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CITY OF SPRINGFIELD, OREGON

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March 20, 2009

Mr. Peterson Sorenson, Chair County Commissioner
Board of County Commissioners

Subject: Proposed Safe Harbor Population Forecast for Springfield

On October 6, 2008 the cities of Eugene and Springfield notified you of a November 6, 2008 public hearing to be conducted by the planning commissions of Eugene, Springfield and Lane County. The purpose of that hearing was to accept testimony on a proposal to amend the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) by adding text that established new 20-year population projections for each city. The letter went on to say that the basis of these projections was a new statutory provision (ORS 195.034) that allowed cities to seek "safe harbor" population forecasts if the existing forecast had not been prepared in the previous 10 years. Eugene and Springfield elected officials believed that circumstance existed because a separate population projection for each city had never been prepared. Eugene and Springfield are required by ORS 197.304, enacted in June, 2007, to have separate population projections.

Under the safe harbor provisions of ORS 195.034 the cities may seek a continuation of their existing percentage of county-wide population, including the transition area between the city limits and urban growth boundary, and maintain that proportion during the next 20 years. For example, Springfield's certified 2007 population was 57,320 and the estimated population in the urban transition area was 8,538; this total population of 65,858 was 19.19% of the total County population of 343,140. This same relationship in the year 2030 results in a Springfield population forecast of 82,616 of the County's total forecasted population of 430,454. Eugene's population share is 51.46% of the County total, or 221,515 in the year 2030.

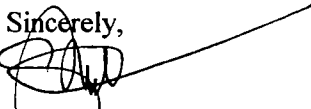
The cities of Eugene and Springfield believe that the provisions of ORS 195.034 may proceed without disruption to the concurrent effort undertaken by Lane County to prepare a coordinated population forecast for the county, or with the request by the 10 cities to amend the Lane County Comprehensive plan to provide new population forecast for their respective jurisdictions. It is our hope that both of these efforts may be concluded with a minimum of controversy and with an outcome that is supported by the affected cities. However, Eugene and Springfield must meet a deadline imposed by ORS 197.304 that necessitates that they have in place a 20-year forecast sooner than can be guaranteed by the coordinated population forecast project currently underway.

The planning commissions of Eugene, Springfield and Lane County conducted a joint public hearing on this proposal on Thursday, November 6, 2008. At the conclusion of that hearing the planning commissions adopted motions in support of this proposal.

The recommendation of the Springfield Planning Commission is being forwarded to the Springfield City Council who will conduct a public hearing on this proposed Metro Plan amendment on April 6, 2009 at 7:00 p.m. in the City Council Chambers of Springfield City Hall. I have enclosed a copy of the public hearing notice for your information and assistance.

If you have any questions regarding this proposal, please contact me at your convenience.

Sincerely,


Gregory Mott
Planning Manager, City of Springfield

cc: City Manager/Administrator

NOTICE OF PUBLIC HEARING – SPRINGFIELD CITY COUNCIL

Notice is hereby given that the Springfield City Council will conduct a public hearing on Monday, April 6, 2009 at 7:00 p.m. in the Springfield City Council Chambers, 225 Fifth Street, Springfield Oregon on the following matter:

Proposal to amend the Eugene Springfield Metropolitan Area General Plan (*Metro Plan*), pursuant to ORS 195.034, to adopt a new 20-year population forecast for the City of Springfield to comply with the needed housing determination required by ORS 197.304.

Nature of the request

The following text is proposed to be added to Chapter I, Introduction of the *Metro Plan*:

“In order to achieve timely compliance with the statutory obligation under 2007 Or Laws Chapter 650, the City of Springfield separately adopts the following safe harbor population forecast pursuant to 2007 Or Laws Chapter 689, and for the planning period extending until 2030: City of Springfield Jurisdictional area: 82,616.”

Applicable standards

The following standards apply to this proposal to amend the *Metro Plan*:

ORS 197.304 mandates as follows:

- (1) Notwithstanding an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions to the contrary, a city within Lane County that has a population of 50,000 or more within its boundaries shall meet its obligation under ORS 197.295 to 197.314 separately from any other city within Lane County. The city shall, separately from any other city:
 - (a) Establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and
 - (b) Demonstrate, as required by ORS 197.296, that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.
- (2) Except as provided in subsection (1) of this section, this section does not alter or affect an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions adopted by Lane County or local governments in Lane County.

In addition, ORS 195.034 provides as follows:

(2) If the coordinating body has not adopted a forecast as required by ORS 195.036 or if the current forecast was adopted more than 10 years before the city initiates an evaluation or amendment of the city's urban growth boundary, a city may propose a 20-year forecast for its urban area by:

(a) Basing the proposed forecast on the population forecast prepared by the Office of Economic Analysis for the county for a 20-year period that commences when the city initiates the evaluation or amendment of the city's urban growth boundary; and

(b) Assuming that the urban area's share for the forecasted county population determined in paragraph (a) of this subsection will be the same as the urban area's current share of the county population based on the most recent certified population estimates from Portland State University and the most recent data for the urban area published by the United States Census Bureau.

(3)(a) If the coordinating body does not take action on the city's proposed forecast for the urban area under subsection (1) or (2) of this section within six months after the city's written request for adoption of the forecast, the city may adopt the extended forecast if:

(A) The city provides notice to the other local governments in the county; and

(B) The city includes the adopted forecast in the comprehensive plan, or a document included in the plan by reference, in compliance with the applicable requirements of ORS 197.610 to 197.650.

(b) If the extended forecast is adopted under paragraph (a) of this subsection consistent with the requirements of subsection (1) or (2) of this section:

(A) The forecast is deemed to satisfy the requirements of a statewide land use planning goal relating to urbanization to establish a coordinated 20-year population forecast for the urban area; and

(B) The city may rely on the population forecast as an appropriate basis upon which the city and county may conduct the evaluation or amendment of the city's urban growth boundary.

Testimony and evidence of those testifying should be directed toward the applicable standards described above or other standards or criteria that the person testifying believes apply to the decision.

Additional information and staff report

The application, including all documents and evidence placed into the record to date, are available for free inspection at the Springfield Development Services Department, 225 Fifth Street, Springfield, Oregon 97477 between 8:00 a.m. and 5:00 p.m. Copies may be obtained at cost. The Planning Division staff report to the Council will be available by

3:00 p.m. on Monday, March 30, 2009. For additional information you may contact Gregory Mott, Planning Manager, City of Springfield, at the above address, by telephone at 541-726-3774, or email at: gmott@ci.springfield.or.us

How to submit testimony

1. Send a written statement to the Planning Commission, c/o Gregory Mott, 225 Fifth Street, Springfield, OR 97477 or by email to: gmott@ci.springfield.or.us. To be included in the Council's packet, your statement must be received by the Planning Division by 5:00 p.m. on Monday, March 30, 2009.

2. Submit a written statement after March 30, 2009, or at the public hearing. The Council will have less of an opportunity to read the written material prior to taking action.

3. Attend the public hearing on April 6, 2009 and state your concerns. Your oral testimony will be recorded in the minutes of the hearing. The Council typically limits oral testimony to 3 minutes so you may want to consider submitting written testimony as well if it will take longer than 3 minutes to voice your opinion.

Issues which may provide the basis for an appeal to the Oregon Land Use Board of Appeals (LUBA) must be raised in writing by the person testifying not later than the close of the record at or following this hearing. Such issues shall be raised and accompanied by statements or evidence sufficient to afford the City Council and parties involved in this hearing an adequate opportunity to respond to each issue. Failure to raise an issue with sufficient specificity to afford the decision-makers and the parties involved an opportunity to respond may preclude appeal to LUBA on that issue. All decisions of the City Council are final. A party may appeal the decision to LUBA within 21 days of the decision. Appeals to LUBA are governed by ORS 197.830 to 197.845.

Conduct of public hearing

1. City Recorder will read the ordinance title.
3. Mayor will open the public hearing and request staff report
4. Mayor will begin public testimony in order of request to speak submittals
5. Mayor will ask for all others interested in testifying.
6. Staff will enter any written testimony into the record
7. Mayor will close the public hearing or Council may consider requests for record extension or hearing continuance.

The City of Springfield complies with state and federal laws and regulations relating to discrimination, including the Americans with Disabilities Act of 1990 (ADA). Individuals with disabilities requiring accommodations should contact Amy Sowa, City Recorder, at 541-726-3700 at least 48 hours prior to the hearing.