land area: depends on allowed density (1 ac or not to exceed sewer cap)
5. Proximity to Metro UGB (miles): N/A
6. Proximity to public sewer and water (miles): Not available at present
7. Location:
 - a. Inside a UGB
 - b. In an exception area adjacent to a UGB
 - c. In an unincorporated community X *
8. If 7b applies, is the UGB proposed for expansion to include exception area? N/A
9. If 7b and/or 8 applies, will the receiving area be authorized for 10 dus/acre? N/A
10. Proposed TDR transfer ratio (sending/receiving): 1:1 *

Concept Plan

On a separate sheet(s), please describe the proposed project addressing each of the sections below:

1. Proposed amendments to the local government comprehensive plan and land use regulations necessary to implement the pilot project.
2. A tentative schedule for adoption of the amendments.
3. A description of any other proposed actions intended to implement the project.
4. Maps and other pertinent information describing the proposed sending areas and receiving areas.
5. Proposed transfer ratios and other incentives for participation.
6. A letter from a qualified entity as defined in ORS 271.715 expressing interest in holding and monitoring any conservation easement or similar restriction on development.

Lane County TDR Pilot Program Concept Plan

1. Proposed amendments to the local government comprehensive plan and land use regulations necessary to implement the pilot project.

Post Acknowledgement Plan Amendment (PAPA) to increase residential density in Rural Unincorporated Community of Blue River pursuant to OAR 660-022-0030, Planning and Zoning of Unincorporated Communities.

PAPA that develops policies and zoning mechanism to assign and transfer development rights for each dwelling authorized by M49 on forestland properties (maximum of 3 dwellings per claim).

Develop overlay zone for TDR receiving area in the Rural Unincorporated Community of Blue River.

Upon sewer availability, PAPA to redesignate the Rural Unincorporated Community of Blue River an Urban Unincorporated Community and increase residential density and small-scale, low impact commercial use, and mixed use zone pursuant to OAR 660-022-0030 – 0060.

2. A tentative schedule for adoption of the amendments.

Jan – Mar 2011 – Community Vision – qualifying M49 forestland claimants and Blue River Community.

Apr – Jun 2011 - Draft Community Plan Diagram, Text Amendments and TDR receiving area overlay zone.

Jul – Sep 2011 - Community Presentations, qualifying M49 forestland claimants and Blue River Community.

Oct. – Dec 2011 - Public Hearings for PAPA to adopt TDR Receiving Area Overlay Zone in Unincorporated Community of Blue River. increase residential density in Rural Unincorporated Community of Blue River pursuant to OAR 660-022-0030.

3. A description of any other proposed actions intended to implement the project.

- Develop standard conservation easement/deed restriction form for sending areas
- Develop standard transfer of development right deed form for sending areas
- Develop tracking system for County management of conservation easements.
- Will need to establish the number of development rights that might transfer from qualifying M49 forestland properties to the Blue River Community.
- Will need to establish the number of receiving areas available in the Blue River Community.

4. Maps and other pertinent information describing the proposed sending areas and receiving areas.

Attached maps

- Lane County sending areas (M49 Claims on land designated Forest Land)
- Rural Unincorporated Community of Blue River

5. Proposed transfer ratios and other incentives for participation.
 - Determine if maximum 1:1 transfer ratio allowed by law is enough incentive to encourage development in receiving area.
6. A letter from a qualified entity as defined in ORS 271.715 expressing interest in holding and monitoring any conservation easement or similar restriction on development.

As the permitting authority for residential development, Lane County can hold, monitor and restrict residential development on the vacant M49 forestland from which the development right is transferred to the Unincorporated Community of Blue River (Refer to attached Board Order 10-5-19-9).

Issues:

- 1:1 transfer ratio limit
- prioritization of receiving areas (UGB's first, RUC's last)
- 4/du's per square mile sending area density limit
- 50% of sending area properties required to consent to program
- public access requirement to M49 sending areas
- when M49 property conveyed to another, ORS 195.305(11)(6) requires dwelling to be built within 10 years. To parallel, require TDR to be sold w/i 10 years.
- exclusion of farmland sending areas

JEO Subcommittee Recommendations	Background/Source	Implications (See Attachment A for more detail)	Metro Plan or Refinement Plan Text Needed (Y/N)	Proposed Strategy	Springfield Action	Eugene Action
<p>a. Overarching policies that identify and address regional issues.</p>	<p>Five County issues have been identified for consideration by the JEO:</p> <ul style="list-style-type: none"> • Definition and logical provider of urban services; • Jurisdictional autonomy; • Urbanizable area citizen representation; • Dispute resolution; • Farmland and open space protection. 	<ul style="list-style-type: none"> • Definition and logical provider of urban services: Metro Plan language describing service providers and services is inconsistent and absent or conflicting. <p>Metro Plan is a land use document for sewer, water, transportation yet County provides services to urban area that are not land use. For example: district attorney, sheriff, corrections, parole and probation, mental health, elections, animal services, regional parks.</p> <p>Revising definition of key urban services would facilitate formation of special service districts and funding for services (example: city of fire district, county public safety district).</p> <ul style="list-style-type: none"> • Jurisdictional autonomy: see JEO recommendation c. • Urbanizable area citizen representation: see JEO recommendation c. • Dispute resolution: see JEO recommendation d. • Farmland and open space protection: see JEO recommendation c. 	<p>Y See Attachment B for Metro Plan chapters to be reviewed</p>	<p>Identify existing Metro Plan policies that are still applicable; revise and add new policies as needed.</p> <p>Identify policies that facilitate jurisdictional autonomy within the regional context.</p> <p>Identify policies or process that will address urbanizable area representation and dispute resolution in areas of shared jurisdiction.</p> <p>Add new regional policies resulting from HB 3337 implementation.</p>	<p>2030 Refinement Plan/City Council, February 2011</p> <p>Will refer to Planning Commission upon receipt of County proposal</p>	<p>A Eugene City Council work session will be scheduled at which County staff will present background and proposals. City Council will then direct staff as to actions to take in response to the County proposals (e.g. integrate into the HB 3337 / Envision Eugene project, or address as an independent issue).</p>

JEO Subcommittee Recommendations	Background/Source	Implications (See Attachment A for more detail)	Metro Plan or Refinement Plan Text Needed (Y/N)	Proposed Strategy	Springfield Action	Eugene Action
b. Policies that allow for individual refinement plans for Eugene and Springfield to address jurisdiction specific issues.	The cities of Springfield and Eugene are implementing HB 3337 and planning to accommodate 20 years of growth: <ul style="list-style-type: none"> Land inventories and demand analysis; Economic opportunities; Separate urban growth boundaries. 	<ul style="list-style-type: none"> HB 3337 will result in each city having separate inventories, individual UGBs and individual refinement plans 	Y See Attachment B for Metro Plan chapters to be reviewed	<ul style="list-style-type: none"> The Metro Plan will be amended to allow Eugene and Springfield to have individual refinement plans (conforming language) Refinement plans may be developed to reflect policies related to HB 3337 	2030 Refinement Plan/City Council, February 2011	This will be included in amendments / plans that will implement HB 3337 (as part of the Envision Eugene project). The plans ultimately will be presented to the Eugene City Council and the Lane County Board of Commissioners for approval.
c. Adjustments to the Metro Plan boundary and text to address jurisdictional specific issues arising in the urbanizable area and the area outside the urban growth boundary	<ul style="list-style-type: none"> Jurisdictional Autonomy (LC & cities) Citizen Disenfranchisement (LC) Compact Urban Growth & Loss of High Value Farmland (LC) 	<ul style="list-style-type: none"> Metro Plan Boundary coterminous w/ UGB <ul style="list-style-type: none"> Eugene Airport Delta Sand & Gravel Urbanizable Area Citizen Representation <ul style="list-style-type: none"> Implementation of 190 Agreements Annexation Policy Farmland / Open Space Protection / Rural Reserves 	Y N (if admin.) Y (if policy) N	<ul style="list-style-type: none"> Address when establishing separate UGB's and related policies for HB 3337. Develop Administrative Process or policies for Metro Plan and refinement plans. Transfer of Development Rights Pilot Program and other strategies for protecting farmland and open spaces within and near UGBs. 	2030 Refinement Plan/City Council, February 2011 If this applies East of I-5 will refer to Planning Commission upon receipt of County proposal. 2030 Refinement Plan depending on what County proposal says may refer to Planning Commission.	A Eugene City Council work session will be scheduled at which County staff will present background and proposals. City Council will then direct staff as to actions to take in response to the County proposals (e.g. integrate into the HB 3337 / Envision Eugene project, or address as an independent issue).
d. A dispute resolution process that reflects the changes described in a-c.	Metro Plan does not include dispute resolution text; refers to MPC MPC bylaws' single jurisdiction veto power prevents MPC settlement of disputes (LC) Prior to MPO, MPC was envisioned as entity to discuss common regional issues	<ul style="list-style-type: none"> Assign Dispute Resolution to different body than MPC MPC does not participate in Metro planning issues at this time 	Y See Attachment B for Metro Plan chapters to be reviewed	Integrate with conforming amendments to implement HB 3337 and refinement plans.	Partially addressed in 2030 Refinement Plan, February 2011 May require referral to Planning Commission depending on how it is drafted.	A Eugene City Council work session will be scheduled at which County staff will present background and proposals. City Council will then direct staff as to actions to take in response to the County proposals (e.g. integrate into the HB 3337 / Envision Eugene project, or address as an independent issue).

ATTACHMENT 9. Metro Plan Chapter Updates by JEO Motion and Regional Issues

October 5, 2009 [v1]

		Regional Issues				County Issue	
JEO Motion: Direct Staff from all three jurisdictions to develop a work plan that includes a timeline, cost estimate and implications for specific changes to the Metro Plan based on recommendations from each jurisdiction that include but are not limited to the following:		Definition of Key Urban Services [remove inconsistencies in Metro Plan text]	Jurisdictional Autonomy [implement HB 3337 and revise Metro Plan boundary]	Urban Transition Agreements [develop administrative process to address citizen concerns]	Dispute Resolution [work with jurisdictions to revise process]	Farmland and Open Space Protection	Public Safety
JEO Metro Subcommittee Recommendations	a. Overarching policies that identify and address regional issues.	METRO PLAN: • Ch II, Principles-Growth Mgmt • Ch III, Specific Elements • Ch V, Glossary	METRO PLAN: • Ch II, Principles-Growth Mgmt • Ch III: Environmental Resources, Willamette River Greenway and Citizen Involvement • Ch IV, Metro Plan Review, Amendments and Refinements • Ch V, Glossary	METRO PLAN: • Ch I, Introduction • Ch II, Principles-Growth Mgmt • Ch III: Environmental Resources, Willamette River Greenway and Public Facilities • Ch IV, Amendments-Refinements	METRO PLAN: • Ch II, Principles-Growth Mgmt • Ch III: Public Facilities and Citizen Involvement • Ch IV, Amendments-Refinements • Ch V, Glossary	METRO PLAN: • Ch III: Environmental Resources and Parks and Rec	A regional issue, not related to Metro Plan
	b. Policies that allow for individual refinement plans for Eugene and Springfield to address jurisdiction specific issues.	METRO PLAN: • Ch V, Glossary	METRO PLAN: • Ch I, Introduction • Ch II: Fundamental Principles-Growth Mgmt • Ch III: Residential, Economic, Environmental Resources, Willamette River Greenway, Transportation, Public Facilities, Parks and Rec, Historic Preservation, Energy and Citizen Involvement • Ch IV, Amendments-Refinements • Ch V, Glossary	METRO PLAN: • Ch II, Principles-Growth Mgmt • Ch IV, Amendments-Refinements	METRO PLAN: • Ch II, Principles-Growth Mgmt • Ch III, Public Facilities and Citizen Involvement • Ch IV, Amendments-Refinements		
	c. Adjustments to the Metro Plan boundary and text to address jurisdictional issues arising in the urbanizable area and the area outside the urban growth boundary.	METRO PLAN: • Ch V, Glossary	METRO PLAN: • Ch I, Introduction • Ch II, Principles-Growth Mgmt • Ch III: Residential, Economic, Environmental Resources, Willamette River Greenway, Transportation, Public Facilities, Parks and Rec, Historic Preservation, Energy and Citizen Involvement • Ch IV, Amendments-Refinements • Ch V, Glossary	METRO PLAN: • Ch I, Introduction • Ch II, Principles-Growth Mgmt • Ch III: Residential, Economic, Environmental Resources, Willamette River Greenway, Transportation, Public Facilities, Parks and Rec, Historic Preservation, Energy and Citizen Involvement • Ch IV, Amendments-Refinements • Ch V, Glossary	METRO PLAN: • Ch III, Citizen Involvement • Ch IV, Amendments-Refinements		
	d. A dispute resolution process that reflects the changes described in a - c.				METRO PLAN: • Ch IV, Amendments-Refinements		