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AGENDA CHECKLIST

Account Code 3624 124 040

AGENDA INFORMATION TO BE SUBMITTED TO THE BOARD OFFICE:

One Title Memo
(See APM CH.1, Sec. 2) (Photo-
copy of Agenda Checklist is acceptable)

Agenda Packet
One Original/Hard Copy plus
One As-Complete-As-Possible
copy e-mailed to Lane County
Agenda Review mailbox

Material Due
Due by 5 pm Wednesday preceding
the week it will be **approved** for
inclusion on the agenda. (Check
Future Agenda for due dates.)

AGENDA TITLE: **ORDINANCE NO. PA 1215**
)IN THE MATTER OF ADOPTING CRITERIA
)FOR DETERMINING SIGNIFICANT GOAL 5
)RIPARIAN OR WILDLIFE HABITAT SITES
)OUTSIDE THE SPRINGFIELD CITY LIMITS
)AND WITHIN THE SPRINGFIELD URBAN
)GROWTH BOUNDARY; ADOPTING AN
)UPDATED GOAL 5 INVENTORY OF RESOURCE
)SITES OUTSIDE THE SPRINGFIELD CITY
)LIMITS AND WITHIN THE SPRINGFIELD
)URBAN GROWTH BOUNDARY; AND ADOPTING
)A SEVERABILITY CLAUSE (Metro Periodic
)Review, Work Task No. 7)

DEPARTMENT **Public Works/Land Management**

CONTACT **Stephanie Schulz** EXT **x3958**

AGENDA DATE: **First Reading August 25, 2004**
2nd Reading/Public Hearing
September 15, 2004

THIS ITEM WILL INVOLVE:

☐ Consent Calendar ☐ Report ☐ Appointments ☐ Committee Reports
☐ ORDER/Resolution ☐ Discussion & Action ☐ Discussion Only
☒ Ordinance/Public Hearing ☒ 1st Reading ☒ 2nd Reading ☐ 3rd Reading
Public Comment Anticipated? ☐ Yes ☒ No Estimated Time **10 minutes.**

NOTE: DEPARTMENT MANAGER MUST SIGN OFF BEFORE SUBMITTING TO BOARD OFFICE

Department Manager: _____ Date _____

Legal Staff-Review by: _____ Date _____

Management Staff- _____ Date _____

Review by: _____

Human Resources- _____ Date _____

Review by (if required): _____

☐ Yes ☐ No File Note Attached?
☐ Yes ☐ No Information for Agenda Setting Committee Only?

☐ Yes ☐ No

To be Distributed with Packets

INDICATE OTHER DIVISIONS/DEPARTMENTS THAT REQUIRE COPIES OF APPROVED ORDER

WP ca/mi/checklst/T

**SUPPLEMENTAL
COVER MEMO**

DATE: August 25, 2004 (First Reading)
September 8, 2004 (Memo date)
September 15, 2004 (Second Reading / Public Hearing)

TO: LANE COUNTY BOARD OF COMMISSIONERS

PRESENTED BY: Stephanie Schulz/Planner, LMD

AGENDA ITEM TITLE: IN THE MATTER OF ADOPTING CRITERIA FOR DETERMINING SIGNIFICANT GOAL 5 RIPARIAN OR WILDLIFE HABITAT SITES OUTSIDE THE SPRINGFIELD CITY LIMITS AND WITHIN THE SPRINGFIELD URBAN GROWTH BOUNDARY; ADOPTING AN UPDATED GOAL 5 INVENTORY OF RESOURCE SITES OUTSIDE THE SPRINGFIELD CITY LIMITS AND WITHIN THE SPRINGFIELD URBAN GROWTH BOUNDARY; AND ADOPTING A SEVERABILITY CLAUSE (Metro Periodic Review, Work Task No. 7)

I. ISSUE OR PROBLEM

The Eugene-Springfield Metropolitan Area General Plan periodic review work program includes adoption of Goal 5 Natural Resource Inventories by all three jurisdictions under work task number seven. The City of Springfield has completed the city process to adopt the natural resources inventory as it applies inside their city limits, and is now requesting consideration and adoption by the Board of County Commissioners for those sites located outside Springfield's city limits and within the Springfield Urban Growth Boundary (UGB), commonly known as the urbanizable area. *(no change from original memo)*

II. RECOMMENDATION

Staff recommends adoption of the Springfield Natural Resources Inventory as it applies to the area outside the Springfield city limits and within the UGB. Adoption of the Springfield Inventory of Sites by the Board will complete the multi-jurisdictional, multi-year process for adoption of a Natural Resources Inventory that completes Goal 5 Periodic Review for the entire Metro Planning Area. In order for the ordinance to become effective, the Commissioners must adopt the same inventory, as presented here, for the area between the Springfield City Limits and the Springfield UGB as adopted by the Springfield City Council. *(no change from original memo)*

III. ATTACHMENTS

B. Lane County Planning Commission July 20, 2004 Work Session and Public Hearing minutes

MINUTES

Lane County Planning Commission
Commissioners Conference Room - Lane County Courthouse

July 20, 2004
5:30 p.m.

PRESENT: Juanita Kirkham, Ed Becker, Jacque Betz, Marion Esty, Steve Dignam, James Carmichael, members; Kent Howe, Thom Lanfear, Stephanie Schulz, Staff; Mark Metzger, Springfield Senior Planner

ABSENT: Mark Herbert, Vincent Martorello, members.

I. WORK SESSION: PA 04-5341 Request for Expansion of Fir Grove Cemetery

Ms. Kirkham convened the meeting and called for public comment. There were no members of the public wishing to speak.

Ms. Kirkham moved on to the first agenda item.

Thom Lanfear provided the staff report. He said, in the case of a cemetery a plat was signed by the Planning Commission by ORS 97.460. He said the expansion had been noticed in the surrounding area and no appeals had been filed or public comment received.

In response to a question from Mr. Dignam regarding the nature of the expansion, Mr. Lanfear said it was an expansion to allow for cremated remains and clarified that there would be no environmental impacts to the surrounding lands.

In response to a question from Mr. Dignam regarding whether the specific criteria for approval had been met, Mr. Lanfear said they had and said the staff report contained all of the criteria for approval.

Mr. Becker, seconded by Ms. Esty, moved to approve the expansion as approved by staff.

Mr. Dignam said he would support the motion since there were no projected impacts to the surrounding area.

The motion passed unanimously.

II. Work Session: Amending the Eugene Springfield Metropolitan Area General Plan to Adopt Springfield Goal 5 Natural Resources (NR) Inventory for the Area Outside City Limits and Within the Urban Growth Boundary

Stephanie Schulz said action requested was the final piece of the Metro Plan amendment process to adopt the Goal 5 NR Inventory by all three jurisdictions. She said the City of Eugene and the County had both

taken action on the Inventory as it applies to the Eugene urbanizable area, and the City of Springfield was requesting co-adoption with the County for the Springfield urbanizable area.

Mark Metzger, senior planner with City of Springfield, summarized the Goal 5 Inventory process to date. He said adopting an inventory for Goal 5 was really adopting criteria for choosing how a site made it on to the inventory list. He said Eugene and Springfield had separated their efforts to speed the process. He said he was presenting Springfield's list that evening. He noted that there were relatively little differences between the two lists but specified that Springfield would have its own inventory list.

Regarding protection of sites, Mr. Metzger said the standard process required an ESEE, (Economic, Social, Environmental, Energy) analysis when development is proposed, which is a mechanism to find a balance of protection and development. He said Safe Harbor was the other state approved method to use. He said the protection measures were minimal but inflexible under the Safe Harbor method. He said Safe Harbor allowed for finishing the inventory more rapidly than the standard process.

In response to a question from Ms. Betz regarding who decided which process to use, Mr. Metzger said it was a City Council decision. He said upland areas would be treated under safe harbor with the rationale that there were no endangered species to protect in those areas. He noted that there were also protection measures in Springfield's code that would work with the Safe Harbor approach to make sure that the course of development did not result in a clear cut. He said Springfield's City Council felt that there were enough protections for uplands already on the books and there would be nothing to gain by using the standard process. He said riparian areas would use the standard process because there were more sensitive species in those areas. He showed maps of natural resource areas in riparian and upland sites.

Mr. Metzger said both Eugene and Springfield had tried to use the Standard process but noted that there were very few sites in Eugene or Springfield had sites that called for complete protection. He stressed the importance of allowing development to occur with minimum impacts to the environment. He noted that Eugene's inventory also used the Safe Harbor approach for upland areas.

In response to a question from Mr. Carmichael regarding the differing standards and the possibility of litigation because of the complicated nature of their use, Mr. Metzger said the inventory identified special places for protection measures to apply to development. He stressed that the development code applied to all properties and reiterated that state law called for the inventory process.

In response to a question from Mr. Carmichael regarding the nature of the public comment received, Mr. Metzger said there had been a lot of objection on the Eugene side about properties that were included in the inventory. He added that there was also some testimony about lands that were desired to be added. He said Springfield had added a couple of sites as a result of public comment. He said there had been little or no objection to removing upland areas from the standard process list and switching to safe harbor.

In response to a question from Mr. Carmichael regarding whether property owners on the list would be taxed in a different manner, Mr. Metzger said land in the resource areas had been taxed in a number of different rates. He remarked that the question would be difficult to answer specifically. He remarked that property values on riparian sites would increase as the land was sold. He said the impact of having a resource site on or near a person's property would vary. He cited the differing way natural features were arranged on a property as a reason why property values would rise or fall.

Mr. Becker clarified that the inventory included state and federal endangered species.

In response to a question from Ms. Betz regarding whether the proposed new hospital site for Springfield was in the City limits, Mr. Metzger said it was not in the City limits but would still have protections because of the proximity to the McKenzie River.

In response to a question from Ms. Betz regarding how protections would be implemented, Mr. Metzger said inventoried sites would have standards that would be adopted into the development code. He added that State Law called for an analysis of impacts of protection measures on available land. He said if a 20 year supply of land were not maintained in the urban growth boundary then it would have to be expanded.

In response to a question from Mr. Dignam regarding lands outside the City but inside the UGB and the total number of acres in the areas of interest, Mr. Metzger pointed out the areas on the map that applied. He called attention to Attachment C. in the meeting packet. He identified areas that would be under County jurisdiction. He stressed that the City and the County would be partners in the process. He said protections adopted outside of the City limits would require co-adoption.

In response to a question from Ms. Kirkham regarding what the County had approved, Planning Director Kent Howe said the Board of County Commissioners had approved safe harbor between the Metro Plan Boundary and Springfield's urban growth boundary. He said the Planning Commission was being asked that evening to take action on the land between Springfield's city limits and the urban growth boundary.

Regarding meeting membership, Mr. Howe noted that Chris Clemow had officially resigned from the commission.

Mr. Dignam commended Mr. Clemow for his hard work on the commission.

Ms. Kirkham reiterated Mr. Dignam's comments.

The work session adjourned at 7 pm.

(Recorded by Joe Sams)

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MINUTES

Lane County Planning Commission
Harris Hall - Lane County Courthouse

July 20, 2004
7:00 p.m.

PRESENT: Ed Becker, Jacque Betz, , Juanita Kirkham, Marion Esty, Steve Dignam, James Carmichael, members; Stephanie Schulz, staff, Mark Metzger, Springfield Senior Planner.

ABSENT: Mark Herbert, Vincent Martorello, members.

I. PUBLIC HEARING: Eugene-Springfield Metro Plan Amendment to Adopt the Springfield Goal Five Natural Resources Inventory for the Area Outside the City Limits and Within the Urban Growth Boundary

Ms. Kirkham convened the meeting at 7 pm. She called for public comment on items not being addressed by the commission that evening. There were no members of the public wishing to speak.

Ms. Kirkham called for *ex parte* contacts or conflicts of interest from the commission. None were declared.

Stephanie Schulz provided the staff report. She said the City of Springfield was requesting a recommendation to approve the Springfield Goal 5 Natural Resources Inventory for the area between the city limits and the Urban Growth Boundary. She noted that city staff provided a good overview during the work session earlier this evening and Metro Plan Amendment criteria in Lane Code has been met.

Mark Metzger, City of Springfield, said the proposal met the criteria for approval for amending the Metropolitan Area General Plan. He made himself available for questions from the commission.

Ms. Kirkham called for public testimony. Seeing no one wishing to speak she closed the hearing and called for deliberations from the commission members.

Ms. Betz said the work session earlier was very productive and she was comfortable with approving the amendments and allowing Springfield to move on with its Goal 5 work. Ms. Esty agreed with Ms. Betz.

Mr. Carmichael thanked Springfield staff for a good presentation and said he would support the amendment. He said there were enough safeguards in the process for protecting lands into the future.

Mr. Dignam, seconded by Ms. Esty, moved to approve the Metro Plan amendment to co-adopt the City of Springfield Goal 5 Inventory for application outside the city limits and within the UGB.

Mr. Dignam said the amendment was consistent with statewide planning goals. He added that the same action had been taken with the City of Eugene.

The motion passed unanimously.