

W.7.b.

AGENDA COVER MEMO

DATE: June 2, 2004 Board Meeting Date
TO: BOARD OF COUNTY COMMISSIONERS
FROM: KENT HOWE, PLANNING DIRECTOR
LAND MANAGEMENT DIVISION

AGENDA ITEM TITLE: Ordinance No. PA 1197 and Ordinance No. 5-04
FIFTH READING/DELIBERATION AND REPORT ON
LONG RANGE PLANNING WORK PROGRAM OPTIONS

I. MOTION:

MOVE ADOPTION OF METRO PLAN PERIODIC REVIEW ORDINANCE
NO. PA 1197 AND METRO PLAN RIPARIAN PROTECTION PROVISIONS
ORDINANCE NO. 5-04.

MOVE PRIORITIZATION OF LONG RANGE PLANNING WORK PROGRAM
TASKS AS NECESSARY

II. ISSUE OR PROBLEM

On May 11, 2004, the Board requested staff return with information addressing questions raised during deliberation on the two subject ordinances. Should the proposed ordinances that address the Metro Periodic Review Work Program items be adopted consistent with Eugene and Springfield actions or should additional policy considerations be added to those ordinances to address Board concerns?

III. DISCUSSION

A. BACKGROUND

In 1996 the Eugene/Springfield Metro Plan Periodic Review Work Program was adopted by the elected officials of the three jurisdictions with land use planning responsibilities. The Work Program was revised in July, 2002 in response to Goal 5 Rule revisions and to allow the cities of Eugene and Springfield to separately conduct Goal 5 inventories pursuant to the "Standard" process for identification of "significant" Goal 5 resources within the Urban Growth Boundaries (UGB's). Lane County chose to utilize the "Safe Harbor" provisions of the Goal 5 Rule for the areas outside the UGB's.

The Joint Elected Officials Public Hearing on the Metro Plan amendments for Periodic Review occurred on February 10, 2004. Ordinance No. PA 1197 contains the same revisions to the Metro Plan adopted by the cities. The Eugene City Council adopted the proposed Metro Plan revisions on April 21, 2004 and the Springfield City Council adopted them on May 17, 2004.

On April 14, 2004, the Lane County Board of Commissioners adopted Eugene's natural resources inventory for the area between the Eugene city limits and the urban growth boundary. The City of Springfield adopted their Natural Resources inventory on May 3, 2004. The Lane County Planning Commission is scheduled to hold a public hearing on the Springfield Natural Resources inventory on July 20, 2004. It is expected the Board will be conducting public hearings on Springfield's Natural Resources inventory in late summer.

The following issues were raised by the Board and fall in the general categories as listed below:

1. Issues Directly Related to the Metro Periodic Review Work Program

- Ordinance No. PA 1197 - Metro Plan Chapter III-C. Environmental Resources Element Finding 8. The Goal 5 Rule "Safe Harbor" inventory and protection provisions for riparian resources in the area between the UGB and the Metro Plan Boundary.
- Ordinance No. 5-04 - Lane Code Chapter 16 use of the Goal 5 Rule "Safe Harbor" inventory and protection provisions to regulate development in the riparian corridors within for the area between the UGB and the Metro Plan Boundary.

2. Issues Not Included In the Scope of the Metro Periodic Review Work Program

- Goal 7 Natural Hazards provisions to address river migration and setbacks for structural development.
- Location of the Metro Plan Boundary and jurisdictional authority outside the Urban Growth Boundaries of Eugene and Springfield.
- The expansion of the federal transportation planning MPO to include Coburg and other surrounding areas and the appropriateness of expanding the Metro Plan Boundary and/or TransPlan to include Coburg or other areas.
- Expanding energy conservation policies.

3. Other or Related Information Requests

- Work Program to implement "standard" Goal 5 Rule provisions for "significant" riparian resources instead of using "safe harbor" provisions, Attachment A

- Work Program to develop site specific regulations addressing river migration hazard, Attachment B
- List of Metro Plan requirements that do not have adequate resource to fund the described work task, Attachment E
- Work Program for Regulation of Property Line Adjustments and clarifying criteria for legal lot determinations. Attachment F

B. ANALYSIS

1. Issues Directly Related to the Metro Periodic Review Work Program

- Ordinance No. PA 1197 - Metro Plan Chapter III-C. Environmental Resources Element Finding 8. The Goal 5 Rule “Safe Harbor” inventory and protection provisions for riparian resources in the area between the UGB and the Metro Plan Boundary.

The position of the Department of Land Conservation and Development is that the “Safe Harbor” inventory methodology and protection provisions provided in the Goal 5 Rule for wetlands, riparian corridors and wildlife habitat strike the balance that protects the State’s interest in these resources. A jurisdiction that chooses the “Safe Harbor” methodology must use the provisions as prescribed in the Goal 5 Rule or opt for the “Standard” Goal 5 process.

Lane County’s current riparian protection provisions are based on a policy to maintain 75% of vegetation within the riparian setback area in an unaltered, indigenous state. This provision allows alterations of the shoreline frontage subject to area limitations. The Goal 5 Rule “Safe Harbor” protection provisions, while they may have a lesser setback on some lands, are based on a limitation that prohibits alteration of the front 50% of the setback area. The “Safe Harbor” setback/corridor is actually provides greater protection in most areas. Lane Code current riparian regulations may have a greater setback in resource zones, however, Lane County currently allows more alteration of the vegetation within the setback area than the Goal 5 Rule “Safe Harbor” protection provisions.

The policy issue for the Board is whether the “Safe Harbor” reduction in the setback distance is offset by the limitation that prohibits alteration of the front 50% of the setback area and would warrant a change in policy direction to start over and direct policy development under the provisions of the “Standard” Goal 5 process. It is not certain what area would be protected applying the “Standard” Goal 5 Rule process. Refer to Attachment A - Work Program to conduct the “Standard” Goal 5 process for the Metro Plan riparian corridor resource.

- Ordinance No. 5-04 - Lane Code Chapter 16 use of the Goal 5 Rule “Safe Harbor” inventory and protection provisions to regulate development in the riparian corridors within for the area between the UGB and the Metro Plan Boundary.

The streams in the Eugene/Springfield Metro Area with average annual flow greater than 1,000 cubic feet per second are limited to the McKenzie and Willamette Rivers. The relevant zoning along these rivers (inside the Metro Plan outside the UGB) is primarily Exclusive Farm Use with an existing riparian setback of 100 feet. A small section (approximately 40 acres off River Avenue) along the Willamette River outside the Eugene UGB is zoned Rural Residential (RR-5) with an existing riparian setback of 50 feet. The remaining zones are Sand & Gravel (SG), Park & Open Space (PR) and Forest Land (F-1) which prohibit residential development.

In the Exclusive Farm Use zone the riparian setback would decrease from 100 feet to 75 feet. The ownerships are relatively large and most are already developed with a residence. The potential for additional residential development in the EFU zone is very limited because of the high value soils and the extensive regulation requirements.

On the other hand, the riparian setbacks for the areas zoned Rural Residential would increase from 50 feet to 75 feet. A number of undeveloped riverfront properties would be affected by the increased setback standard.

The policy issue for the Board is whether the limited potential development in the Exclusive Farm Use zone affected by the change in the setback and vegetation alteration standards warrants a change in policy direction to start over and conduct the “Standard” Goal 5 process. It is not certain what area would be protected applying the “Standard” Goal 5 Rule process. Refer to Attachment A, Draft Work Program to conduct the “Standard” Goal 5 process for the riparian corridor resource.

2. Issues Not Included In the Scope of the Metro Periodic Review Work Program

- Goal 7 Natural Hazards provisions to address river migration setbacks for structural development.

The recent event with the dwelling along the McKenzie River, near Cedar Flat, has raised the concern about the hazard of river migration on structural development. This issue is a difficult issue to address from a regulatory sense, because of the varying circumstances that can lead to river migration in one location and not in another. Lane County could adopt additional regulations addressing all development within a floodplain (Refer to Attachment B). However, one “size” does not fit all, and in fact, the recent event near Cedar Flat involved a dwelling that was not located within the 100 year flood hazard zone. Staff feel that an education program would be

more successful at preventing development in a hazardous area than a regulatory program.

Staff have been in discussion with the Sheriff's Office and feel that this issue fits perfectly with the efforts underway to develop Lane County's Natural Hazards Mitigation Plan.

Refer to Attachment C - **Lane County's Natural Hazard Mitigation Program**

- Location of the Metro Plan Boundary and jurisdictional authority outside the Urban Growth Boundaries of Eugene and Springfield.

Refer to Attachment D – **Metro Plan Boundary and UGB Discussion**

- The expansion of the federal transportation planning MPO to include Coburg and other surrounding areas and the appropriateness of expanding the Metro Plan Boundary and/or TransPlan to include Coburg or other areas.

Refer to Attachment D – **Metro Plan Boundary and UGB Discussion**

- Expanding energy conservation policies.

Refer to Attachment E – **Metro Plan Energy Policy**

C. Other or Related Information Requests

- Work Program to implement “standard” Goal 5 Rule provisions for “significant” Riparian Resources in stead of “safe harbor” – Attachment A
- Work Program to develop regulations to address river channel migration hazard – Attachment B
- List of Metro Plan requirements that do not have adequate resource to fund the required work task, Attachment F
- Work Program for Regulation of Property Line Adjustments and Roads Dividing Property, Attachment G
- Long Range Planning Work Program Priority List, Attachment H

C. ALTERNATIVE/OPTIONS

1. Adopt Ordinance No. PA 1197 and Ordinance No. 5-04 as proposed
2. Modify Ordinance No. PA 1197 and Ordinance No. 5-04 and set Sixth Reading and Deliberations
3. Modify Ordinance No. PA 1197 and Ordinance No. 5-04 and reprioritize Long Range Planning Work Program
4. Do not adopt Ordinance No. PA 1197 and Ordinance No. 5-04 and reprioritize Long Range Planning Work Program

RECOMMENDATION

Alternative 1.

IV. ATTACHMENTS:

1. Attachment A - Work Program to conduct the "Standard" Goal 5 process for the Metro Plan riparian corridor resource.
2. Attachment B - Work Program to address river channel migration hazard
3. Attachment C - Lane County's Natural Hazard Mitigation Program
4. Attachment D - Metro Plan Boundary and UGB Discussion
5. Attachment E - Metro Plan Energy Policy
6. Attachment F - Metro Plan Policies that Direct Studies or Actions Upon Available Funding
7. Attachment G - Work Program for Amendments to Lane Code to Regulate Property Line Adjustments and Roads Dividing Property
8. Attachment H - Table of Long Range Planning Work Program Priorities

ATTACHMENT A
Long Range Planning Projects
Land Management Division/Dept. of Public Works

Project Title: Amendments to Lane Code Chapter 16 riparian regulations to comply with the Statewide Goal 5 “Standard Inventory” process within the Metro Area Plan boundaries outside the urban growth boundaries of Eugene and Springfield.

Project Title: To amend Metro Area General Plan Policies, Lane Code 16.090 Definitions, Lane Code 16.253 Class I Stream Riparian Regulations and applicable zones by:

- implementing the Goal 5 “standard inventory” process for the protection of riparian corridors within the Metro Area outside urban growth boundaries;

Project Budget

Personnel	
0.5 FTE Planner	\$ 20,685
Materials and Services (0.8814 of salary)	18,232
0.1 FTE Land Management Technician (six months)	1,745
Materials and Services (0.8814% of salary)	1,538
Subtotal	\$ 42,201
Expenses	
Notice mailings (properties in Metro Plan outside UGB)	3,500
Printing	1,000
Miscellaneous	1,500
Subtotal	\$ 5,500
Total	\$ 47,701

Background

Land Management Division (LMD) completed an extensive research work program in cooperation with the McKenzie Watershed Council and the Willamette Spring Chinook Working Group in 1999-2001 in response to Oregon Statewide Goal 5 provisions (1996) and Federal Endangered Species Act listing of salmonids (1998, 2000). LMD proposes to revise the project emphasizing the need to comply with Statewide Goal 5 riparian corridor provisions in OAR 660-023.

The Board of Commissioners has directed LMD staff to prepare a proposal for implementing the “standard inventory process” inside the Metro Area Plan boundaries and outside urban growth boundaries of Eugene and Springfield.

Partnerships

Special Service Districts:

McKenzie Watershed Council,
 Long Tom Watershed Council,
 East Lane Soil & Water Conservation District,
 Coast Fork Willamette Watershed Council,
 Middle Fork Willamette Watershed Council

State Agencies: Department of Land Conservation and Development,
Oregon Department of Fish and Wildlife.
Oregon Division of State Lands

Rural citizen involvement: Individuals, special interests, professionals, and neighborhood groups.

Work Program

July 2004 Draft revisions to RCP Plan Policies to comply with Statewide Goals and Guidelines.
Draft revisions to Lane Code 16.253 Class I Stream Riparian Regulations to comply with OAR 660-023 regulations and definitions.

September 2004 Work session with Lane County Planning Commission.
Notice mailing to private property owners.

October - November 2004 Citizen information meetings.

December 2004 Lane County Planning Commission public hearing(s) and deliberations.

January 2005 LCPC report and recommendations to Board of County Commissioners.

February – March 2005 Notice to DLCD and Lane County citizens.
First & Second Reading – Board of County Commissioners;
Public hearing(s) – Board of County Commissioners.

April 2005 Deliberations - Board of County Commissioners

ATTACHMENT B

Long Range Planning Projects Land Management Division/Dept. of Public Works

Project Title: Amendments to Lane Code Chapter 16 riparian regulations to comply with Statewide Goal 5 “Standard Inventory” process within the Metro Area Plan boundaries outside the urban growth boundaries of Eugene and Springfield and address river migration setbacks for structural development.

Project Title: To amend Metro Area General Plan Policies, Lane Code 16.090 Definitions, Lane Code 16.253 Class I Stream Riparian Regulations by:

- implementing Goal 5 “standard inventory” process for the protection of riparian corridors within the Metro Area outside urban growth boundaries;
- addressing protection standards for natural hazards pursuant to Goal 7 guidelines for development adjacent to riparian corridors within the Metro Area outside urban growth boundaries; and
- addressing protection standards for water quality pursuant to Goal 6 guidelines for development adjacent to riparian corridors within the Metro Area outside urban growth boundaries.

Project Budget

Personnel	
0.5 FTE Planner	20,685.50
Materials and Services (0.8814 of salary)	18,232.20
0.1 FTE Land Management Technician (six months)	1,745.70
Materials and Services (0.8814% of salary)	1,538.40
Subtotal	42,201.50
Expenses	
Notice mailings (all property owners in rural Lane County)	18,500.00
Printing	3,000.00
Miscellaneous	1,500.00
Subtotal	28,000.00
Total	70,201.50

Background

Land Management Division (LMD) completed an extensive research work program in cooperation with the McKenzie Watershed Council and the Willamette Spring Chinook Working Group in 1999-2001 in response to Oregon Statewide Goal 5 provisions (1996) and Federal Endangered Species Act listing of salmonids (1998, 2000). A proposed draft for implementation of a Critical Habitat Conservation Zone (CHCZ – LC 16.299 proposed) was reviewed through the Lane County Planning Commission public hearings process and recommended to the Board of County Commissioners in 2000 for implementation in Lane Code 16. The Board rejected the LCPC recommendation in April 2001 and the project has sat dormant since that action. The Board did credit LMD for the work completed on the code provisions in the FY 2000-2001 through Title III funding in the amount of \$38,000.00. LMD proposes to revise the

Rip-Goal 5

project emphasizing the need to comply with Statewide Goal 5 riparian corridor provisions in OAR 660-023.

In the LCPC 2002 annual report to the Board of Commissioners, the highest priority set by the LCPC for future allocations of long-range work program funding and staff was to resurrect the CHCZ project.

The Board of Commissioners has directed LMD staff to prepare a proposal for implementing the "standard inventory process" inside the Metro Area Plan boundaries and outside urban growth boundaries of Eugene and Springfield. The Board has also indicated an interest in addressing natural hazards, in specific, the meander of streams and rivers, and water quality issues within the same area.

Partnerships

- Special Service Districts:** Port of Siuslaw
Siuslaw Soil & Water Conservation District,
East Lane Soil & Water Conservation District,
McKenzie Watershed Council,
Siuslaw Watershed Council,
Long Tom Watershed Council,
Coast Fork Willamette Watershed Council,
Middle Fork Willamette Watershed Council
- Federal Agencies** U. S. Forest Service – Siuslaw National Forest
Willamette National Forest
Umpqua National Forest
U. S. Bureau of Land Management
U. S. Fish & Wildlife Service
NOAA Fisheries
- State Agencies:** Department of Land Conservation and Development,
Oregon Department of Fish and Wildlife.
Oregon Division of State Lands
- Rural citizen involvement:** Individuals, special interests, professionals, and neighborhood groups.

Work Program

- July 2004** Draft revisions to RCP Plan Policies to comply with Statewide Goals and Guidelines.
Draft revisions to Lane Code 16.253 Class I Stream Riparian Regulations to comply with OAR 660-023 regulations and definitions.
- September 2004** Work session with Lane County Planning Commission.
Notice mailing to private property owners.
- October - November 2004** Citizen information meetings: Mapleton (Siuslaw Watershed)
Elmira (Long Tom Watershed)
Walterville (McKenzie Watershed)
Creswell (Coast Fork Willamette Watershed)
Lorane (Middle Fork Willamette Watershed)

December 2004 Lane County Planning Commission public hearing(s) and deliberations.

January 2005 LCPC report and recommendations to Board of County Commissioners.

**February –
March 2005** Notice to DLCDD and Lane County citizens.
First & Second Reading – Board of County Commissioners;
Public hearing(s) – Board of County Commissioners.

April 2005 Deliberations - Board of County Commissioners

ATTACHMENT C

Overview of Lane County's Local Natural Hazard's Mitigation Plan

Lane County Emergency Management is working on a Natural Hazards Mitigation Plan (Plan) that focuses on the natural disasters most likely to impact Lane County, and proposes mitigation projects designed to lessen the impacts of those events. The Plan is in response to the Federal Emergency Management Agency's (FEMA) requirement for every local government to adopt a non-regulatory, multi-hazard mitigation plan to remain eligible for future pre- or post-disaster FEMA mitigation funding. Thus, one of the objectives in developing this plan is to maintain Lane County's eligibility for FEMA funding.

The Plan addresses all levels of natural hazard events. The Plan includes minor, localized events that might impact a single neighborhood or community such as riverbank erosion or a moderate sized wild land/urban interface fire as well as major events that may impact a large numbers of residents in Lane County such as a major flood or severe winter storm. Examples of specific, local hazards that will be addressed are based in large part on recent history, such as:

- River Bank Erosion (Cedar Flat Dwelling) – March 2004
- Severe Winter Storm - December 2003 and January 2004
- Oakridge/Westfir Wild Land Fire - September 2002
- Windstorm - February 2002
- Major Flood – February and November 1996

The Plan must be approved by FEMA by November 2004. In order for the Plan to be approved by FEMA the Plan development process must provide opportunity for public input, and include adoption by the Board of County Commissioners. A draft suitable for dissemination to the public will be completed by June 30, 2004. The public input process will take place during the months of July and August and the final draft of the plan will be presented to the Board of Commissioners in September 2004. The primary objectives of the Plan are:

1. Save lives and reduce injuries
2. Minimize damage to buildings and infrastructure, especially to critical facilities
3. Minimize economic losses
4. Decrease disruption of public services, businesses, schools, and families
5. Protect the environment
6. Foster public/private partnerships
7. Strengthen the social fabric and economic well being of Lane County

Why is Mitigation Planning Important for Lane County?

Effective mitigation planning helps Lane County government and residents alike to identify specific locations where the risk from one or more hazards is unacceptably high and then find cost effective ways to reduce the risk. The goal is to achieve a pragmatic middle ground between unwisely ignoring the potential for major hazard events and unnecessarily overreacting to the potential for disasters.

The Plan discusses the importance of benefit-cost analysis as an important component of mitigation planning, not only to meet FEMA requirements, but also to help evaluate and prioritize

potential hazard mitigation projects in Lane County, regardless of whether funding is from FEMA, state or local government or from private sources.

Typical mitigation projects that are proposed by the Plan are summarized in the table below:

Hazard	Action Item	Timeline
Multi-Hazard Mitigation Action Items		
Short-Term #1	Establish a formal role for the Lane County Hazard Mitigation Planning Committee to develop a sustainable process to encourage, implement, monitor, and evaluate countywide mitigation actions	Ongoing
Short-Term #2	Identify and pursue funding opportunities to implement mitigation actions	Ongoing
Short-Term #3	Develop public and private sector partnerships to foster hazard mitigation activities,	Ongoing
Short-Term #4	Develop detailed inventories of at-risk buildings and infrastructure and prioritize mitigation actions	1-2 Years
Long-Term #1	Develop education programs aimed at mitigating the risk posed by hazards	Ongoing
Long-Term #2	Integrate hazard, vulnerability and risk Mitigation Plan findings into enhanced Emergency Operations planning.	Ongoing
Flood Mitigation Action Items: Within FEMA-Mapped Floodplains		
Short-Term #1	Compile data and prepare GIS maps for structures within the 100-year floodplains.	Completed
Short-Term #2	Consult with property owners and explore mitigation actions for the 24 Lane County properties on FEMA's national repetitive loss list	1 year
Short-Term #3	Educate property owners on hazards presented by river meandering and present options for riverbank protection. Encourage residents to protect their banks from riverbank erosion. Update policies and procedures for streamlining the permit process for high-risk properties.	1 year
Long-Term #1	Survey elevation data for structures within the 100-year floodplain	1-2 Years
Long-Term #2	For structures within the 100-year floodplain and especially for structures deep in the floodplain, explore mitigation options with property owners	1-2 Years
Flood Mitigation Action Items: Outside of FEMA-Mapped Floodplains		
Short-Term #1	Complete the inventory of locations in Lane County subject to frequent storm water flooding	Ongoing
Long-Term #1	For locations with repetitive flooding and significant damages or road closures, determine and implement mitigation measures such as upsizing culverts or storm water drainage ditches	Ongoing
Winter Storms Mitigation Action Items		
Short-Term #1	Enhance tree-trimming efforts especially for transmission lines and trunk distribution lines.	Ongoing
Short-Term #2	Encourage property owners to trim trees near service drops to individual customers	Ongoing

Short-Term #3	Ensure that all critical facilities in Lane County have backup power and emergency operations plans to deal with power outages	1-2 Years
Long-Term #1	Consider upgrading lines and poles to improve wind/ice loading, under grounding critical lines, and adding interconnect switches to allow alternative feed paths and disconnect switches to minimize outage areas	5 Years
Long-Term #2	Encourage new developments to include underground power lines	ongoing
Landslide Mitigation Action Items		
Short-Term #1	Complete the inventory of locations where buildings or infrastructure are subject to landslides	1-2 Years
Long-Term #1	Consider landslide mitigation actions for slides seriously threatening buildings or infrastructure	5 Years
Long-Term #2	Limit future development in high landslide potential areas	Ongoing
Wildland/Urban Interface Fire Mitigation Action Items		
Short-Term #1	Identify specific parts of Lane County at high risk for urban/wildland urban interface fires because of fuel loading, topography and prevailing construction practices	1-2 Years
Short-Term #2	Identify evacuation routes and procedures for high risk areas and educate the public	Ongoing
Long-Term #1	Encourage fire-safe construction practices for existing and new construction in high risk areas	Ongoing
Earthquake Mitigation Action Items		
Short-Term #1	Complete inventory of public and commercial buildings that may be particularly vulnerable to earthquake damage	1-2 Years
Short-Term #2	Complete inventory of wood-frame residential buildings that may be particularly vulnerable to earthquake damage, including pre-1940s homes and homes with cripple wall foundations.	1-2 Years
Short-Term #3	Disseminate FEMA pamphlets to educate homeowners about structural and non-structural retrofitting of vulnerable homes and encourage retrofit	Ongoing
Short-Term #4	Complete seismic vulnerability analysis of important public facilities with significant seismic vulnerabilities	1-2 Years
Long-Term #1	Obtain funding and retrofit important public facilities with significant seismic vulnerabilities	10 years
Volcanic Hazards Mitigation Action Items		
Short-Term #1	Update public emergency notification procedures for ash fall events	1-2 Years
Short-Term #2	Update emergency response planning for ash fall events	1-2 Years
Short-Term #3	Evaluate capability of water treatment plants to deal with high turbidity from ash falls and upgrade treatment facilities and emergency response plans to deal with ash falls	1-2 Years
Dam Safety Mitigation Action Items		

Short-Term #1	Prepare high resolution maps of dam failure inundation areas and update emergency response plan, including public notification and evacuation routes	1-2 Years
Short-Term #2	Encourage the Corps of Engineers to complete seismic vulnerability assessments for dams upstream of heavily populated areas in Lane County and to make seismic improvements as necessary	Ongoing
Utility and Transportation System Disruption Mitigation Action Items		
Short-Term #1	Educate and encourage residents to maintain several days of emergency supplies for power outages or road closures	Ongoing
Short-Term #2	Review and update emergency response plans for disruptions of utilities or roads	1-2 Years
Short-Term #3	Ensure that all critical facilities in Lane County have backup power and emergency operations plans to deal with power outages	1-2 Years
Hazmat Incident Mitigation Action Items		
Short-Term #1	Ensure that first responders have readily available site-specific knowledge of hazardous chemical inventories in Lane County	1 year
Short-Term #2	Enhance emergency planning, emergency response training and equipment to address hazardous materials incidents.	Ongoing
Terrorism Mitigation Action Items		
Short-Term #1	Enhance emergency planning, emergency response training and equipment to address potential terrorism incidents.	Ongoing
Long-Term #1	Upgrade physical security detection and response capability for critical facilities, including water systems	5 Years

ATTACHMENT D

Metro Plan Boundary and UGB Discussion

May 24, 2004

Commissioner Dwyer raised several questions regarding the Metro Plan Boundary, including what purpose it serves, why it was established, and whether there is value in continuing it. Questions were also raised about the urban growth boundary (UGB), including why the City of Coburg and other satellite communities are not included in the UGB and what would be required to include them.

This response provides background on these questions to help facilitate further discussion on this topic.

Metro Plan Boundary

Purpose

The Metro Plan Boundary is an area beyond the UGB in which Metro Plan policy and land use designations apply and Lane County code applies. The Metro Plan policies for this area mirror the policies in the Lane County Comprehensive Plan and Lane Code for resource lands outside the boundary. Farm and forest lands and other resource lands between the UGB and Metro Plan boundary are zoned by Lane County which has exclusive jurisdiction over the zoning of these lands. The Metro Plan designations in this area are not interim. The designations are intended to reflect the rural status of these lands. The one exception is the urban reserve areas. The urban reserves were so designated to meet future urban land needs of the two cities beyond the 20-year planning horizon of the Metro Plan. The current Periodic Review Metro Plan amendments would eliminate the urban reserve designations of these lands and the lands will thus revert to the status of rural lands similar to the current status of resource lands.

Why was the Metro Plan Boundary Established?

The Metro Plan Boundary was established in 1982 through joint adoption of the Metro Plan by Eugene, Springfield and Lane County. The Plan Boundary and the Metro Plan amendment process in Chapter IV of the Metro Plan were the actions taken by the three jurisdictions to address the requirements of Statewide Planning law and administrative rules regarding intergovernmental coordination. Planning staff from the three jurisdictions are developing a report that interprets the provisions of Metro Plan Chapter IV in order to clarify how those provisions apply and the respective roles of the three governing bodies in that process. This report will be reviewed by legal counsel and presented to the three elected bodies in the near future.

Statewide Planning Goal 2, Land Use Planning, requires that opportunities shall be provided for review and comment by affected governmental units during preparation, review and revision of

plans and implementation ordinances; and Statewide Planning Goal 14, Urbanization, requires that establishment and change of urban growth boundaries (UGBs) shall be a cooperative process between a city and the county that surrounds it. The administrative rule of the Oregon Land Conservation and Development Commission concerning Acknowledgment of Compliance with Statewide Planning Goals requires that each jurisdiction requesting Acknowledgment of Compliance include a written statement in its submission setting forth a plan for management of the unincorporated area within the UGB and for modification of the UGB [OAR 660-03-010 (2)].

The Metro Plan Boundary serves purposes similar to those served by the Joint Agreements for Planning Coordination between Lane County and the small cities. Those agreements specify an “area of interest” that extends outside the UGB. The area of interest in most of the small cities extends far beyond the UGB. The current Metro Plan Boundary represents a significant reduction in area from the 1990 Plan, the predecessor to the Metro Plan. When the Metro Plan was adopted in 1982, the area was reduced to its current location as a compromise solution. The county wanted it to be smaller and the cities wanted it to be larger.

What is the value in retaining the Metro Plan Boundary?

One difference between the Metro Plan Boundary and the areas of interest is that, in the areas of interest, Lane County provides the small cities with notification and review and comment on certain land use processes; whereas, in the Metro Plan Boundary, the metropolitan cities have joint oversight of Metro Plan amendments. This level of participation was agreed to by the three elected bodies because the area between the UGB and the Metro Plan Boundary contains several geographic features and facilities of regional significance, including the Eugene Airport, Mount Pisgah, Springfield Utility Board wellfields, the floodplain of rivers that are of interest to Willamalane Parks and Recreation district, and sand and gravel extraction areas at the confluence of the McKenzie and Willamette Rivers which are considered an important regional resource. For these reasons, there is value in Eugene and Springfield maintaining a structure and process in the Metro Plan for cooperative oversight with Lane County for comprehensive planning in these areas.

The Metro UGB and Satellite Communities

Commissioners asked why the City of Coburg and other satellite communities are not included in the Metro Plan UGB and what would be required to include them.

The City of Coburg is not included in the Metro Plan UGB because that City has adopted its own comprehensive plan, separate from the Metro Plan; and Coburg has not expressed a desire to be part of the Metro Plan. In fact, Coburg representatives have frequently asserted the community’s desire to retain its identity in the face of expansion of the Eugene city limits to the north.

In 2000, Coburg did become part of the transportation management area to meet federal transportation planning requirements. The Metropolitan Policy Committee (MPC) acts as the Metropolitan Planning Organization (MPO) providing policy direction for federal transportation planning and the development and maintenance of the federal Regional Transportation Plan

(RTP). The reason Coburg was included in the transportation management area is because the 2000 U.S. census changed the definition of urbanized area and this resulted in a change to this MPO area to include Coburg: “Urbanized area: (UA) An area consisting of a central place(s) and adjacent territory with a general population density of at least 1,000 people per square mile of land area that together have a minimum residential population of at least 50,000 people. The Census Bureau uses published criteria to determine the qualification and boundaries of UAs.” (2000 U.S. Census Glossary)

Through the Region 2050 process, the eleven local governments in the Southern Willamette Valley have been meeting to develop agreement on the regional distribution of population and employment growth. Throughout this spring and summer, Region 2050 Policy Board members and staff are giving updates on the process to the 11 planning commissions and elected bodies and the Land Conservation and Development Commission in preparation for a major public outreach effort in the fall. The communities of Pleasant Hill, Goshen, and Alvadore are positioned to potentially assume a greater share of the region’s growth than other rural communities. This effort will provide a forum for a dialogue among these communities on how they want to grow and develop in the future, including whether or not they want to be included in the Metro UGB in the future. More information and discussion of the Region 2050 process will be provided at a meeting of the Lane County Board in the next couple of months.

ATTACHMENT E

Metro Plan Energy Policy

May 24, 2004

Adopted energy policy for the metropolitan area is contained in the Metro Plan Chapter III.J: Energy Element. These policies are based on the inventory and analysis in the *Metro Plan Energy Working Paper* prepared in 1978. More recently, energy policy was adopted as part of the Transportation Element of the Metro Plan and through the definition and implementation of nodal development in the two cities, as well as in updated utility plans of the electric utility providers in the region.

Metro Plan Chapter III.J: Energy Element Update

The existing energy policy in Chapter III.J of the Metro Plan addresses an array of energy issues and would support a comprehensive energy plan when adequate funding becomes available.

In 1994, LCOG staff facilitated discussions with all of the public energy utility providers in the metropolitan area to determine whether there was interest in updating the Metro Plan Energy Element working paper and policies. Four meetings were held with the providers and a preliminary scope of work was developed. The conclusion of this process was that there was not interest in a comprehensive update of the energy element. An update to this element of the Metro Plan is not required by Statewide Planning Goals and, therefore, this was not a work program item in the Metro Periodic Review.

An update to the Energy Element could range in scope from the rather limited scope developed in 1994 to a comprehensive, visioning process that sets a broad framework for energy policy related to all facets of energy production and use, including land use, transportation, and general principles of sustainability.

1994 Work Program to Update the Metro Plan Energy Element and Energy Working Paper

The 1994 *Metro Plan Energy Element and Energy Working Paper* work program proposed a one-year, \$61,000 (in 1994 dollars) project and adoption process. The goal of that project was “to provide an accurate, up-to-date information base on regional energy supply and demand and to provide broad policy direction on energy issues affecting the metropolitan area.” The 1994 project proposed to serve the following objectives:

1. **Update and/or Remove Outdated Information:** Outdated information in the Working Paper and outdated findings and policies throughout the Plan element will be removed and, where appropriate, replaced with current information and revised policies that reflect existing conditions, recent trends and applicable state and federal law and policy.

2. **Usable Information:** The new working paper will contain current references to all relevant energy documents that address alternatives and current information about trends and issues of regional significance that impact energy demand. This information will form the basis for the development of regional energy findings and policies.
3. **Policy Guidance:** The revised Energy Element will provide guidance for siting energy facilities in the metropolitan area and the relationship between siting inside and outside the Plan boundary. It will also help communicate the metropolitan area's energy policy to existing and potential future energy consumers and developers.
4. **Coordination:** The revised Plan Energy Element encourages coordination among metropolitan utilities, other energy providers and Lane County on issues of regional interest and impact.

City of Eugene Sustainability Resolution

In 2000, the City of Eugene approached the topic from the broader perspective of sustainability in adopting a Sustainability Resolution, found at the web site: http://www.ci.eugene.or.us/pdd/sustain/resolution_no_4618.htm. A background paper prepared by Eugene Planning Staff is linked to this site which explores options that the local governments may want to discuss in consideration of a more comprehensive, sustainable exploration of our society's energy use. As with most things, resources to better explore and address the issues have been too scarce for serious implementation since this resolution was adopted in 2000.

ATTACHMENT F

Metro Plan Policies That Direct Studies or Actions Upon Available Funding

May 24, 2004

The Metro Plan contains a number of policies that specifically direct local governments to take a specific action or undertake a study. In addition, the special studies and refinement plans adopted or approved since 1987 contain recommended policies, actions and plan text and diagram changes. Some of these studies and plans contain recommendations for policies and recommended actions. Since the last update of the Plan in 1987, the cities and county have completed many of these obligated requirements; others are proposed for deletion as part of the housekeeping changes proposed in Exhibit A to the adopting ordinance for Periodic Review.

The following is a listing of policies in the Metro Plan where a required study or action may not have been completed. Historically, such studies and actions have proceeded consistent with the planning priorities of the Eugene, Springfield, and Lane County.

Metro Plan Housekeeping Revisions, Exhibit A

The following policies reference text in the Metro Plan Housekeeping Revisions document, Exhibit A.

A. Fundamental Principles

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. *We have not comprehensively monitored the metro area's zones for all land use categories.*

e.C. Growth Management Policies

- ~~13.1.~~ Outlying communities close to Springfield and Eugene shall be encouraged to develop plans and programs in support of compact urban development. *Only through the Region 2050 Program.*
- 2.
- ~~22.3.~~ Both Eugene and Springfield shall examine potential assessment deferral programs for low-income households. *Partial.*
4. 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. *Partial.*

F. River Road and Santa Clara Policies

Eugene shall develop methods of financing improvements in the River Road and Santa Clara areas which are responsive to the unique situation of residents and property owners, as well as the City of Eugene. *Partial.*

Residential Land Use and Housing Element

Policies

- A.5 Develop a monitoring system that measures land consumption, land values, housing type, size, and density. Reports should be made to the community on an annual basis. *Partial*
- A.6 Eugene, Springfield, and Lane County shall encourage a community dialogue, when the annual monitoring report on land supply and housing development is made public, to address future Periodic Review requirements that relate to meeting the residential land supply needs of the metropolitan area. *Partial.*
- A.8 Require development to pay the cost, as determined by the local jurisdiction, of extending public services and infrastructure. The cities shall examine ways to provide subsidies or incentives for providing infrastructure that support affordable housing and/or higher density housing. *Partial.*

Residential Density

- A.10 Promote higher residential density inside the UGB that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB. *Partial.*
- A.13 Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods. *Partial.*
- A.15 Develop a wider range of zoning options such as new zoning districts, to fully utilize existing *Metro Plan* density ranges. *Partial.*

Housing Type and Tenure

- A.18 Encourage a mix of structure types and densities within residential designations by reviewing and, if necessary, amending local zoning and development regulations. *Partial.*

Design and Mixed Use¹

- A.22 Expand opportunities for a mix of uses in newly developing areas and existing neighborhoods through local zoning and development regulations. *Partial.*
- A.23 Reduce impacts of higher density residential and mixed-use development on surrounding uses by considering site, landscape, and architectural design standards or guidelines in local zoning and development regulations. *Partial.*

Existing Housing Supply and Neighborhoods

- A.25 Conserve the metropolitan area's supply of existing affordable housing and increase the stability and quality of older residential neighborhoods, through measures such as revitalization; code enforcement; appropriate zoning; rehabilitation programs; relocation of existing structures; traffic calming; parking requirements; or public safety considerations. These actions should support planned densities in these areas. *Partial.*
- A.26 Pursue strategies that encourage rehabilitation of existing housing and neighborhoods. *Partial.*

Affordable², Special Need³, and Fair Housing

- A.27 Seek to maintain and increase public and private assistance for low- and very low-income households that are unable to pay for shelter on the open market. *Partial.*
- A.34 Protect all persons from housing discrimination. *Partial.*

Coordination

- A.36 Coordinate public, private, and consumer sectors of the area's housing market, including public-private partnerships, to promote housing for low- and very low- income households and to increase housing density and types. *Partial.*

¹ Mixed use: A building, project or area of development that contains at least two different land uses such as housing, retail, and office uses

² 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. [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.]

³ 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.

B. Economic Element

- B.3 Encourage local residents to develop job skills and other educational attributes that will enable them to fill existing job opportunities. *Partial.*
- B.5 Provide existing industrial activities sufficient adjacent land for future expansion. *Partial.*
- B.16 Utilize processes and local controls, which encourage retention of large parcels or consolidation of small parcels of industrially or commercially zoned land to facilitate their use or reuse in a comprehensive rather than piecemeal fashion. *Partial.*
- B.17 Improve land availability for industries dependent on rail access. *Partial.*
- B.18 Encourage the development of transportation facilities which would improve access to industrial and commercial areas and improve freight movement capabilities by implementing the policies and projects in the *Eugene-Springfield Metropolitan Area Transportation Plan (TransPlan)* and the *Eugene Airport Master Plan*. *Partial.*
- B.20 Encourage research and development of products and markets resulting in more efficient use of underutilized, renewable, and nonrenewable resources, including wood waste, recyclable materials, and solar energy. *Partial.*
- B.27 Eugene, Springfield, and Lane County shall improve monitoring of economic development and trends and shall cooperate in studying and protecting other potential industrial lands outside the urban boundary. *Partial.*
- B.30 Industrial land uses abutting the large aggregate extraction ponds north of High Banks Road in Springfield shall demonstrate that they require the location next to water to facilitate the manufacture of testing of products made on-site.

D. Willamette River Greenway, River Corridors, and Waterways Element

- D.1 Periodically, local governments shall review Greenway boundaries, uses, and potential acquisition areas to ensure continued compliance with state and local Greenway goals. *Partial.*
- D.3 Eugene, Springfield, and Lane County shall continue to cooperate in expanding water-related parks and other facilities, where appropriate, that allow access to and enjoyment of river and waterway corridors. *Partial.*
- D.4 Lane County, Springfield, and Eugene shall continue to participate in efforts to determine the feasibility of an urban canal that would connect Eugene's historic Millrace to Amazon Creek. Likewise, Springfield's efforts to improve the scenic quality of its Millrace should be encouraged. *Partial.*

D.1210 Aggregate extraction may be permitted when compatible with purposes of Statewide Planning Goal 15. Local governments shall continue, through land use planning and special regulations, to control aggregate extraction to minimize adverse effects of extraction on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, scenic quality, noise, and safety.

E. Environmental Design Element

- E.2 Natural vegetation, natural water features, and drainage-ways shall be protected and retained to the maximum extent practical. Landscaping shall be utilized to enhance those natural features. This policy does not preclude increasing their conveyance capacity in an environmentally responsible manner. *Partial.*
- E.5 Carefully develop sites that provide visual diversity to the urban area and optimize their visual and personal accessibility to residents. *Partial.*
- E.7 The development of urban design elements as part of local and refinement plans shall be encouraged. *Partial.*
- E.9 Refinement plans shall be developed to address compatibility of land uses, safety, crime prevention, and visual impact along arterial and collector streets, within mixed-use areas. During the interim period before the adoption of a refinement plan, these considerations shall be addressed by cities in approving land use applications in mixed use areas by requiring conditions of approval where necessary. *Partial*

F. Transportation Element

- F.1 Apply the nodal development strategy in areas selected by each jurisdiction that have identified potential for this type of transportation-efficient land use pattern.⁴ *Partial.*
- F.2 Support application of the nodal development strategy in designated areas through information, technical assistance, or incentives. *Partial.*
- F.3 Provide for transit-supportive land use patterns and development, including higher intensity, transit-oriented development along major transit corridors and near transit stations; medium- and high-density residential development within ¼ mile of transit stations, major transit corridors, employment centers, and downtown areas; and development and redevelopment in designated areas that are or could be well served by existing or planned transit. *Partial.*
- F.5 Within three years of *TransPlan* adoption, apply the ND, Nodal Development, designation to areas selected by each jurisdiction, adopt and apply measures to protect designated nodes from incompatible development and adopt a schedule for completion of nodal plans and implementing ordinances. *Partial.*

⁴ See Glossary for the definition of nodal development.

Transportation Demand Management

- F.6 Expand existing TDM programs and develop new TDM programs. Establish TDM bench marks and if the bench marks are not achieved, mandatory programs may be established. *Partial.*
- F.7 Increase the use of motor vehicle parking management strategies in selected areas throughout the Eugene-Springfield metropolitan area. *Partial.*
- F.8 Implement TDM strategies to manage demand at congested locations. *Partial.*

Transportation System Improvements: System-Wide

- F.11 Develop or promote intermodal linkages for connectivity and ease of transfer among all transportation modes. *Partial.*
- F.12 Preserve corridors, such as rail rights-of-way, private roads, and easements of regional significance, that are identified for future transportation-related uses. *Partial.*

Transportation System Improvements: Roadways

- F.16 Promote or develop a regional roadway system that meets combined needs for travel through, within, and outside the region.

Transportation System Improvements: Transit

- F.19 Establish a BRT system composed of frequent, fast transit service along major corridors and neighborhood feeder service that connects with the corridor service and with activity centers, if the system is shown to increase transit mode split along BRT corridors, if local governments demonstrate support, and if financing for the system is feasible.
- F.21 Expand the Park-and-Ride system within the metropolitan area and nearby communities. *Partial.*

Transportation System Improvements: Bicycle

- F.22 Construct and improve the region's bikeway system and provide bicycle system support facilities for both new development and redevelopment/expansion. *Partial.*

Transportation System Improvements: Pedestrian

- F.26 Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking. *Partial.*
- F.27 Provide for a continuous pedestrian network with reasonably direct travel routes between destination points. *Partial.*
- F.28 Construct sidewalks along urban area arterial and collector roadways, except freeways. *Partial.*

Transportation System Improvements: Other Modes

- F.31 Support provision of rail-related infrastructure improvements as part of the Cascadia High Speed Rail Corridor project. *Partial.*
- F.32 Support improvements to the passenger rail station and inter-city bus terminals that enhance usability and convenience. *Partial.*

Finance

- F.37 Consider and include among short-term project priorities, those facilities and improvements that support mixed-use, pedestrian-friendly nodal development, and increased use of alternative modes. *Partial.*
- F.38 The City of Eugene will maintain transportation performance and improve safety by improving system efficiency and management before adding capacity to the transportation system under Eugene's jurisdiction. (Eugene-specific finance policy) *Partial.*

G. Public Facilities and Services Element

- G.5 The cities shall continue joint planning coordination with major institutions, such as universities and hospitals, due to their relatively large impact on local facilities and services. *Partial. Master plans could be prepared to facilitate EWEB's relocation off riverfront property, for example.*
- G.8 The cities and county shall coordinate with cities surrounding the metropolitan area to develop a growth management strategy. This strategy will address regional public facility needs. *This policy is being implemented through the Region 2050 project.*

Services to Development Within the Urban Growth Boundary: Water

- G.10 Continue to take positive steps to protect groundwater supplies. The cities, county, and other service providers shall manage land use and public facilities for groundwater-related benefits through the implementation of the *Springfield Drinking Water Protection*

Plan and other wellhead protection plans. Management practices instituted to protect groundwater shall be coordinated among the City of Springfield, City of Eugene, and Lane County. ***Partial.***

- G.12 SUB, EWEB, and Rainbow Water District, the water providers that currently control a water source, shall examine the need for a metropolitan-wide water master program, recognizing that a metropolitan-wide system will require establishing standards, as well as coordinated source and delivery systems.

Services to Development Within the Urban Growth Boundary: Stormwater

- G.13 Improve surface and ground water quality and quantity in the metropolitan area by developing regulations or instituting programs for stormwater to:
- a. Increase public awareness of techniques and practices private individuals can employ to help correct water quality and quantity problems;
 - b. Improve management of industrial and commercial operations to reduce negative water quality and quantity impacts;
 - c. Regulate site planning for new development and construction to better manage pre- and post-construction storm runoff, including erosion, velocity, pollutant loading, and drainage;
 - d. Increase storage and retention and natural filtration of storm runoff to lower and delay peak storm flows and to settle out pollutants prior to discharge into regulated waterways;
 - e. Require on-site controls and development standards, as practical, to reduce off-site impacts from stormwater runoff;
 - f. Use natural and simple mechanical treatment systems to provide treatment for potentially contaminated runoff waters;
 - g. Reduce street-related water quality and quantity problems;
 - h. Regulate use and require containment and/or pretreatment of toxic substances;
 - i. Include containment measures in site review standards to minimize the effects of chemical and petroleum spills; and
 - j. Consider impacts to ground water quality in the design and location of dry wells.
- Partial.***

- G.14 Implement changes to stormwater facilities and management practices to reduce the presence of pollutants regulated under the Clean Water Act and to address the requirements of the ESA. *Partial.*
- G.15 Consider wellhead protection areas and surface water supplies when planning stormwater facilities. *Partial.*
- G.16 Manage or enhance waterways and open stormwater systems to reduce water quality impacts from runoff and to improve stormwater conveyance. *Partial.*
- G.17 Include measures in local land development regulations that minimize the amount of impervious surface in new development in a manner that reduces stormwater pollution, reduces the negative affects from increases in runoff, and is compatible with *Metro Plan* policies. *Partial.*

Services to Development Within the Urban Growth Boundary: Schools

- G.21 The cities shall initiate a process with school districts within the UGB for coordinating land use and school planning activities. The cities and school districts shall examine the following in their coordination efforts:
 - a. The need for new public school facilities and sufficient land to site them;
 - b. How open enrollment policies affect school location;
 - c. The impact of school building height and site size on the buildable land supply;
 - d. The use of school facilities for non-school activities and appropriate reimbursement for this use;
 - e. The impact of building and land use codes on the development and redevelopment of school facilities;
 - f. Systems development charge adjustments related to neighborhood schools; and,
 - g. The possibility of adjusting boundaries, when practical and when total enrollment will not be affected, where a single, otherwise internally cohesive area is divided into more than one school district. *Partial.*
- G.22 Support financial and other efforts to keep neighborhood schools open and to retain schools sites in public ownership following school closure.
- G.23 Support the retention of University of Oregon and LCC facilities in central city areas to increase opportunities for public transit and housing and to retain these schools' attractiveness to students and faculty. *Partial.*

Financing

- G.37 Explore other funding mechanisms at the local level to finance operations and maintenance of public facilities. *Partial.*

H. Parks and Recreation Facilities Element

- H.1 Develop a system of regional-metropolitan recreational activity areas based on a facilities plan for the metropolitan area that includes acquisition, development, and management programs. The *Metro Plan* and system should include reservoir and hill parks, the Willamette River Greenway, and other river corridors. *Partial.*
- H.2 Local parks and recreation plans and analyses shall be prepared by each jurisdiction and coordinated on a metropolitan level. The park standards adopted by the applicable city and incorporated into the city's development code shall be used in local development processes.
- H.6 All metropolitan area parks and recreation programs and districts shall cooperate to the greatest possible extent in the acquisition of public and private funds to support their operations.

I. Historic Preservation Element

- I.1 Adopt and implement historic preservation policies, regulations, and incentive programs that encourage the inventory, preservation, and restoration of structures; landmarks; sites; and areas of cultural, historic, or archaeological significance, consistent with overall policies. *Partial.*
- I.2 Institute and support projects and programs that increase citizen and visitor awareness of the area's history and encourage citizen participation in and support of programs designed to recognize and memorialize the area's history. *Partial.*
- I.3 Explore the feasibility of a metropolitan non-profit historic preservation development organization to bring together public and private funding sources.
- I.8 Local governments shall pursue grants from all available sources to assist with the identification and evaluation of ~~archaeological~~ historically significant sites.

J. Energy Element

- J.1 It is recommended that the coordinated development of a detailed metropolitan energy management plan or plans be undertaken, recognizing existing related energy documents, with the active participation of local jurisdictions in order to address local energy issues in greater depth than can be attempted in a metropolitan general plan. The products of this additional process would be considered as part of all metropolitan area planning policies in shaping the development of the region and should be continually monitored

and reviewed to ensure their continued relevancy. Most of the energy data needed for this planning effort can be best be collected and stored by a unified energy data bank that would, at a minimum, serve the entire metropolitan area.

This effort should at least:

- a. Establish the current demand and projected energy demand for the various sectors of the economy in the metropolitan area.
 - b. Inventory the current supply sources of energy for the metro area and include projected sources, renewable and nonrenewable, centralized and decentralized, and the price projections for each source.
 - c. Coordinate the development of a uniform reporting system to be used by the various energy suppliers in the metropolitan area in order to generate an ongoing, accurate data base for energy planning.
 - d. Examine the potential economic impacts to metro area residents resulting from projected energy demand, supply, and price.
 - e. Determine the impact of current land use policies and actions on energy use and reaffirm or point out adjustments to land use policies, regulations, and activities, as necessary, to reflect these considerations.
 - f. Research revisions to regulations which would have a positive effect on the use of renewable, decentralized energy sources, such as solar energy.
 - g. Research land use patterns which would facilitate the use of centralized, small-scale energy generation and storage in residential, commercial, industrial, and mixed use applications.
 - h. Specify implementation processes.
- J.2 Carefully control, through the use of operating techniques and other methods, energy-related actions, such as automobile use, in order to minimize adverse air quality impacts. Trade-offs between air quality and energy actions shall be made with the best possible understanding of how one process affects the other. ***Partial.***
- J.3 Land allocation and development patterns shall permit the highest possible current and future utilization of solar energy for space heating and cooling, in balance with the requirements of other planning policies. ***Partial.***
- J.6 Local jurisdictions and utilities shall examine methods of expanding existing residential, commercial, and industrial energy conservation programs. One potential method would be offering advice concerning the use of solar water heating systems.

- J.7 Encourage medium- and high-density residential uses when balanced with other planning policies in order to maximize the efficient utilization of all forms of energy. The greatest energy savings can be made in the areas of space heating and cooling and transportation. For example, the highest relative densities of residential development shall be concentrated to the greatest extent possible in areas that are or can be well served by mass transit, paratransit, and foot and bicycle paths. ***Partial.***
- J.8 Commercial, residential, and recreational land uses shall be integrated to the greatest extent possible, balanced with all planning policies to reduce travel distances, optimize reuse of waste heat, and optimize potential on-site energy generation. ***Partial.***
- J.9 Encourage industrial activities that use the smallest relative amounts of non-renewable energy. ***Partial.***
- J.10 Support efforts to develop industries that have a relatively high potential for utilizing renewable energy sources or waste heat.
- J.11 Encourage the use and development of cogenerative and decentralized energy supplies for commercial and industrial purposes in an environmentally beneficial manner.
- J.12 When practical, the government sector should take the lead in demonstrating and implementing:
- a. Cost-effective use of renewable and decentralized energy sources, such as solar space and water heating systems.
 - b. Selection and efficient use of energy-saving vehicles.
- J.13 Continue and encourage cooperation and communication between citizenry, utilities, and local, state, and federal governmental entities concerning energy-related issues, especially as they pertain to service area boundaries and economic development. ***Partial.***
- J.1716-~~The Energy Element should be re-evaluated during the *Metro Plan* update in light of the program activities for local governments that were laid out in the *Northwest Conservation and Electric Power Plan*.~~

Chapter IV

Metro Plan Review, Amendments, and Refinements

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.

Chapter III.C: Environmental Resources Element, Exhibit B

The following policies reference the proposed Metro Plan Chapter III-C in Exhibit B to the adopting ordinance for Periodic Review Metro Plan amendments.

Policy C.3

C.3 During the next *Metro Plan* update, a study should be initiated to examine ways of buffering and protecting agricultural lands on the urban fringe from the effects of urban development. The study should also evaluate approaches to use in order to maintain physical separation between the Eugene-Springfield metropolitan area and smaller outlying communities.

Policy C.8

C.8 Local governments shall develop plans and programs which carefully manage development on hillsides and in water bodies, and restrict development in wetlands in order to prevent erosion and protect the scenic quality, surface water and groundwater quality, forest values, vegetation, and wildlife values of those areas.

Policy C.29

C.29 Prior to the completion of the next *Metro Plan* update, the air, water, and land resource quality of the metropolitan area will be reassessed.

ATTACHMENT G

Property Line Adjustment and Legal Lot Criteria Work Tasks Land Management Division/Dept. of Public Works

Project Title: Property Line Adjustment and Legal Lot Criteria.

Project Purpose: To provide the Board with an estimate for the cost of amending the Lane Code to regulate property line adjustments and codify the criteria for determining a legal lot. The criteria will resolve the issue of when a road divides a legal lot.

Project Budget

Personnel	
0.5 FTE Planner	20,685
Materials and Services (0.8814 of salary)	18,232
0.1 FTE Land Management Technician (six months)	1,746
Materials and Services (0.8814% of salary)	1,539
Subtotal	\$ 42,202
Expenses	
Notice mailings	18,500
Printing	8,000
Miscellaneous	1,500
Subtotal	\$ 28,000
Total	\$ 70,202

Background

At the hearing on May 12, 2004, the Board directed staff to present a work program for addressing several issues raised during the hearing. These issues include regulating property line adjustments and determining when a road divides a legal lot. This is a comprehensive proposal to deal with all the issues raised during the hearing. The work program will do the following:

1. Amend the Lane Code.
2. Codify the criteria policies. This will include resolving when a road divides a legal lot.
3. Create standards and a process for regulating property line adjustments.

Detailed list of tasks

1. **July - Aug 2004.** Reconvene the Taskforce:
 - a) Develop a list of issues: roads, etc.
 - b) Develop a set of guidelines for regulating property line adjustments.
2. **July - Sept 2004.** Research.
 - a) Lane Code
 - b) ORS
 - c) OAR
 - d) LUBA case law
3. **Oct 2004.** Write the amendment.
 - a) Property line adjustment standards and procedures
 - b) Legal lot criteria: roads, etc.
4. **Nov 2004.** Notice. Run a legal ad in the newspapers.
5. **Nov 2004.** Send the draft to interested parties.
6. **Nov - Dec 2004.** Answer calls from public. Approximately one hour per day once notice is out.
7. **Dec 2004.** LCPC
 - a) Work session
 - b) Hearing
 - c) Deliberation
8. **Jan 2005.** Review by counsel.
 - a) Review the amendment
 - b) Write the ordinance.
9. **Feb 2005.** Board of County Commissioners.
 - a) Hearings: at least 2.
 - b) Deliberation.

CURRENT RURAL COMP PLAN LONG RANGE PROJECTS

JUNE 2, 2004

MATRIX CHECKLIST OF RURAL/METRO & SMALL CITY LONG RANGE PLANNING PROJECTS

PROJECT	FUNDING SOURCE				DURATION	FTE	Board Priorit y	Status
	Vid Lot	LRPS	Recording Fees	Title III				
RCP Periodic Review.	v				48 mo's	1.5	v	In Process
Coastal Mgmt. Plan Periodic Review	v			v	6 mo's	.4	v	In Process
HB 2691 Codification	v			v	6 mo's	.15	v	Complete
OAR 660-22 Codification	v				6 mo's	.15	v	Complete
Errors & Omission	v				6 mo's	.13	v	Complete
Metro Long Range Planning Projects								
Natural Res. Study		v	v		6 mo's	.2		Complete/ Pending BCC
Farm/Forest Policy Update		v	v		6 mo's	.1		Complete/ Pending BCC
Springfield Drinking H2O		v	v		6 mo's	.2		Pending PH
Waterway Study		v	v		6 mo's	.2		Monitor
Small City Periodic Review								
Florence	v	v	v		6 mo's	.2		Pending
Veneta	v	v	v		6 mo's	.1		
Coburg	v	v	v		6 mo's	.2		Pending
Lowell	v	v	v		6 mo's	.1		
Dunes City	v	v	v		6 mo's	.1		
E- Government Access								
Comm. Info		v	v		6 mo's	.2		Continuous
Devlopmt Code		v	v		6 mo's	.1		Continuous
Handouts		v	v		6 mo's	.2		Continuous
Applications		v	v		6 mo's	.2		Pending
Zoning Maps		v	v		6 mo's	.2		Pending

**MATRIX CHECKLIST OF
NON-MANDATED RURAL COMP PLAN
LONG RANGE PLANNING PROJECTS**

PROJECT	FUNDING SOURCE			Title III	DURATION	FTE	Board Priority	Status
	Vid Lot	Recording LRPS	Fees					
Legal Lot a. <u>or</u> Legal Lot b.		v	v		6 mo's 12 mo's	.3 .6	v	Pending BCC 6/15
Rev. Telecom. Tower Stds		v	v		6 mo's	.3	v	Pending LCPC 7/6
Rev. Riparian Regulations				V	6 mo's	.75	v	Pending
Revisions Flood Ratings		v	v		6 mo's	.2	v	
Revisions Groundwater		v	v		6 mo's	.2	v	
Leg/ Rule Updates		v	v		6 mo's	.25	v	Pending LCPC Fall
Revisions Farm/Forest				V	6 mo's	.4		
Library Dist. a. Min. <u>or</u> b. Major		v	v		6 mo's 12 mo's	.3 .5		Monitor
Region 2050		v	v		12 mo's	.1		Monitor
Regional Parks & Open Space				V	12 mo's	.1		Monitor
Drinking Water Protect Plans		v	v		6 mo's	.3		Monitor
S Will. Valley Groundwater		v	v		12 mo's	.2		Monitor
Revisions S&G Committee		v	v		6 mo's	.2		
Policy accepting access to OPI		v	v		6 mo's	.2		
Nat Hazards Mit Plan				V	6 mo's	.1		Monitor
Landslide Hazard areas				V	6 mo's	.1		Pending LCPC Fall
Riparian & River Migration Hazard					12 mo's	.8		
Rural Long Range Planning Projects								
Periodic Review	v				12 mo's	1.0	v	
Metro/Small Cities & E-Government Projects								
Periodic Review	v				12 mo's	1.0	v	