

W. S. C.

AGENDA ITEM SUMMARY

Meeting Date: September 22, 2009
Meeting Type: Joint Elected Officials
Department: Development Services
Staff Contact: Greg Mott
Staff Phone No: 726-3774
Estimated Time: 45 Minutes

**SPRINGFIELD
CITY COUNCIL**

ITEM TITLE: AMEND THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) TO INCLUDE NEW POPULATION FORECASTS FOR THE CITIES OF SPRINGFIELD AND EUGENE AND THEIR RESPECTIVE URBANIZABLE AREAS EAST AND WEST OF INTERSTATE HIGHWAY 5.

ACTION REQUESTED: Conduct a first reading and public hearing of the following Ordinance:

AN ORDINANCE AMENDING CHAPTER I, INTRODUCTION AND PURPOSE SECTION OF THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN BY ADDING SEPARATE POPULATION FORECASTS FOR THE CITIES OF SPRINGFIELD AND EUGENE FOR THE PERIOD 2010-2030 AND INCLUDING THE PERIOD 2030-2035 AND ADOPTING A SEVERABILITY CLAUSE.

ISSUE STATEMENT: The two cities must have separate population forecasts to the year 2030 to comply with the provisions of HB 3337 by the statutory deadline of December 31, 2009. Portland State University (PSU) has completed a coordinated population forecast for Lane County and all Lane County cities through the year 2035. The Board of Commissioners adopted the figures prepared by PSU into the Lane County Rural Comprehensive Plan (LCRCP) on June 17, 2009. The forecasts for Eugene and Springfield included urbanizable areas based on I-5 as a boundary defining the jurisdictional responsibility of each city. Pursuant to the provisions of ORS 195.036 requiring the use of county coordinated population forecasts "for use in maintaining and updating comprehensive plans" Eugene, Springfield and Lane County are proposing to amend the text of the Metro Plan to include the same population forecasts for Eugene and Springfield that appear in the recently amended LCRCP.

- ATTACHMENTS:**
1. Ordinance and Exhibits
 2. Transmittal Memorandum to the Joint Planning Commissions of Eugene, Springfield and Lane County, Dated September 1, 2009

**DISCUSSION/
FINANCIAL
IMPACT:** Lane County recently completed and adopted a coordinated population forecast for the county and all cities within the county. Throughout the project (approximately 2/08-6/09) the cities and interested parties were invited to review preliminary work and meet with the consultants to provide responses or inquiries that would assist in the development of the final product. Eugene and Springfield did initiate an alternative forecast methodology in June 2008 because of the uncertainty that the county would be able to complete this work by the 12/31/09 HB 3337 deadline. The county completed this project ahead of schedule thereby enabling the cities to forego the alternative methodology and use the new coordinated figures as adopted amendments to the Metro Plan. The joint planning commissions conducted a public hearing on this proposal on September 1, 2009 and forwarded unanimous recommendations of approval to their respective elected officials.

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. PA 1261

IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (*METRO PLAN*) BY ADDING NEW AND SEPARATE COORDINATED POPULATION FORECASTS FOR EUGENE AND SPRINGFIELD AND AN URBANIZABLE AREA FOR EACH CITY AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (File No. PA 09-5471)

WHEREAS, The Board of County Commissioners of Lane County, on June 2, 2004, through enactment of Ordinance No. PA 1197, adopted the 2004 update to the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*; and

WHEREAS, Chapter IV of the *Metro Plan* sets forth procedures for amendment of the *Metro Plan*, which for Lane County are implemented by the provisions of Lane Code 12.225; and

WHEREAS, the *Metro Plan* currently contains a single, metropolitan-wide urban area population forecast that extends to 2015; and

WHEREAS, the Board retained Portland State University Population Research Center to complete analysis and conduct public process to develop coordinated population forecasts for Lane County and each urban area within the county and present the study and results to the Board of Commissioners; and

WHEREAS, the Board of County Commissioners, on June 17, 2009, through enactment of Ordinance No. PA 1255, adopted coordinated population forecasts for Lane County and each urban area within the county, including forecasts for Springfield and the urban area east of I-5 and forecasts for Eugene and the urban area west of I-5 through the year 2035; and

WHEREAS, the Cities have coordinated extensively with the county staff and the Lane County Board of Commissioners during the preparation of the coordinated population forecasts by the Population Research Center and support the forecasts adopted by Lane County as an amendment to the Lane County Rural Comprehensive Plan; and

WHEREAS, following a joint public hearing with the Eugene and Springfield Planning Commissions on September 1, 2009, the Lane County Planning Commission recommended the amendments to the Lane County Board of Commissioners; and

WHEREAS, evidence exists in the record indicating that the proposals meet the requirements of Lane Code Chapters 12 and 16, and the requirements of the *Metro Plan* and applicable state and local law; and

WHEREAS, the Board of County Commissioners and the City Councils of Eugene and Springfield have conducted a public hearing on September 22, 2009, and the Board is now ready to take action based upon the above recommendations and the evidence and testimony already in the record as well as the evidence and testimony presented at the public hearings.

NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

The *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*, as adopted by Ordinance No. PA 1197 and amended thereafter, is further amended by adding the text amendment below as Paragraph 3 on Page I-1, to Chapter I, Introduction and Purpose Section:

In order to achieve timely compliance with their statutory obligations under 2007 Or Laws Chapter 650, the cities of Eugene and Springfield and Lane County adopt the following forecasts for their respective jurisdictional areas:

	2030	2035
Eugene - City Only	194,314	202,565
Urban Transition Area West of I-5	17,469	16,494
Total	<u>211,783</u>	<u>219,059</u>
Springfield – City Only	74,814	78,413
Urban Transition Area East of I-5	6,794	6,415
Total	<u>81,608</u>	<u>84,828</u>

These figures effectively provide coordinated projections for each city and the adjacent urban growth areas for years ending 2030 through 2035, enabling them to meet state requirements concerning the beginning and ending years of the 20-year planning period. In the event either city needs to provide a forecast for a planning period that begins after 2010 that city shall determine the 20-year forecast by adding 20% of the 2030-2035 total population increment for each year beyond 2030.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings in support of this action as set forth in Exhibit "A" attached and incorporated here.

Prior coordinated population forecasts adopted by the Board of County Commissioners before enacting this Ordinance shall remain in full force and effect following the effective date of this Ordinance as necessary until those plans are further updated or amended by the Board.

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

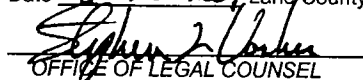
ENACTED this _____ day of _____, 2009.

Peter Sorenson, Chair
Lane County Board of County Commissioners

Melissa Zimmer, Secretary
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 8-20-2009 Lane County


OFFICE OF LEGAL COUNSEL

Staff report and findings of compliance with the *Metro Plan* and Statewide Goals, Oregon Revised Statutes and Oregon Administrative Rules for proposed Metro Plan Amendment adopting Lane County's coordinated population forecasts for Eugene and Springfield

Applicant -

The Cities of Eugene and Springfield and Lane County

File LRP 2009-00006: Amendments to the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) to provide Eugene and Springfield with separate, new 20-year population forecasts.

Nature of the Application -

The applicants propose to amend the *Metro Plan* by adding the following text as the third paragraph of Chapter I, Introduction Purpose Section on Page I-1:

In order to achieve timely compliance with their statutory obligations under 2007 Or Laws Chapter 650, the cities of Eugene and Springfield and Lane County adopt the following forecasts for their respective jurisdictional areas:

	2030	2035
Eugene - City Only	194,314	202,565
Urban Transition Area West of I-5	17,469	16,494
Total	<u>211,783</u>	<u>219,059</u>
Springfield - City Only	74,814	78,413
Urban Transition Area East of I-5	6,794	6,415
Total	<u>81,608</u>	<u>84,828</u>

These figures effectively provide coordinated projections for each city and urban growth area for years ending 2030 through 2035, enabling them to meet state requirements concerning the beginning and ending years of the 20-year planning period. In the event either city needs to provide a forecast for a planning period that begins after 2010 that city shall determine the 20-year forecast by adding 20% of the 2030-2035 total population increment for each year beyond 2030.

Background

The 2007 Oregon legislature adopted HB3337 by amending ORS 197 to add ORS 197.304(1)(a)&(b),(2) and (3). The provisions of this law require Eugene and Springfield, separately from any other city in Lane County, to perform the following:

(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.

In addition to the two actions described above, the statute also requires the demonstration in (b) to be completed by December 31, 2009.¹

In order for the cities to comply with this statutory provision, a new population forecast for each city for the next 20 years needs to be prepared and adopted into the comprehensive plan (*Metro Plan*), or in “a document included in the plan by reference,” such as an inventory, functional plan, or other refinement plan. (NOTE: A city may choose to adopt its forecast into a separate plan document specific to its jurisdictional area as well as into the main plan text.)

LCDC’s Urbanization Goal, also known as Goal 14, was amended in 2006 to require that Urban Growth Boundaries be consistent with a “20-year forecast.” LCDC’s interpretive rules flesh this requirement out. OAR 660-024-0040 provides as follows:

(1) The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, [or in ORS 197.036] and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.

(4) The determination of 20-year residential land needs for an urban area must be consistent with the adopted 20-year coordinated population forecast for the urban area, and with the requirements for determining housing needs in Goal 10, OAR 660, division 7 or 8, and applicable provisions of ORS 197.295 to 197.314 and 197.475 to 197.490.

¹ “Sec.3 A local government that is subject to section 2 of this 2007 Act [197.304] shall complete the inventory, analysis and determination required under ORS 197.296(3) to begin compliance with section 2 of this 2007 Act within two years after the effective date of this 2007 Act [January 1, 2008]”

Metro Plan Amendment Criteria

The proposed amendment is a non-site specific amendment of the Plan text. Therefore it is classified as Type I *Metro Plan* amendment that requires participation and adoption by all three governing bodies. Springfield, Eugene and Lane County adopted identical *Metro Plan* amendment criteria into their respective implementing ordinances and codes. Springfield Development Code (SDC) Chapter 5, Section 5.14-135(C) (1 & 2), Eugene Code 9.7730(3), and Lane Code 12.225(2) (a & b) include criteria of approval that require that the amendment be consistent with relevant statewide planning goals and that the amendment not make the *Metro Plan* internally inconsistent.

These additional potential criteria and the staff responses fill the remaining pages of this report; however, all of the following findings are made subject to the reservation that they may be wholly or partially pre-empted by ORS 197.304(1) which says that “Notwithstanding an intergovernmental agreement . . . or acknowledged comprehensive plan provisions to the contrary,” the cities of Eugene and Springfield shall both:

(a) establish separate 20-year urban growth boundaries, and

(b) demonstrate that their separate boundaries provide sufficient buildable residential lands for the next 20 years as required by ORS 197.296.

(a) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission;

As a preface to this section of the staff report it is useful to provide some context to what is being proposed in this amendment; why the only amendment being sought is a new population forecast for each city; and how this action will establish part of the necessary basis for future significant changes to the *Metro Plan*.

Both cities know they have considerable work ahead of them as they undertake compliance with ORS 197.304. As the Background and Discussion sections in this report have already demonstrated, the new law that is the cause of this work is a significant departure from the laws and agreements that have bound the two cities and county together since the original acknowledgment process and two subsequent periodic reviews. There is no case law that provides guidance or defines nuance; there is no administrative rule that says how you interpret this law; and there is no precedent elsewhere to use as a model for this action. Eugene and Springfield have a single metro-wide UGB; they will soon have separate municipal UGBs. Eugene and Springfield have shared a single metro-wide buildable lands inventory because of the single UGB; they will soon have separate buildable lands inventories contained within their separate UGBs. Eugene and Springfield have shared a single metro-wide population and employment forecast because they’ve shared a single UGB and single buildable lands inventory; now they must begin this compliance process by adopting separate population forecasts into a comprehensive plan that still recognizes the current single, shared UGB and a single, shared buildable lands inventory.

Will all references to a single population, a single UGB and a single buildable lands inventory be amended in this action? No. The proposed amendment is intended to start a lengthy process of *Metro Plan* amendments involving the creation of separate UGBs and separate inventories.

All of those changes cannot be predicted; they must be based on compliance with the goals. That cannot occur in the absence of the facts necessary to support the changes.

The first step in that process (as explained previously) is adopting a new population forecast; the proposed amendment says we are undertaking this action to achieve timely compliance with the statutory obligations of the law. *Timely compliance* is a reference to the deadline imposed by our statutory obligations but also is meant to convey that we recognize the extent of this obligation and are beginning with the first step.

Inserting the new coordinated forecasts and explanatory text on the first page on the first page of the first chapter of the *Metro Plan* provides the proper context for understanding how it relates to the rest of the *Metro Plan*. What might otherwise be seen as a conflict with different population figures and related findings elsewhere in the Plan is resolved by the explicit requirements of the 2007 statute and by the context and language of the amendment. In short: The new forecasts implement that statute. They address a new 20-year planning period. The *Metro Plan* will evolve from its pre-HB3337 content and structure in phases as the cities complete their remaining implementation obligations under the new law, based on the new forecasts.

A demonstration of compliance with the state-wide goals for this amendment, if required at all, is primarily related to Goals 1 and 2 as the remaining goals either don't apply within UGBs (3 & 4) or don't apply here in the Willamette Valley (16-19); the other goals are not affected by a population forecast alone, but can have applicability when subsequent actions that rely upon the forecast are proposed. In spite of the indirect nature of the relationship between the proposed amendment and the goals, an explanation was provided explaining why this action was not contrary to the goals.

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

No amendments to acknowledged citizen involvement programs are proposed. The two cities and the county have acknowledged land use codes that are intended to serve as the principal implementing ordinances for the *Metro Plan*. Chapter 5 of the SDC, *Metro Plan* Amendments; Public Hearings, prescribes the manner in which a Type I *Metro Plan* amendment must be noticed. Citizen involvement for a Type I *Metro Plan* amendment not related to an urban growth boundary amendment requires: Notice to interested parties; notice to properties and property owners within 300 feet of the proposal if site-specific; notice to neighborhood associations; published notice in a newspaper of general circulation; and notice to the Department of Land Conservation and Development (DLCD) at least 45 days before the initial evidentiary hearing (planning commission).

Notice of the joint planning commission hearing was mailed on August 21, 2009; notice was published in the Register-Guard on August 21, 2009; neighborhood associations were mailed notice on August 21, 2009; notice of the first evidentiary hearing was provided to DLCD on July 16, 2009; notice of this proposal and the joint planning commission hearing was sent to the cities of Florence, Dunes City, Veneta, Junction City, Coburg, Creswell, Lowell, West Fir, Oakridge, and Cottage Grove on August 17, 2009.

Requirements under Goal 1 are met by adherence to the citizen involvement processes required by the *Metro Plan* and implemented by the Springfield Development Code, Chapter 5, Section 5.14-135, Eugene Code Section 9.7735, and Lane Code Sections 12.025 and 12.240.

Goal 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Implementation Measures – are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

The current version of the *Metro Plan* was last adopted in 2004 (Springfield Ordinance No. 6087; Eugene Ordinance No. 20319; and Lane County Ordinance No. 1197) after numerous public meetings, public workshops and joint hearings of the Springfield, Eugene and Lane County Planning Commissions and Elected Officials.

Subsequent to these *Metro Plan* adoption proceedings, the 2007 Oregon Legislature adopted new laws that applied specifically to Eugene, Springfield and Lane County. ORS 197.304 requires Eugene and Springfield to adopt separate urban growth boundaries

based on the jurisdictional responsibilities contained in the *Metro Plan*, make a determination based on the provisions of ORS 197.296 that there is sufficient buildable lands within these UGBs to accommodate projected growth for the next 20 years, and to make this determination by December 31, 2009. In response to this mandate, Eugene and Springfield have undertaken a necessary step in compliance by initiating a post-

acknowledgement plan amendment of the *Metro Plan* to establish new population forecasts for each city that will comply with the required planning period of 20 years beginning at the date scheduled for completion of this action by statute (12/31/09), and with the provisions of OAR 660-024-0040 which requires cities to have adopted population forecasts as a prerequisite to establishment of an urban growth boundary.

The *Metro Plan* is the land use or comprehensive plan required by this goal; the Springfield Development Code, the Eugene Code and the Lane Code are the implementation measures required by this goal. Comprehensive plans, as defined by ORS 197.015(5), must be coordinated with affected governmental units. Coordination means that comments from affected governmental units are solicited and considered. The 10 cities in Lane County not participating as decision-makers in this matter received letters explaining the proposal by Eugene, Springfield and Lane County to adopt into the *Metro Plan* the coordinated population forecast prepared by Lane County and adopted into the Lane County Rural Comprehensive Plan on June 16, 2009

Goal 3 – Agricultural Lands

To preserve and maintain agricultural lands.

The proposed amendment will provide a separate population forecast for Eugene and a separate population forecast for Springfield out to the year 2035. No other changes to the *Metro Plan* are included in this proposal. These changes do not affect *Metro Plan* consistency with this goal and in any case, this goal does not apply within adopted, acknowledged urban growth boundaries. (See also OAR 660-024-0020)

Goal 4 – Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The proposed amendments do not affect *Metro Plan* consistency with this goal and in any case, this goal does not apply within adopted, acknowledged urban growth boundaries. (See also OAR 660-024-0020)

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

The Cities have finished all work required under Goal 5 during the most recent Periodic Review (completed in 2007). Population projections alone do not impact land inventories; subsequent analysis of these inventories may proceed with the population figures, but that analysis and subsequent actions must observe applicable goals, statutes

and rules. The proposed amendment does not affect acknowledged Goal 5 inventories so this proposal does not create an inconsistency with the goal. (See also OAR 660-023)

Goal 6 – Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

This goal is primarily concerned with compliance with federal and state environmental quality statutes, and how this compliance is achieved as development proceeds in relationship to air sheds, river basins and land resources. An adopted population forecast for future 20-year periods has no direct affect on or applicability to this goal. Any actions affecting inventories or land use or development that occur as a result of the population forecast are subject to the applicable goals, statutes and rules at the time those actions are undertaken.

Goal 7 – Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

The *Metro Plan* and the City's development code are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. Population forecasts adopted into the comprehensive plan do not affect land use, development, or inventories. Subsequent actions based upon these forecasts and that may impact this goal are required to address this applicability during the public review and hearings process. This goal is unaffected by a new or amended population forecast.

Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Willamalane and the City co-adopted the Park and Recreation Comprehensive Plan in 2004. This plan has a recommended standard of two acres of park land for each 1,000 population. The 2004 plan projects an increase of 25,000 citizens by the end of the adopted 20-year planning horizon (2022).² Willamalane is a special service taxing district with the authorization to purchase, develop and maintain park facilities, but it has no authority or obligation for Goal 8 compliance; that responsibility lies with the City of Springfield after coordinating with the Park District. The *Metro Plan* has a horizon of 2015 therefore Willamalane's standard of two acres per 1,000 residents is a valid standard to the year 2015; anything beyond 2015 is not applicable to the *Metro Plan* even though Willamalane's plan extends to 2022. In the event Springfield adopts a new population forecast that extends the planning period to 2030 or later and there are subsequent impacts on the buildable lands inventories, the City will coordinate with

² Page A-4, Willamalane Park and Recreation Comprehensive Plan

Willamalane throughout these actions to maintain Goal 8 compliance through the new planning period of 2030.

Goal 9 – Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

ORS 197.304 does not require an analysis of commercial and industrial lands inventories; the ORS 197.296 determination applies only to residential inventories; and OAR 660-024-0040 allows a local government to review and amend the UGB “in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).” (OAR 660-024-0040(3)). The cities have chosen to expand the inventory analysis to include commercial and industrial land, both of which rely upon the same population forecast required by OAR 660-024-0040(1). The adoption of the population forecast does not directly affect this goal; however, the activities subsequent to the adoption of the population forecast will rely on this forecast as a basis for actions pursuant to the applicable goals. Adopting a new population forecast consistent with ORS 195.036 is consistent with the provisions of OAR 660-024-0040 and OAR 660-009 Economic Development.

Goal 10 – Housing

To provide for the housing needs of citizens of the state.

The cities are required by ORS 197.304 to undertake an ORS 197.296 determination within two years of the effective date of the Act. The ORS 197.296 determination involves the inventory, supply and demand analysis of residential land use needs for the forecast population of the 20-year planning period; this determination cannot occur without a population forecast.

Adopting this new population forecast is also consistent with the requirements of OAR 660-008 Interpretation of Goal 10 Housing and OAR 660-0024 Urban Growth Boundaries because, once again, the population forecast must be adopted into the comprehensive plan before the residential lands determination can be confirmed and adopted into the comprehensive plan.

Goal 11 – Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

A population forecast does not directly affect the public facilities plan until the buildable lands inventories necessary to support that forecast are adjusted. The location and/or

density increases that will occur to support the new forecasts must be provided with adequate levels of urban services. In the event Springfield adopts new inventories or makes adjustments to permitted densities causing greater demand for public infrastructure, the City will evaluate these services and where necessary, propose additional *Metro Plan* amendments in compliance with this goal.

Goal 12 - Transportation

To provide and encourage a safe, convenient and economic transportation system.

The transportation system plan is similar to the public facilities and services plan in that the transportation system is designed to accommodate future growth at densities prescribed in the plan's policies. Land development cannot occur in the absence of infrastructure and that includes transportation; but neither the goal nor the OARs require an analysis of this service before changes are proposed to the inventories,³ even though those inventory changes cannot occur without the population forecast. The obligation in 197.304 to adopt new population forecasts before the inventory analysis is completed is consistent with the purpose and timing of transportation analysis required by Goal 12; OAR 660-12 Transportation and OAR 660-024 Urban Growth Boundaries.

Goal 13 – Energy Conservation

To conserve energy.

3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.

There are no requirements in the rule or statute for the energy element of the plan to be amended to correspond with the new population forecast. Any subsequent changes to land use designations, including adjustments to the UGB must comply with the applicable provisions of this goal and interpretive rules.

Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

³ In fact, the transportation planning rule requirements in OAR 660-012-0060 requiring an impact analysis on transportation systems as a result of UGB amendments “need not be applied to a UGB amendment if the land added to the UGB is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary.” (OAR 660-024-0020(1) (d)).

A new population forecast does not affect the existing UGB but the establishment of, or change to a UGB cannot be undertaken unless there is an adopted population forecast for the 20-year period upon which the buildable lands inventories are based. Since this determination, and hence the application of Goal 14, cannot occur without the population forecast, the cities must adopt a new population forecast to comply with the provisions of ORS 197.296 and ORS 197.304, the latter of which extends the planning horizon for Eugene and Springfield for 20 years. The proposed amendment to Page I-1 is consistent with these statutes and with OAR 660-024, the rule interpreting Goal 14

Goal 15 – Willamette River Greenway

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

A population forecast has no direct affect on the implementation or continued compliance with Goal 15 as there is no direct affect on land use designations, densities or development standards as a result of a new population forecast. In the event that actions by the governing bodies subsequent to adoption of a new population forecast results in changes to designations, development standards or densities, those changes must be evaluated against all applicable goals, statutes and rules. Such evaluations will include Goal 15.

Goal 16 Estuarine Resources, Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, and Goal 19 Ocean Resources

These goals do not apply to the Eugene-Springfield Metropolitan Area.

(b) Adoption of the amendment must not make the Metro Plan internally inconsistent.

The proposed population forecasts are necessary to comply with the new laws adopted by the 2007 Oregon legislature. These new laws effectively pre-empt certain provisions of the *Metro Plan* that might otherwise appear to stand in contradiction to new and separate population forecasts for each city and their urban growth areas:

“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.” (ORS 197.304(1))

The adopted UGB population forecast of 286,000 and the adopted planning horizon of 2015 are found in various chapters throughout the text of the *Metro Plan*, *TransPlan* and the *Public Facilities and Services Plan*. This figure and planning horizon date are the result of actions that took place during the 13 years between 1994 and 2007 when

Eugene, Springfield and Lane County were complying with the requirements of periodic review of the *Metro Plan*. The cities must now complete a new set of state-mandated tasks that will result in a number of amendments to the *Metro Plan*, including new, separate UGBs; new, separate buildable lands inventories; new, separate population forecasts; and a new 20-year planning horizon.

The cities are proceeding with the new population forecast first because the inventories and UGBs must be based on an adopted population forecast (OAR 660-024-0040); neither City has ever had a separate population forecast that matched its municipal authority (city limits and future city limits as represented in the urban transition area). It is not necessary to replace all existing references to the 286,000 population forecast or the 2015 horizon because the proposed amendment references the preemptive language of ORS 197.304 and because the conversion of the *Metro Plan* to bring it into compliance with the new law will occur over time as work progress (UGBs, inventories, planning horizons, etc.). Existing *Metro Plan* policies do not foresee the obligations of this new law therefore there are no policies or sections of policies responsive to the changes that must be made to the text of the *Metro Plan*. See also the preface to Goals compliance on pages 5 and 6 of this report.

- Attachments -

1. Copy of Notice of Proposed Amendment sent to Department of Land Conservation and Development on July 16, 2009 specifying the cities of Eugene and Springfield and Lane County were proposing separate population forecasts for each city and urban transition area to be adopted into the *Metro Plan*.
2. August 17, 2009 letter to the Mayors and Administrators of the ten incorporated cities in Lane County and known interested parties, from the Eugene, Springfield and Lane County planning directors advising that Eugene, Springfield and Lane County were proposing to adopt the County's new, separate population forecasts for each city into the *Metro Plan*. The initial public hearing on the matter was scheduled for the planning commissions of Eugene, Springfield and Lane County on September 1, 2009 in the Springfield City Hall. The joint elected officials would conduct a subsequent public hearing on September 22, 2009 also in Springfield City Hall.

MEMORANDUM

City of Springfield

To:	The Planning Commissions of Springfield, Eugene and Lane County
From:	Gregory Mott, Planning Manager
Date:	September 1, 2009
Subject:	Metro Plan Text Amendments: New Population Forecasts for Eugene and Springfield

Issue

The proposed Metro Plan text amendments implement state population forecasting and land use planning statutes with separate coordinated population forecasts for the Eugene and Springfield jurisdictional areas of the Eugene-Springfield Metropolitan Area General Plan.

The essential data for the forecasts in the proposed amendment were prepared by Portland State University (PSU) this spring under contract with Lane County. The Lane County Board of Commissioners enacted Ordinance No. PA 1255 on June 17, 2009, adding the countywide coordinated population forecasts to the Lane County Rural Comprehensive Plan. The forecast numbers are found in Table 1.1 of Exhibit A to Ordinance No. PA 1255 and begin with the calendar year 2010 and extend to the year 2035 in five year increments. Acting in reliance on these figures adopted by the Board, and in compliance with ORS 197.304, the cities are proposing the following text amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan):¹

In order to achieve timely compliance with their statutory obligations under 2007 Or Laws Chapter 650, the Cities of Eugene and Springfield adopt the following forecasts for their respective jurisdictional areas:

	2030	2035
Eugene – City Only	194,314	202,565
Urban Transition Area West of I-5	17,469	16,494
Total	<u>211,783</u>	<u>219,059</u>
	2030	2035
Springfield – City Only	74,814	78,413
Urban Transition Area East of I-5	6,794	6,415
Total	<u>81,608</u>	<u>84,828</u>

These figures effectively provide coordinated projections for each city and the adjacent urban growth areas for years ending 2030 through 2035, enabling them to meet state requirements concerning the beginning and ending years of the 20-year planning period. In the event either city needs to provide a forecast for a planning period that begins after 2010 that city shall determine the 20-year forecast by adding 20% of the 2030-2035 total population increment for each year beyond 2030.

¹ To be added as the third paragraph of Chapter I, Introduction Purpose Section on Page I-1 of the Metro Plan.

Discussion

The 2007 Oregon legislature amended ORS 197 Comprehensive Land Use Planning Coordination by adding ORS 197.304(1) (a&b), (2) and (3) which state in part: “a city within Lane County that has a population of 50,000 or more shall meet its obligation under ORS 197.295 to 197.314 separately from any other city within Lane County. The city shall...establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and demonstrate... that its comprehensive plan provides sufficient buildable lands within an urban growth boundary...to accommodate estimated housing needs for 20 years.”²(Emphasis added)

The housing need determination required by this statute cannot be completed without a new 20-year population forecast for each city. A population forecast cannot be used for this purpose until it has been adopted into the comprehensive plan or a document included in the comprehensive plan by reference.³ The existing *Metro Plan* population forecast is a regional figure, not disaggregated by city, and extends only to the year 2015. The cities are proposing to adopt new, separate population forecasts that extend the planning period the necessary 20 years and disaggregate the forecasts for each city, including the urban transition area between the city limits and urban growth boundary.

The legislative mandate calling for separate UGBs for Eugene and Springfield also requires separate needed housing determinations to be completed by December 31, 2009. The housing determination is essentially an analysis that demonstrates that housing need can be accommodated by existing land capacity (inventory) or that projected need exceeds the existing land capacity.⁴ Either determination has its own conclusion and appropriate response that eventually will be articulated within the comprehensive plan, but the determination cannot be made without a population forecast for the appropriate planning period:

“Cities must adopt a 20-year population forecast for the urban area consistent with the coordinated county forecast...the adopted forecast must be included in the comprehensive plan or in a document referenced by the plan.” (OAR 660-024-0030 Population Forecasts) and;

“The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule.” (OAR 660-024-0040 Land Need)

The critical provisions in the administrative rule are: 1) the UGB *must* be based on the population forecast; and 2) the forecast is for *each* urban area, i.e., the municipality within the UGB. No previous coordinated population process has ever included separate forecasts for Eugene or Springfield therefore there are no forecasts, recent or otherwise, for either city.

Population forecasting is regulated by ORS 195 and by the interpretive rules of OAR 660-024-0030. There are basically two processes that may be used to create population forecasts that can be adopted into comprehensive plans. The first, and until the 2007 legislative session, only process to create population forecasts is found in ORS 195.036:

² ORS 197.296 specifies that the 20 year period for the needed housing determination “commences on the date initially scheduled for completion of the periodic review or legislative review.” The cities consider the provisions of ORS 197.304 as a mandate for a legislative review of the buildable lands inventories of both cities and that this review must be completed within two years of the effective date of the 2007 Act [January 1, 2008].

³ Ref. ORS 195.034(3)(a)(B)

⁴ Ref. ORS 197.296 et seq.

"The coordinating body under ORS 195.025(1) shall establish and maintain a population forecast for the entire area within its boundary for use in maintaining and updating comprehensive plans, and shall coordinate the forecast with the local governments within its boundary."

The methodology for the forecasts required by ORS 195.025(1) is described in OAR 660-024-0030(2) as follows:

"The forecast must be developed using commonly accepted practices and standards for population forecasting used by professional practitioners in the field of demography or economics, and must be based on current, reliable and objective sources and verifiable factual information, such as the most recent long-range forecast for the county published by the Oregon Office of Economic Analysis (OEA). The forecast must take into account documented long-term demographic trends as well as recent events that have a reasonable likelihood of changing historical trends. The population forecast is an estimate which, although based on the best available information and methodology, should not be held to an unreasonably high level of precision."

To assure that HB 3337's January 1, 2010 deadline is met, the two cities have already begun using the county's adopted forecasts as "working assumptions" pending final action by the three governing bodies on the proposed amendment.

As a matter of background, the 2007 Oregon legislative session included new provisions to ORS 195 by adding 195.034 *Alternate Population Forecast*, to give cities a way to adopt new population forecasts in case the county is unable to take timely action on a needed regular coordinated forecast.⁵ However, Lane County has completed its coordinated forecasts well ahead of the schedule it originally anticipated, and those forecasts are now available for timely incorporation into the Metro Plan.

Additional Information

The proposal is classified as a Type I *Metro Plan* amendment because it is a non-site specific text amendment. Amendments to the Plan text that are non site-specific require approval by all three governing bodies to become effective (See SDC 7.070(1) (a), Eugene Code 9.7730(1) (a), and Lane Code 12.225(1) (a) (i)). The planning commissions will conduct the initial evidentiary hearing and then forward the record of this hearing and a recommendation to their respective elected officials. The planning commissions may take this action collectively or independently as the circumstances provide. The elected officials will then conduct a joint public hearing on the amendments and make a decision based on the record of evidence created before the planning commissions and any new evidence entered into the record of the hearing before the elected officials. Each governing body may approve, modify and approve, or deny the proposed amendment. However, all three governing bodies must adopt identical ordinances to complete the amendment process.

Conclusion

The proposed *Metro Plan* amendments are necessary to allow each city to comply with part its obligations under ORS 197.304 by the statutory deadline of January 1, 2010. The proposed amendments are consistent with the provisions of ORS 195.034, ORS 197.296, and OAR 660-008, 660-009, 660-012,

⁵ The previous actions taken under ORS 195.034 that considered a Safe Harbor forecast for the Metro area will be replaced by the forecasts in this proposed Metro Plan Amendment. The forecasts in this amendment are based on the coordinated population forecast adopted by the Board under Ordinance No. PA 1255 and additional calculations following the methodology from the PSU Report as necessary for long range planning for the Metro Cities of Springfield and Eugene, including the respective urbanizable areas east and west of I-5.

and 660-024. The Staff Report accompanying this memorandum includes findings demonstrating conformance with the criteria for Plan amendment in Chapter 5, Section 5.14-135(C) of the Springfield Development Code; Eugene Code 9.7730(3) and Section 12.225(2) (a&b) of the Lane Code.

Alternatives/Options

There are several options available to the planning commissions:

Continue the hearing to a date certain to allow additional testimony and/or respond to questions from the commission(s) or public;

Leave the record open for a specific period of time to allow additional testimony and rebuttal and either reconvene in a joint session or in individual venues;

Close the record and deliberate.

Upon conclusion of deliberations, the planning commissions may choose to:

Forward a recommendation to adopt the proposal to their respective elected officials;

Forward a recommendation to adopt a modified proposal to their respective elected officials;

Forward a recommendation to not adopt the proposal to their respective elected officials.

Attachments

- 1 Staff Report and Findings of compliance with the *Metro Plan* and Statewide Planning Goals, Oregon Revised Statutes and Oregon Administrative Rules
- 2 Lane County Ordinance No. PA 1255
 - Exhibit A – Lane County Rural Comprehensive Plan Text Amendment adopting the coordinated population forecast for the entire county and urban areas of the county.
 - Exhibit B – Findings in Support of Ordinance No. PA 1255

Staff report and findings of compliance with the *Metro Plan* and Statewide Goals, Oregon Revised Statutes and Oregon Administrative Rules for proposed Metro Plan Amendment adopting Lane County's coordinated population forecasts for Eugene and Springfield

Applicant -

The Cities of Eugene and Springfield and Lane County

File LRP 2009-00006: Amendments to the Eugene-Springfield Metropolitan Area General Plan (*Metro Plan*) to provide Eugene and Springfield with separate, new 20-year population forecasts.

Nature of the Application -

The applicants propose to amend the *Metro Plan* by adding the following text as the third paragraph of Chapter I, Introduction Purpose Section on Page I-1:

In order to achieve timely compliance with their statutory obligations under 2007 Or Laws Chapter 650, the cities of Eugene and Springfield and Lane County adopt the following forecasts for their respective jurisdictional areas:

	2030	2035
Eugene - City Only	194,314	202,565
Urban Transition Area West of I-5	17,469	16,494
Total	<u>211,783</u>	<u>219,059</u>
Springfield – City Only	74,814	78,413
Urban Transition Area East of I-5	6,794	6,415
Total	<u>81,608</u>	<u>84,828</u>

These figures effectively provide coordinated projections for each city and urban growth area for years ending 2030 through 2035, enabling them to meet state requirements concerning the beginning and ending years of the 20-year planning period. In the event either city needs to provide a forecast for a planning period that begins after 2010 that city shall determine the 20 year forecast by adding 20% of the 2030-2035 total population increment for each year beyond 2030.

Background

The 2007 Oregon legislature adopted HB3337 by amending ORS 197 to add ORS 197.304(1)(a)&(b),(2) and (3). The provisions of this law require Eugene and Springfield, separately from any other city in Lane County, to perform the following:

(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.

In addition to the two actions described above, the statute also requires the demonstration in (b) to be completed by December 31, 2009.¹

In order for the cities to comply with this statutory provision, a new population forecast for each city for the next 20 years needs to be prepared and adopted into the comprehensive plan (*Metro Plan*), or in “a document included in the plan by reference,” such as an inventory, functional plan, or other refinement plan. (NOTE: A city may choose to adopt its forecast into a separate plan document specific to its jurisdictional area as well as into the main plan text.)

LCDC’s Urbanization Goal, also known as Goal 14, was amended in 2006 to require that Urban Growth Boundaries be consistent with a “20-year forecast.” LCDC’s interpretive rules flesh this requirement out. OAR 660-024-0040 provides as follows:

(1) The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, [or in ORS 197.036] and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision.

(4) The determination of 20-year residential land needs for an urban area must be consistent with the adopted 20-year coordinated population

¹ “Sec.3 A local government that is subject to section 2 of this 2007 Act [197.304] shall complete the inventory, analysis and determination required under ORS 197.296(3) to begin compliance with section 2 of this 2007 Act within two years after the effective date of this 2007 Act [January 1, 2008]”

forecast for the urban area, and with the requirements for determining housing needs in Goal 10, OAR 660, division 7 or 8, and applicable provisions of ORS 197.295 to 197.314 and 197.475 to 197.490.

Metro Plan Amendment Criteria

The proposed amendment is a non-site specific amendment of the Plan text. Therefore it is classified as Type I *Metro Plan* amendment that requires participation and adoption by all three governing bodies. Springfield, Eugene and Lane County adopted identical *Metro Plan* amendment criteria into their respective implementing ordinances and codes. Springfield Development Code (SDC) Chapter 5, Section 5.14-135(C) (1 & 2), Eugene Code 9.7730(3), and Lane Code 12.225(2) (a & b) include criteria of approval that require that the amendment be consistent with relevant statewide planning goals and that the amendment not make the *Metro Plan* internally inconsistent.

These additional potential criteria and the staff responses fill the remaining pages of this report; however, all of the following findings are made subject to the reservation that they may be wholly or partially pre-empted by ORS 197.304(1) which says that “Notwithstanding an intergovernmental agreement . . . or acknowledged comprehensive plan provisions to the contrary,” the cities of Eugene and Springfield shall both:

(a) establish separate 20-year urban growth boundaries, and

(b) demonstrate that their separate boundaries provide sufficient buildable residential lands for the next 20 years as required by ORS 197.296.

(a) The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission;

As a preface to this section of the staff report it is useful to provide some context to what is being proposed in this amendment; why the only amendment being sought is a new population forecast for each city; and how this action will establish part of the necessary basis for future significant changes to the *Metro Plan*.

Both cities know they have considerable work ahead of them as they undertake compliance with ORS 197.304. As the Background and Discussion sections in this report have already demonstrated, the new law that is the cause of this work is a significant departure from the laws and agreements that have bound the two cities and county together since the original acknowledgment process and two subsequent periodic reviews. There is no case law that provides guidance or defines nuance; there is no administrative rule that says how you interpret this law; and there is no precedent elsewhere to use as a model for this action. Eugene and Springfield have a single metro-wide UGB; they will soon have separate municipal UGBs. Eugene and Springfield have shared a single metro-wide buildable lands inventory because of the single UGB; they will soon have separate buildable lands inventories contained within their separate UGBs. Eugene and Springfield have shared a single metro-wide population and employment forecast because they've shared a single UGB and single buildable lands inventory; now

they must begin this compliance process by adopting separate population forecasts into a comprehensive plan that still recognizes the current single, shared UGB and a single, shared buildable lands inventory.

Will all references to a single population, a single UGB and a single buildable lands inventory be amended in this action? No. The proposed amendment is **intended** to start a lengthy process of *Metro Plan* amendments involving the creation of separate UGBs and separate inventories.

All of those changes cannot be predicted; they must be based on compliance with the goals. That cannot occur in the absence of the facts necessary to support the **changes**.

The first step in that process (as explained previously) is adopting a new population forecast; the proposed amendment says we are undertaking this action to achieve **timely** compliance with the statutory obligations of the law. *Timely compliance* is a reference to the deadline imposed by our statutory obligations but also is meant to convey that we recognize the extent of this obligation and are beginning with the first step.

Inserting the new coordinated forecasts and explanatory text on the first page on the first page of the first chapter of the *Metro Plan* provides the proper context for understanding how it relates to the rest of the *Metro Plan*. What might otherwise be seen as a conflict with different population figures and related findings elsewhere in the Plan is resolved by the explicit requirements of the 2007 statute and by the context and language of the amendment. In short: The new forecasts implement that statute. They address a new 20-year planning period. The *Metro Plan* will evolve from its pre-HB3337 content and structure in phases as the cities complete their remaining implementation obligations under the new law, based on the new forecasts.

A demonstration of compliance with the state-wide goals for this amendment, if required at all, is primarily related to Goals 1 and 2 as the remaining goals either don't apply within UGBs (3 & 4) or don't apply here in the Willamette Valley (16-19); the other goals are not affected by a population forecast alone, but can have applicability when subsequent actions that rely upon the forecast are proposed. In spite of the indirect nature of the relationship between the proposed amendment and the goals, an explanation was provided explaining why this action was not contrary to the goals.

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

No amendments to acknowledged citizen involvement programs are proposed. The two cities and the county have acknowledged land use codes that are intended to serve as the principal implementing ordinances for the *Metro Plan*. Chapter 5 of the SDC, *Metro Plan* Amendments; Public Hearings, prescribes the manner in which a Type I *Metro Plan* amendment must be noticed. Citizen involvement for a Type I *Metro Plan* amendment not related to an urban growth boundary amendment requires: Notice to interested

parties; notice to properties and property owners within 300 feet of the proposal if site-specific; notice to neighborhood associations; published notice in a newspaper of general circulation; and notice to the Department of Land Conservation and Development (DLCD) at least 45 days before the initial evidentiary hearing (planning commission).

Notice of the joint planning commission hearing was mailed on August 21, 2009; notice was published in the Register-Guard on August 21, 2009; neighborhood associations were mailed notice on August 21, 2009; notice of the first evidentiary hearing was provided to DLCDC on July 16, 2009; notice of this proposal and the joint planning commission hearing was sent to the cities of Florence, Dunes City, Veneta, Junction City, Coburg, Creswell, Lowell, West Fir, Oakridge, and Cottage Grove on August 17, 2009.

Requirements under Goal 1 are met by adherence to the citizen involvement processes required by the *Metro Plan* and implemented by the Springfield Development Code, Chapter 5, Section 5.14-135, Eugene Code Section 9.7735, and Lane Code Sections 12.025 and 12.240.

Goal 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Implementation Measures – are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

The current version of the *Metro Plan* was last adopted in 2004 (Springfield (Ordinance No. 6087; Eugene Ordinance No. 20319; and Lane County Ordinance No. 1197) after numerous public meetings, public workshops and joint hearings of the Springfield, Eugene and Lane County Planning Commissions and Elected Officials.

Subsequent to these *Metro Plan* adoption proceedings, the 2007 Oregon Legislature adopted new laws that applied specifically to Eugene, Springfield and Lane County. ORS 197.304 requires Eugene and Springfield to adopt separate urban growth boundaries

based on the jurisdictional responsibilities contained in the *Metro Plan*, make a determination based on the provisions of ORS 197.296 that there is sufficient buildable lands within these UGBs to accommodate projected growth for the next 20 years, and to make this determination by December 31, 2009. In response to this mandate, Eugene and Springfield have undertaken a necessary step in compliance by initiating a post-acknowledgement plan amendment of the *Metro Plan* to establish new population forecasts for each city that will comply with the required planning period of 20 years beginning at the date scheduled for completion of this action by statute (12/31/09), and with the provisions of OAR 660-024-0040 which requires cities to have adopted population forecasts as a prerequisite to establishment of an urban growth boundary.

The *Metro Plan* is the land use or comprehensive plan required by this goal; the Springfield Development Code, the Eugene Code and the Lane Code are the implementation measures required by this goal. Comprehensive plans, as defined by ORS 197.015(5), must be coordinated with affected governmental units. Coordination means that comments from affected governmental units are solicited and considered. The 10 cities in Lane County not participating as decision-makers in this matter received letters explaining the proposal by Eugene, Springfield and Lane County to adopt into the *Metro Plan* the coordinated population forecast prepared by Lane County and adopted into the Lane County Rural Comprehensive Plan on June 16, 2009

Goal 3 – Agricultural Lands

To preserve and maintain agricultural lands.

The proposed amendment will provide a separate population forecast for Eugene and a separate population forecast for Springfield out to the year 2035. No other changes to the *Metro Plan* are included in this proposal. These changes do not affect *Metro Plan* consistency with this goal and in any case, this goal does not apply within adopted, acknowledged urban growth boundaries. (See also OAR 660-024-0020)

Goal 4 – Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The proposed amendments do not affect *Metro Plan* consistency with this goal and in any case, this goal does not apply within adopted, acknowledged urban growth boundaries. (See also OAR 660-024-0020)

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

The Cities have finished all work required under Goal 5 during the most recent Periodic Review (completed in 2007). Population projections alone do not impact land inventories; subsequent analysis of these inventories may proceed with the population figures, but that analysis and subsequent actions must observe applicable goals, statutes and rules. The proposed amendment does not affect acknowledged Goal 5 inventories so this proposal does not create an inconsistency with the goal. (See also OAR 660-023)

Goal 6 – Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

This goal is primarily concerned with compliance with federal and state environmental quality statutes, and how this compliance is achieved as development proceeds in relationship to air sheds, river basins and land resources. An adopted population forecast for a new 20-year period has no direct affect on or applicability to this goal. Any actions affecting inventories or land use or development that occur as a result of the population forecast are subject to the applicable goals, statutes and rules at the time those actions are undertaken.

Goal 7 – Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

The *Metro Plan* and the City's development code are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. Population forecasts adopted into the comprehensive plan do not affect land use, development, or inventories. Subsequent actions based upon these forecasts and that may impact this goal are required to address this applicability during the public review and hearings process. This goal is unaffected by a new or amended population forecast.

Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Willamalane and the City co-adopted the Park and Recreation Comprehensive Plan in 2004. This plan has a recommended standard of two acres of park land for each 1,000 population. The 2004 plan projects an increase of 25,000 citizens by the end of the adopted 20-year planning horizon (2022).² Willamalane is a special service taxing

² Page A-4, Willamalane Park and Recreation Comprehensive Plan

district with the authorization to purchase, develop and maintain park facilities, but it has no authority or obligation for Goal 8 compliance; that responsibility lies with the City of Springfield after coordinating with the Park District. The *Metro Plan* has a horizon of 2015 therefore Willamalane's standard of two acres per 1,000 residents is a valid standard to the year 2015; anything beyond 2015 is not applicable to the *Metro Plan* even though Willamalane's plan extends to 2022. In the event Springfield adopts a new population forecast that extends the planning period to 2030 or later and there are subsequent impacts on the buildable lands inventories, the City will coordinate with Willamalane throughout these actions to maintain Goal 8 compliance through the new planning period of 2030.

Goal 9 – Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

ORS 197.304 does not require an analysis of commercial and industrial lands inventories; the ORS 197.296 determination applies only to residential inventories; and OAR 660-024-0040 allows a local government to review and amend the UGB "in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need)." (OAR 660-024-0040(3)). The cities have chosen to expand the inventory analysis to include commercial and industrial land, both of which rely upon the same population forecast required by OAR 660-024-0040(1). The adoption of the population forecast does not directly affect this goal; however, the activities subsequent to the adoption of the population forecast will rely on this forecast as a basis for actions pursuant to the applicable goals. Adopting a new population forecast consistent with ORS 195.036 is consistent with the provisions of OAR 660-024-0040 and OAR 660-009 Economic Development.

Goal 10 – Housing

To provide for the housing needs of citizens of the state.

The cities are required by ORS 197.304 to undertake an ORS 197.296 determination within two years of the effective date of the Act. The ORS 197.296 determination involves the inventory, supply and demand analysis of residential land use needs for the forecast population of the 20-year planning period; this determination cannot occur without a population forecast.

Adopting this new population forecast is also consistent with the requirements of OAR 660-008 Interpretation of Goal 10 Housing and OAR 660-0024 Urban Growth Boundaries because, once again, the population forecast must be adopted into the comprehensive plan before the residential lands determination can be confirmed and adopted into the comprehensive plan.

Goal 11 – Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

A population forecast does not directly affect the public facilities plan until the buildable lands inventories necessary to support that forecast are adjusted. The location and/or density increases that will occur to support the new forecasts must be provided with adequate levels of urban services. In the event Springfield adopts new inventories or makes adjustments to permitted densities causing greater demand for public infrastructure, the City will evaluate these services and where necessary, propose additional *Metro Plan* amendments in compliance with this goal.

Goal 12 - Transportation

To provide and encourage a safe, convenient and economic transportation system.

The transportation system plan is similar to the public facilities and services plan in that the transportation system is designed to accommodate future growth at densities prescribed in the plan's policies. Land development cannot occur in the absence of infrastructure and that includes transportation; but neither the goal nor the OARs require an analysis of this service before changes are proposed to the inventories,³ even though those inventory changes cannot occur without the population forecast. The obligation in 197.304 to adopt new population forecasts before the inventory analysis is completed is consistent with the purpose and timing of transportation analysis required by Goal 12; OAR 660-12 Transportation and OAR 660-024 Urban Growth Boundaries.

Goal 13 – Energy Conservation

To conserve energy.

3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.

There are no requirements in the rule or statute that require the energy element of the plan to be amended to correspond with the new population forecast. Any subsequent changes to land use designations, including adjustments to the UGB must comply with the applicable provisions of this goal and interpretive rules.

³ In fact, the transportation planning rule requirements in OAR 660-012-0060 requiring an impact analysis on transportation systems as a result of UGB amendments “need not be applied to a UGB amendment if the land added to the UGB is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary.” (OAR 660-024-0020(1) (d)).

Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

A new population forecast does not affect the existing UGB but the establishment of, or change to a UGB cannot be undertaken unless there is an adopted population forecast for the 20-year period upon which the buildable lands inventories are based. Since this determination, and hence the application of Goal 14, cannot occur without the population forecast, the cities must adopt a new population forecast to comply with the provisions of ORS 197.296 and ORS 197.304, the latter of which extends the planning horizon for Eugene and Springfield to 2029. The proposed amendment to Page I-1 is consistent with these statutes and with OAR 660-024, the rule interpreting Goal 14

Goal 15 – Willamette River Greenway

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

A population forecast has no direct affect on the implementation or continued compliance with Goal 15 as there is no direct affect on land use designations, densities or development standards as a result of a new population forecast. In the event that actions by the governing bodies subsequent to adoption of a new population forecast results in changes to designations, development standards or densities, those changes must be evaluated against all applicable goals, statutes and rules. Such evaluations will include Goal 15.

Goal 16 Estuarine Resources, Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, and Goal 19 Ocean Resources

These goals do not apply to the Eugene-Springfield Metropolitan Area.

(b) Adoption of the amendment must not make the *Metro Plan* internally inconsistent.

The proposed population forecasts are necessary to comply with the new laws adopted by the 2007 Oregon legislature. These new laws effectively pre-empt certain provisions of the *Metro Plan* that might otherwise appear to stand in contradiction to new and separate population forecasts for each city:

“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.” (ORS 197.304(1))

The adopted UGB population forecast of 286,000 and the adopted planning horizon of 2015 are found in various chapters throughout the text of the *Metro Plan*, *TransPlan* and the *Public Facilities and Services Plan*. This figure and planning horizon **date** are the result of actions that took place during the 13 years between 1994 and 2007 **when** Eugene, Springfield and Lane County were complying with the requirements of **periodic** review of the *Metro Plan*. The cities must now complete a new set of state-mandated tasks that will result in a number of amendments to the *Metro Plan*, including **new**, separate UGBs; new, separate buildable lands inventories; new, separate population forecasts; and a new 20-year planning horizon.

The cities are proceeding with the new population forecast first because the inventories and UGBs must be based on an adopted population forecast (OAR 660-024-0040); neither City has ever had a separate population forecast that matched its municipal authority (city limits and future city limits as represented in the urban transition area). It is not necessary to replace all existing references to the 286,000 population forecast or the 2015 horizon because the proposed amendment references the preemptive language of ORS 197.304 and because the conversion of the *Metro Plan* to bring it into compliance with the new law will occur over time as work progress (UGBs, inventories, planning horizons, etc.). Existing *Metro Plan* policies do not foresee the obligations of this new law therefore there are no policies or sections of policies responsive to the changes that must be made to the text of the *Metro Plan*. See also the preface to Goals compliance on pages 5 and 6 of this report.

- Attachments -

1. Copy of Notice of Proposed Amendment sent to Department of Land Conservation and Development on July 16, 2009 specifying the cities of Eugene and Springfield and Lane County were proposing separate population forecasts for each city and urban transition area to be adopted into the *Metro Plan*
2. August 17, 2009 letter to the Mayors and Administrators of the ten incorporated cities in Lane County and known interested parties, from the Eugene, Springfield and Lane County planning directors advising that Eugene, Springfield and Lane County were proposing to adopt the County's new, separate population forecasts for each city into the *Metro Plan*. The initial public hearing on the matter was scheduled for the planning commissions of Eugene, Springfield and Lane County on September 1, 2009 in the Springfield City Hall. The joint elected officials would conduct a subsequent public hearing on September 22, 2009 also in Springfield City Hall.

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. PA 1255

FILED

JUN 22 2009

COUNTY CLERK



IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) BY ADOPTING A COORDINATED POPULATION FORECAST FOR LANE COUNTY AND EACH URBAN AREA WITHIN THE COUNTY; AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES. (File No. PA 08-5873)

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 883, has adopted the Lane County General Plan Policies document which is a component of the Lane County Rural Comprehensive Plan; and

WHEREAS, Lane Code 12.050 and 16.400 set forth procedures for amendments of the Lane County Rural Comprehensive Plan; and

WHEREAS, it is necessary to amend the Lane County Rural Comprehensive Plan to adopt countywide coordinated population forecasts for Lane County and each urban area within the county to provide for long range planning and consideration for public infrastructure and community needs for the future consistent with state law; and

WHEREAS, the small cities of Lane County proposed coordinated population forecasts that were reviewed at public hearings with the Lane County Planning Commission on January 6 and March 3, 2009; and

WHEREAS, the Board retained Portland State University Population Research Center to complete analysis and conduct public process to develop coordinated population forecasts for Lane County and each urban area within the county and present the study and results to the Board of Commissioners; and

WHEREAS, evidence exists in the record indicating that the proposals meet the requirements of Lane Code Chapters 12 and 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted a public hearing and is now ready to take action;

NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

The Lane County Rural Comprehensive Plan, General Plan Policies, Introduction, Section D, adopted by Ordinance No. PA 884 and amended thereafter is further amended by adding the countywide coordinated population forecast table and text as set forth in Exhibit "A" attached and incorporated here as if fully set forth.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings in support of this action as set forth in Exhibit "B" attached and incorporated here.

Prior coordinated population forecasts adopted by the Board of County Commissioners before enacting this Ordinance shall remain in full force and effect following the effective date of this Ordinance until those plans are further updated or amended by the Board.

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

ENACTED this 17th day of JUNE, 2009.



Peter Sorenson, Chair
Lane County Board of County Commissioners



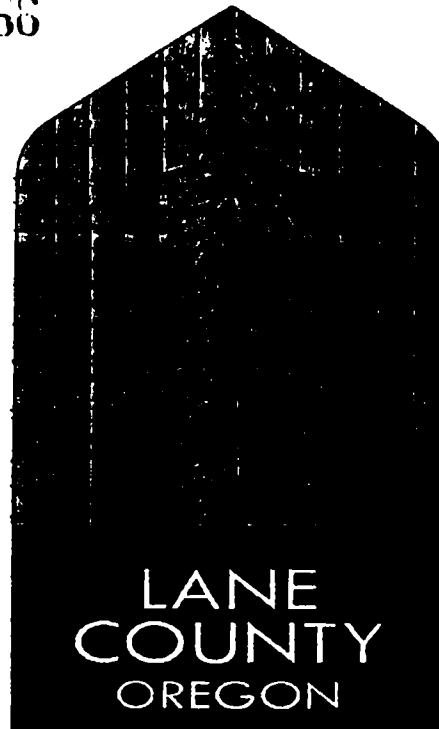
Melissa Zimmer, Secretary
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 5-27-2009 Lane County


OFFICE OF LEGAL COUNSEL

4055 4056



LANE COUNTY

RURAL COMPREHENSIVE PLAN

GENERAL PLAN POLICIES 1984

UPDATED:
January 1998
April 2003
August 2003
December 2003
February 2004
January 2005
February 2008
June 2009

Part I: **Introductory Material**-----1
 Introduction to the Rural Comprehensive Plan-----1
 Introduction to the Policies Component-----3
 History of the Policies Document-----3
 Cities, Communities and Rural Lands-----4
 Implementation-----6

Part II: **Lane County General Plan Policies**

Goal One: **Citizen Involvement**
 Goal Two: **Land Use Planning**
 Goal Three: **Agricultural Lands**
 Goal Four: **Forest Lands**
 Goal Five: **Open Spaces, Scenic and Historic Areas and Natural Resources**
 Historic Resources
 Mineral & Aggregate Resources
 Flora & Fauna
 Open Spaces & Scenic Areas
 Energy
 Water Resources
 Goal Six: **Air, Water and Land Resources**
 Water Quality
 Air Quality
 Goal Seven: **Areas Subject to Natural Disasters & Hazards**
 Goal Eight: **Recreational Needs**
 Goal Nine: **Economy of the State**
 Goal Ten: **Housing**
 Goal Eleven: **Public Facilities & Services**
 Goal Twelve: **Transportation**
 Goal Thirteen: **Energy Conservation**
 Goal Fourteen: **Urbanization**
 Goal Fifteen: **Willamette Greenway**

Part III: **Coastal Resources Management Plan Policies**

Goal Sixteen: **Estuarine Resources**
 Goal Seventeen: **Coastal Shore lands**
 Goal Eighteen: **Beaches and Dunes**
 Goal Nineteen: **Ocean Resources**

PART 1: INTRODUCTORY MATERIAL

A. INTRODUCTION TO THE RURAL COMPREHENSIVE PLAN

The Lane County Rural Comprehensive Plan applies to all unincorporated lands within the County beyond the Urban Growth Boundaries of incorporated cities in the County and beyond the boundary of the Eugene-Springfield Metropolitan Area Plan. Where these lands are beyond County jurisdiction (such as National Forest lands), the Plan applies but its application is regulated by federal law. In addition, it does contain provisions and representations of County positions on various issues, to be used by those agencies, such as the US Forest Service, in their own management actions, and also used in the event that lands not in County jurisdiction enter County jurisdiction.

The Plan follows the format of the LCDC Statewide Planning Goals, recognizing that they must be met by all local jurisdictions in Oregon. It is composed of two major elements:

1. County General Plan Policies: For each LCDC Goal, there are one or more Policies to be applied by the County toward land use and other planning and resource-management issues, in the interests of compliance with sound planning principles and statewide planning law. Policies are binding commitments, but will be carried out within established work programs and over all County priorities. The application of Policies which call for any programs or studies will occur as County resources in terms of both staff and budgetary allocations permit.
2. Plan Diagrams: Two major planning regions are identified for Lane County—the Coastal Region and the Inland Region. For each, detailed representations of land use are depicted on maps, on Plan Diagrams. Land use regulation methods, such as zoning, are applied to carry out the intent of the designations. The application of the general plan is primarily through zoning. In fact planning and zoning designations are set forth on the same map.

Chart One diagrams the relationship of these elements, and also indicates relationships with other portions of the County Comprehensive Plan.

The document now before the reader is one of the two above components—the County General Plan Policies document. The Policies document is the broad, direction-setting portion of the Plan, and lays out approaches for interpretation of County planning needs and means of complying with State of Oregon planning law. This law attaches great importance to local jurisdictions having adopted comprehensive plans which in turn meet the requirements of Statewide Planning Goals. Accordingly, matters of interpretation concerning the General Plan are to be resolved in favor of compliance with these Goals, and the Plan itself shall be recognized as representing the County's best effort in meeting the requirements of LCDC and its policy expressions, including Goals.

CHART O.

COMPREHENSIVE PLAN FOR LANE COUNTY
(includes all adopted general and detailed plans)

EUGENE-SPRINGFIELD METROPOLITAN
AREA PLAN
(Includes all land within plan boundaries)

SMALL AREA PLANS
EXAMPLE:
NORTH SPRINGFIELD

SPECIAL PURPOSE PLANS
EXAMPLES:
-METRO BIKE PLAN
-T-2000 TRANSPORTATION PLAN

PLANS FOR SMALL INCORPORATED
CITIES
(Areas within Urban Growth
Boundaries but
outside City Limits)
COTTAGE GOVE
CRESWELL
OAKRIDGE
WESTFIR
PLAN
LOWELL
COBURG
JUNCTION CITY
VENETA
FLORENCE
DUNES CITY

LANE COUNTY GENERAL PLAN
(Includes all unincorporated lands beyond
Metropolitan Plan Boundary and
Small City Urban Growth Boundaries)
-PLAN POLICIES
-COASTAL PLAN DIAGRAM
-INLAND PLAN DIAGRAM

SINGLE PURPOSE PLAN
(May include both metro,
rural and small city areas)
EXAMPLES:
-SOLID WASTE MANAGEMENT PLAN
-PARKS AND OPEN SPACE PLAN
-COASTAL RESOURCES MANAGEMENT PLAN

B. INTRODUCTION TO THE COUNTY POLICIES COMPONENT OF THE GENERAL PLAN

County Policies are broad, somewhat generalized statements that provide direction to County decision makers in their efforts to choose between competing uses for given resources, and in their efforts to solve historic problems and prevent new ones from occurring. The Policies cover complex topics and lay the groundwork for future actions of various kinds. The Policies expressed here apply to rural Lane County, outside of the Urban Growth Boundaries of cities and beyond the Plan Diagram Boundary of the Eugene-Springfield Metropolitan Area General Plan. They are designed to be compatible with similar Policies—and planning efforts—of other governmental jurisdictions in the County.

In some respects, the Policies can be considered the basis of the County plan, in that they provide the lead, or the general direction, for subsequent County actions to deal with various land use and resource management decisions. In doing so, they are directly intended to fulfill the mandate of the LCDC statewide planning Goals.

Four statewide planning Goals are not addressed in this document: the four "Coastal Goals" (LCDC Goals 16-19). These, and Policies connected with them, are located in a special-purpose Coastal Resource Management Plan developed and adopted for use in the Coastal portion of the County. They should be used in concert with the "basic fifteen" Goals. Since they are special-purpose in nature, and deal more specifically with particular concerns of the Coastal area, conflicts may arise or be generated between the Coastal Policies and the "basic fifteen" and should be resolved in favor of the Coastal Policies until, and if one or the other conflicting statement is changed to eliminate the conflict.

The Willamette Greenway Goal is considered to be part of the "basic fifteen".

C. HISTORY OF THE POLICIES DOCUMENT

The Policies contained in this document were developed during a period of more than a year, beginning in early 1983. A process was devised at the beginning of the period to utilize existing working papers and to prepare a series of new working papers which, along with other sources, were to serve as the technical data based for the Policies. The Working Papers were written and published from mid-1981 to early 1984. Each Working Paper contained information on a given topic or topics, and a number of them contained preliminary Policies which were drawn from the information in the Papers and which were presented for initial discussion purposes.

Hearings were held on the Papers as they were published. Each Planning Commission reported to the Board of County Commissioners containing its reaction to the Paper and draft Policies. Often the Policy statements drew on sources other than the Working Papers—existing County Plan information (such as special-purpose plans or technical studies), comments or testimony of individuals or groups appearing at the hearings, the judgment and views of Planning Commission members and so on—and so represented a broad array of perspectives and attitudes. Each Planning

Commission Report cited information used in Policy development, in order to provide a firm basis for Policy use. The background information, including the Working Papers, is to be used to help interpret and understand General Plan approaches but is not itself designed to be adopted as legislative law. The Board formally adopted the Policies in February of 1984.

D. CITIES, COMMUNITIES AND RURAL LANDS

Cities

While the Policies in this document are directed at Lane County government, it is clearly recognized that the County has a responsibility to, and must coordinate efforts closely with, the incorporated cities within its boundaries. Statewide planning law requires that each incorporated city develop and adopt its own land use plan which must itself comply with LCDC Goals. The plan must contain essentially the same elements as the County General Plan, with an additional element of an identified Urban Growth Boundary (required by Goal 14). Future urban growth for each city is to take place within that Boundary. In the case of the Eugene-Springfield Metropolitan Area Plan, a mutual Boundary is adopted by both cities and the County. For all other cities, the County must ratify the cities UGBs by independent evaluation of, and adoption of, appropriate city plan provisions.

Through this method, the County becomes responsible for administering the provisions of city plans within the city UGBs but outside of the corporate city limits. "Joint Agreements for Planning Coordination" drawn up between the County and each city lay the framework for cooperative action in the effort. Policies concerning Goal 14 in this document further indicate County posture toward city plans. County adoption of city plans—or amendments thereto—ensures that conflicts between city plans and County Plan do not readily occur.

Beyond carrying out the responsibilities outlined above, ORS 195.036 requires that the county:

"...establish and maintain a population forecast for the entire area within its boundary for use in maintaining and updating comprehensive plans, and shall coordinate the forecast with the local governments within its boundary."

Pursuant to this requirement and OAR 660-024-0030, coordinated population forecasts have been developed and are adopted for Lane County and each of its urban areas. These figures are included in Table 1.1, below.

The Coordinated Population Forecasts included in Table 1.1 were developed for Lane County by the Portland State University Population Research Center except as noted. The methods, assumptions and data used to develop these forecasts are included in PSU's report: Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 dated May 2009.

Table 1.1: Coordinated Population Forecasts for Lane County and its Urban Areas

Forecast Period:		2010	2015	2020	2025	2029	2030	2035
Lane County Small Cities	Coburg*	1,103	1,387	1,394	2,628	3,216	3,363	4,251
	Cottage Grove	9,957	10,616	11,424	12,261	12,737	12,856	13,542
	Creswell	5,647	6,802	8,263	9,758	10,799	11,060	12,172
	Dunes City	1,457	1,542	1,640	1,726	1,767	1,777	1,823
	Florence	11,212	12,355	13,747	15,035	16,065	16,323	17,434
	Junction City	6,567	9,343	10,799	12,067	12,922	13,136	13,887
	Lowell	1,043	1,228	1,459	1,714	1,960	2,022	2,345
	Oakridge	3,859	4,290	4,672	4,866	5,022	5,061	5,280
	Veneta	4,976	5,902	7,251	8,727	9,623	9,847	10,505
	Westfir	359	370	384	412	423	426	448
	Metro Area	Eugene (city only)	156,844	166,809	176,124	185,422	192,536	194,314
Springfield (city only)		58,891	62,276	66,577	70,691	73,989	74,814	78,413
Metro Urban Area West of Interstate-5**		20,931	20,380	19,209	18,521	17,680	17,469	16,494
Metro Urban Area East of Interstate-5**		8,140	7,926	7,470	7,202	6,875	6,794	6,415
Totals	Eugene/Springfield Total UGB Area	244,806	257,191	269,380	281,836	291,080	293,391	303,887
	Unincorporated Area Outside all UGBs	58,531	55,900	54,344	52,861	52,381	52,261	51,634
	Lane County Total	349,516	366,924	385,297	403,892	417,996	421,522	437,207
<p>* City of Coburg forecasts based upon analysis conducted by the firm Johnson and Reid and testimony provided by City of Coburg representatives to the Lane County Board of Commissioners on June 3, 2009.</p> <p>** Forecast based upon a 72% allocation of the total Metro UTA West of I-5 and a 28% allocation of the total Metro UTA East of I-5.</p>								

Any updates or amendments to the forecasts included in Table 1.1 may only be initiated by Lane County. Any individual or interested cities, however, may make a request for the Board to initiate such an update or amendment. Requests must set forth compelling reasons as to why the update or amendment should be considered at the requested time, rather than in conjunction with a future periodic Plan update. An offer to participate in costs incurred by the County shall accompany the request. Amendments to these forecasts initiated by the Board shall follow general procedures outlined in Lane Code 16.400(6).

Communities

Unincorporated communities are treated differently. They are identified as "community" on the Plan Diagrams, but are not given official Urban Growth Boundaries. Instead, the probable limits of growth over the planning period are reflected in the area within the "community" designation. Since lands within these areas are under County jurisdictions, no Joint Agreements are required, but development there must be justified by "committed lands" exceptions.

Areas within rural Lane County qualifying as Exception areas on the basis of pre-committed uses are not necessarily "communities" as such, but do have some of the

characteristics of community development—higher densities, for example. These areas are treated much as unincorporated communities are within the General Plan, in that they are solely under the County jurisdiction, and they are provided with specific land use designations and zoning reflective of their characteristics. They are not portrayed, however, with the broad "community" designation in most cases. For purposes of Plan administration, a parcel of land is either within a UGB or designated: community or it is not—the deciding factor is the portrayal on the Plan Diagram. Lands adjacent to such "boundaries are not considered to be within them until and if the boundaries are adjusted to accommodate them.

Rural Lands

Finally, lands considered as agricultural, forest or natural resources are lands not within any of the above classifications. These lands include the vast majority of total Lane County acreage, and are under the jurisdiction of the County plus state and federal governments (National Forests). The Statewide Planning Goals and the Policies of this Plan limited substantial rural development. However, it is recognized that such development may occur provided it is consistent with the policies contained in this document.

E. IMPLEMENTATION

As stated earlier, the County Policies are intended to guide actions and decisions. Although the policies have a common feature (i.e., relating to one or more aspects of land use) they cover a broad range of topics and concerns. Because of this wide range, it is not reasonable to assume all policies are to be implemented in the same manner. Visualizing a policy as being in one or more of the following categories will provide a better understanding as to its application.

Advisory Policies

These are statements describing the County's position on a certain topic or issue; generally but not always, relating neither to a subject, nor under the direct jurisdiction of the County. These policies are primarily intended to inform or influence the actions of other parties. They do not have direct influence on the implementation of the General Plan through Plan Map designation, zoning of land or County Regulations.

Examples: "Lane County recommends that no new wilderness areas be designated without a complete analysis of the revenue and employment impacts on Lane County. Where designations are made, negative employment and revenue impacts should be mitigated by increasing allowable timber harvests on other public lands."

Commitment Policies

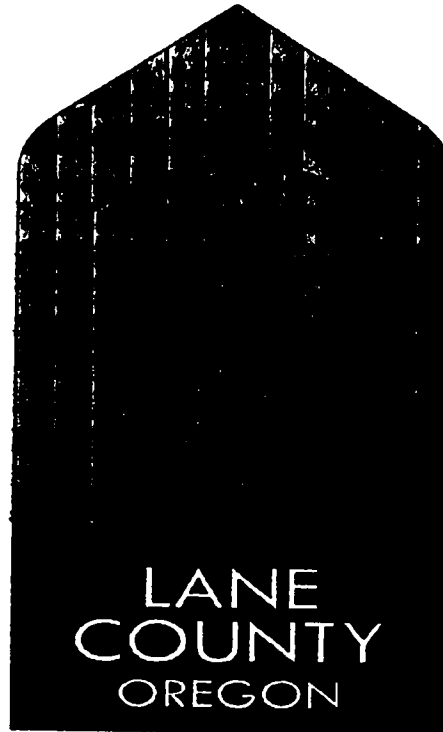
These are statements describing a future action the County intends to undertake. The policies cover a variety of topics including (a) guidance in County operations, procedures and relationships with other agencies, (b) recognition of state and federal

008 1074

EXHIBIT A

LEGISLATIVE FORMAT:

Additions shown in **bold and underlined**
Deletions shown with a ~~strike through~~



LANE COUNTY

RURAL COMPREHENSIVE PLAN

GENERAL PLAN POLICIES 1984

UPDATED:

January 1998

April 2003

August 2003

December 2003

February 2004

January 2005

February 2008

June 2009

TABLE OF CONTENTS

Part I: **Introductory Material**-----1
 Introduction to the Rural Comprehensive Plan-----1
 Introduction to the Policies Component-----3
 History of the Policies Document-----3
 Cities, Communities and Rural Lands-----4
 Implementation-----5 6

Part II: **Lane County General Plan Policies**

Goal One: Citizen Involvement
 Goal Two: Land Use Planning
 Goal Three: Agricultural Lands
 Goal Four: Forest Lands
 Goal Five: Open Spaces, Scenic and Historic Areas and Natural Resources
 Historic Resources
 Mineral & Aggregate Resources
 Flora & Fauna
 Open Spaces & Scenic Areas
 Energy
 Water Resources
 Goal Six: Air, Water and Land Resources
 Water Quality
 Air Quality
 Goal Seven: Areas Subject to Natural Disasters & Hazards
 Goal Eight: Recreational Needs
 Goal Nine: Economy of the State
 Goal Ten: Housing
 Goal Eleven: Public Facilities & Services
 Goal Twelve: Transportation
 Goal Thirteen: Energy Conservation
 Goal Fourteen: Urbanization
 Goal Fifteen: Willamette Greenway

Part III: **Coastal Resources Management Plan Policies**

Goal Sixteen: Estuarine Resources
 Goal Seventeen: Coastal Shore lands
 Goal Eighteen: Beaches and Dunes
 Goal Nineteen: Ocean Resources

PART 1: INTRODUCTORY MATERIAL

A. INTRODUCTION TO THE RURAL COMPREHENSIVE PLAN

The Lane County Rural Comprehensive Plan applies to all unincorporated lands within the County beyond the Urban Growth Boundaries of incorporated cities in the County and beyond the boundary of the Eugene-Springfield Metropolitan Area Plan. Where these lands are beyond County jurisdiction (such as National Forest lands), the Plan applies but its application is regulated by federal law. In addition, it does contain provisions and representations of County positions on various issues, to be used by those agencies, such as the US Forest Service, in their own management actions, and also used in the event that lands not in County jurisdiction enter County jurisdiction.

The Plan follows the format of the LCDC Statewide Planning Goals, recognizing that they must be met by all local jurisdictions in Oregon. It is composed of two major elements:

1. **County General Plan Policies:** For each LCDC Goal, there are one or more Policies to be applied by the County toward land use and other planning and resource-management issues, in the interests of compliance with sound planning principles and statewide planning law. Policies are binding commitments, but will be carried out within established work programs and over all County priorities. The application of Policies which call for any programs or studies will occur as County resources in terms of both staff and budgetary allocations permit.

2. **Plan Diagrams:** Two major planning regions are identified for Lane County--the Coastal Region and the Inland Region. For each, detailed representations of land use are depicted on maps, on Plan Diagrams. Land use regulation methods, such as zoning, are applied to carry out the intent of the designations. The application of the general plan is primarily through zoning. In fact planning and zoning designations are set forth on the same map.

Chart One diagrams the relationship of these elements, and also indicates relationships with other portions of the County Comprehensive Plan.

The document now before the reader is one of the two above components--the County General Plan Policies document. The Policies document is the broad, direction-setting portion of the Plan, and lays out approaches for interpretation of County planning needs and means of complying with State of Oregon planning law. This law attaches great importance to local jurisdictions having adopted comprehensive plans which in turn meet the requirements of Statewide Planning Goals. Accordingly, matters of interpretation concerning the General Plan are to be resolved in favor of compliance with these Goals, and the Plan itself shall be recognized as representing the County's best effort in meeting the requirements of LCDC and its policy expressions, including Goals.

CHART O:

COMPREHENSIVE PLAN FOR LANE COUNTY
(includes all adopted general and detailed plans)

EUGENE-SPRINGFIELD METROPOLITAN
AREA PLAN
(Includes all land within plan boundaries)

SMALL AREA PLANS
EXAMPLE:
NORTH SPRINGFIELD

SPECIAL PURPOSE PLANS
EXAMPLES:
-METRO BIKE PLAN
-T-2000 TRANSPORTATION PLAN

PLANS FOR SMALL INCORPORATED
CITIES
(Areas within Urban Growth
Boundaries but
outside City Limits)

COTTAGE GOVE
CRESWELL
OAKRIDGE
WESTFIR
PLAN
LOWELL
COBURG
JUNCTION CITY
VENETA
FLORENCE
DUNES CITY

LANE COUNTY GENERAL PLAN
(Includes all unincorporated lands beyond
Metropolitan Plan Boundary and
Small City Urban Growth Boundaries)
-PLAN POLICIES
-COASTAL PLAN DIAGRAM
-INLAND PLAN DIAGRAM

SINGLE PURPOSE PLAN
(May include both metro,
rural and small city areas)

EXAMPLES:
-SOLID WASTE MANAGEMENT PLAN
-PARKS AND OPEN SPACE PLAN
-COASTAL RESOURCES MANAGEMENT PLAN

B. INTRODUCTION TO THE COUNTY POLICIES COMPONENT OF THE GENERAL PLAN

County Policies are broad, somewhat generalized statements that provide direction to County decision makers in their efforts to choose between competing uses for given resources, and in their efforts to solve historic problems and prevent new ones from occurring. The Policies cover complex topics and lay the groundwork for future actions of various kinds. The Policies expressed here apply to rural Lane County, outside of the Urban Growth Boundaries of cities and beyond the Plan Diagram Boundary of the Eugene-Springfield Metropolitan Area General Plan. They are designed to be compatible with similar Policies—and planning efforts—of other governmental jurisdictions in the County.

In some respects, the Policies can be considered the basis of the County plan, in that they provide the lead, or the general direction, for subsequent County actions to deal with various land use and resource management decisions. In doing so, they are directly intended to fulfill the mandate of the LCDC statewide planning Goals.

Four statewide planning Goals are not addressed in this document: the four "Coastal Goals" (LCDC Goals 16-19). These, and Policies connected with them, are located in a special-purpose Coastal Resource Management Plan developed and adopted for use in the Coastal portion of the County. They should be used in concert with the "basic fifteen" Goals. Since they are special-purpose in nature, and deal more specifically with particular concerns of the Coastal area, conflicts may arise or be generated between the Coastal Policies and the "basic fifteen" and should be resolved in favor of the Coastal Policies until, and if one or the other conflicting statement is changed to eliminate the conflict.

The Willamette Greenway Goal is considered to be part of the "basic fifteen".

C. HISTORY OF THE POLICIES DOCUMENT

The Policies contained in this document were developed during a period of more than a year, beginning in early 1983. A process was devised at the beginning of the period to utilize existing working papers and to prepare a series of new working papers which, along with other sources, were to serve as the technical data based for the Policies. The Working Papers were written and published from mid-1981 to early 1984. Each Working Paper contained information on a given topic or topics, and a number of them contained preliminary Policies which were drawn from the information in the Papers and which were presented for initial discussion purposes.

Hearings were held on the Papers as they were published. Each Planning Commission reported to the Board of County Commissioners containing its reaction to the Paper and draft Policies. Often the Policy statements drew on sources other than the Working Papers—existing County Plan information (such as special-purpose plans or technical studies), comments or testimony of individuals or groups appearing at the hearings, the judgment and views of Planning Commission members and so on—and so represented a broad array of perspectives and attitudes. Each Planning

Commission Report cited information used in Policy development, in order to provide a firm basis for Policy use. The background information, including the Working Papers, is to be used to help interpret and understand General Plan approaches but is not itself designed to be adopted as legislative law. The Board formally adopted the Policies in February of 1984.

D. CITIES, COMMUNITIES AND RURAL LANDS

Cities

While the Policies in this document are directed at Lane County government, it is clearly recognized that the County has a responsibility to, and must coordinate efforts closely with, the incorporated cities within its boundaries. Statewide planning law requires that each incorporated city develop and adopt its own land use plan which must itself comply with LCDC Goals. The plan must contain essentially the same elements as the County General Plan, with an additional element of an identified Urban Growth Boundary (required by Goal 14). Future urban growth for each city is to take place within that Boundary. In the case of the Eugene-Springfield Metropolitan Area Plan, a mutual Boundary is adopted by both cities and the County. For all other cities, the County must ratify the cities UGBs by independent evaluation of, and adoption of, appropriate city plan provisions.

Through this method, the County becomes responsible for administering the provisions of city plans within the city UGBs but outside of the corporate city limits. "Joint Agreements for Planning Coordination" drawn up between the County and each city lay the framework for cooperative action in the effort. Policies concerning Goal 14 in this document further indicate County posture toward city plans. County adoption of city plans—or amendments thereto—ensures that conflicts between city plans and County Plan do not readily occur.

Beyond carrying out the responsibilities outlined above, ORS 195.036 requires that the county:

“...establish and maintain a population forecast for the entire area within its boundary for use in maintaining and updating comprehensive plans, and shall coordinate the forecast with the local governments within its boundary.”

Pursuant to this requirement and OAR 660-024-0030, coordinated population forecasts have been developed and are adopted for Lane County and each of its urban areas. These figures are included in Table 1.1, below.

The Coordinated Population Forecasts included in Table 1.1 were developed for Lane County by the Portland State University Population Research Center except as noted. The methods, assumptions and data used to develop these forecasts are included in PSU's report: Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 dated May 2009.

Table 1.1: Coordinated Population Forecasts for Lane County and its Urban Areas

		Forecast Period:	2010	2015	2020	2025	2029	2030	2035
Lane County Small Cities	Coburg*		1,103	1,387	1,394	2,828	3,216	3,363	4,251
	Cottage Grove		9,957	10,616	11,424	12,261	12,737	12,856	13,542
	Creswell		5,647	6,802	8,263	9,758	10,799	11,060	12,172
	Dunes City		1,457	1,542	1,640	1,726	1,767	1,777	1,823
	Florence		11,212	12,355	13,747	15,035	16,065	16,323	17,434
	Junction City		6,567	9,343	10,799	12,067	12,922	13,136	13,887
	Lowell		1,043	1,228	1,459	1,714	1,960	2,022	2,345
	Oakridge		3,859	4,290	4,672	4,866	5,022	5,061	5,280
	Veneta		4,976	5,902	7,251	8,727	9,623	9,847	10,505
	Westfir		359	370	384	412	423	426	448
	Metro Area	Eugene (city only)		156,844	166,609	176,124	185,422	192,536	194,314
Springfield (city only)			58,891	62,276	66,577	70,691	73,989	74,814	78,413
Metro Urban Area West of Interstate-5**			20,931	20,380	19,209	18,521	17,680	17,469	16,494
Metro Urban Area East of Interstate-5**			8,140	7,926	7,470	7,202	6,875	6,794	6,415
Totals	Eugene/Springfield Total UGB Area		244,806	257,191	269,380	281,836	291,080	293,391	303,887
	Unincorporated Area Outside all UGBs		58,531	55,900	54,344	52,861	52,381	52,261	51,634
	Lane County Total		349,516	366,924	385,297	403,892	417,996	421,522	437,207
<p>* City of Coburg forecasts based upon analysis conducted by the firm Johnson and Reid and testimony provided by City of Coburg representatives to the Lane County Board of Commissioners on June 3, 2009.</p> <p>** Forecast based upon a 72% allocation of the total Metro UTA West of I-5 and a 28% allocation of the total Metro UTA East of I-5.</p>									

Any updates or amendments to the forecasts included in Table 1.1 may only be initiated by Lane County. Any individual or interested cities, however, may make a request for the Board to initiate such an update or amendment. Requests must set forth compelling reasons as to why the update or amendment should be considered at the requested time, rather than in conjunction with a future periodic Plan update. An offer to participate in costs incurred by the County shall accompany the request. Amendments to these forecasts initiated by the Board shall follow general procedures outlines in Lane Code 16.400(6).

Communities

Unincorporated communities are treated differently. They are identified as "community" on the Plan Diagrams, but are not given official Urban Growth Boundaries. Instead, the probable limits of growth over the planning period are reflected in the area within the "community" designation. Since lands within these areas are under County jurisdictions, no Joint Agreements are required, but development there must be justified by "committed lands" exceptions.

Areas within rural Lane County qualifying as Exception areas on the basis of pre-committed uses are not necessarily "communities" as such, but do have some of the

characteristics of community development—higher densities, for example. These areas are treated much as unincorporated communities are within the General Plan, in that they are solely under the County jurisdiction, and they are provided with specific land use designations and zoning reflective of their characteristics. They are not portrayed, however, with the broad "community" designation in most cases. For purposes of Plan administration, a parcel of land is either within a UGB or designated: community or it is not—the deciding factor is the portrayal on the Plan Diagram. Lands adjacent to such "boundaries are not considered to be within them until and if the boundaries are adjusted to accommodate them.

Rural Lands

Finally, lands considered as agricultural, forest or natural resources are lands not within any of the above classifications. These lands include the vast majority of total Lane County acreage, and are under the jurisdiction of the County plus state and federal governments (National Forests). The Statewide Planning Goals and the Policies of this Plan limited substantial rural development. However, it is recognized that such development may occur provided it is consistent with the policies contained in this document.

E. IMPLEMENTATION

As stated earlier, the County Policies are intended to guide actions and decisions. Although the policies have a common feature (i.e., relating to one or more aspects of land use) they cover a broad range of topics and concerns. Because of this wide range, it is not reasonable to assume all policies are to be implemented in the same manner. Visualizing a policy as being in one or more of the following categories will provide a better understanding as to its application.

Advisory Policies

These are statements describing the County's position on a certain topic or issue; generally but not always, relating neither to a subject, nor under the direct jurisdiction of the County. These policies are primarily intended to inform or influence the actions of other parties. They do not have direct influence on the implementation of the General Plan through Plan Map designation, zoning of land or County Regulations.

Examples: "Lane County recommends that no new wilderness areas be designated without a complete analysis of the revenue and employment impacts on Lane County. Where designations are made, negative employment and revenue impacts should be mitigated by increasing allowable timber harvests on other public lands."

Commitment Policies

These are statements describing a future action the County intends to undertake. The policies cover a variety of topics including (a) guidance in County operations, procedures and relationships with other agencies, (b) recognition of state and federal

**Findings in Support of
Ordinance No. PA 1255**

**Lane County Coordinated Population Forecast
Portland State University, Population Research Center
Rural Comprehensive Plan Adoption**

1. *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035* (May 2009) was prepared by the Population Research Center College of Urban and Public Affairs at Portland State University (PSU) over a period of time from August 2008 to May 2009.
2. The Population Research Center produced long-term population forecasts for the County, the two largest cities of Eugene and Springfield, the shared Eugene-Springfield urban growth boundary area (UGB), the UGB areas for the County's remaining 10 cities, and for the unincorporated area outside the UGBs. The forecast horizon extends 27 years from 2008 to 2035, and the forecasts are produced in 5-year intervals between 2010 and 2035. The County will use the forecasts to coordinate revisions of the comprehensive plans for each of these areas. The projections are benchmarked to the Population Research Center's 2008 certified population estimates for the city and county populations.
3. In 2008, Lane County's population was 345,880. The Eugene-Springfield UGB represents 70 percent of the county's population and that percentage does not change much during the forecast period.
4. The 2008 population estimates for Lane County's ten smaller cities are all under 10,000, ranging from 340 to 9,830 persons. These cities capture population increases from about 13 percent to over 18 percent throughout the forecast period.
5. The share of the population that the non-UGB unincorporated area represents decreases from about 17 percent to 12 percent. This shift of persons residing in rural areas to more urbanized areas is a common trend throughout Oregon and the United States that has been ongoing for many years.
6. Data used to develop the forecasts include vital statistics; population, land use, building permit, and employment data; and school enrollments for districts within Lane County. Several different demographic methods and models were employed to prepare the forecasts, including the development of cohort-component models for the County and larger areas, and housing unit models for each of the county's smaller cities and the non-UGB unincorporated area. The cohort-component model incorporates rates of fertility, mortality, and migration. The housing unit model assumes a number of future added housing units, levels of housing occupancy, and averages of the number of persons per household. Consideration was given to factors that influence Lane County's population dynamics, namely the population's ethnic and age composition, the number of annual births that occur, employment and commuting patterns, the number of building permits issued, and public school enrollment in the county's school districts.
7. Future trends in the forecasts for the County and its sub-areas each suggest that there will be continuing increases in population, but at slightly decreasing rates from the beginning to the end of the forecast period.

8. The downturn of the local economy is forecast to be more severe than that seen in the early 2000's and to not recover until the 2010's. Therefore, housing construction is forecast to be sluggish for a few years in most areas, but will accelerate after 2015. At that time the net in-migration of families with children, the elderly, and Hispanics is predicted to increase and continue throughout most of the forecast period.
9. The sub-areas in this study at times are called 'cities' but are actually city urban areas, which refer to the area within the city limits combined with its corresponding UGB area outside city limits; or in other words, all of the area within the small city urban growth boundaries.
10. The PSU forecasts for Eugene and Springfield cities are for the individual cities without the unincorporated UGB area, because they share a single UGB under the current Metro Plan boundary. The Eugene-Springfield UGB population estimated for each of the areas east and west of I-5 separately is forecast to follow current percentages, which is 72 percent for Eugene and 28 percent for Springfield. The share of the Eugene-Springfield UGB will continue to be stable at around 70 percent of the county whole, with a slight increase during the forecast period.
11. The unincorporated area of Lane County refers to the area outside of any city and UGB. This area is known as the 'non-UGB unincorporated area' in the PSU Report, *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 (May 2009)*.
12. Five of Lane County's cities, Lowell, Veneta, Dunes City, Coburg, and Westfir, either have a UGB that is identical, or nearly identical, to their city boundary.
13. The other cities have a UGB outside their city limits where a portion of the city area's housing stock is located. Twenty-one percent of Florence's housing units are in its unincorporated UGB area. The percentage of housing that is located in the Eugene-Springfield and the Junction City unincorporated UGB areas is around 12 percent, and represents over 12,000 and over 300 housing units, respectively. The cities of Oakridge, Creswell, and Cottage Grove each have a UGB where between 3 and 6 percent of the housing units (in a range between 50 and 200 units) are located.
14. The annual certified population estimates from the U. S. Census represent the area within the city limits. If a city does not send annual housing and population data to the estimates program, its certified estimate is held constant to the previous year and may not account for recent changes. The population figures presented in the report *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 (May 2009)*, represent the 2008 certified estimates adjusted to incorporate the city UGB areas. Population forecasts for 2010 and beyond account for fluctuations in annual data that may have affected the previous data.
15. The 2010-2040 population forecast for Lane County produced by Oregon's Office of Economic Analysis (OEA) is used to gauge the Lane County forecast results. While the published OEA forecast currently available was produced in 2004, OEA is currently revising the forecast. The Population Research Center works closely with OEA and had access to information regarding those revisions during the Lane County Population Forecast effort. Consequently, results reported for Lane County by the PSU report are very close to OEA's preliminary forecast, but slightly lower in the early part of the forecast period, and slightly higher toward the end of the period. The differences vary by no more than 2,700, or less than one percent, in any 5-year time period.

16. The ethnic and racial diversity in the population forecast includes base data of white non-Hispanics accounting for 86.2 percent of the County's population and all other ethnic minorities accounting for 13.8 percent. Hispanics represent the largest share of the ethnic minority population (approximately 44.2 percent), followed by Asian/Pacific Islanders (21.0 percent) followed by persons who identify themselves as more than one race (17.4 percent). Blacks and Native Americans represent about 1 percent, and 7.3 percent of the County's ethnic minority population, respectively. Of the total County population, Hispanics represent 6.1 percent.
17. The total fertility rate in the County was 1.63 in 2000. This rate is somewhat lower than the State average of 1.98 children per woman in 2000, and even lower than the 1990 County rate (1.71). The trend of declining fertility rates over the past 2 decades is forecast to continue. A larger decrease in fertility rates has been offset by the increase of the female Hispanic population which is associated with higher fertility rates than the majority population of white non-Hispanics. Age-specific fertility rates in the County have shifted slightly in recent years and there has been an increase in the percentage of women statewide postponing child-bearing or deciding not to have children at all. In addition, there is now a smaller share of younger mothers than in the past.
18. Occupancy rates in Lane County are higher than the statewide occupancy rate. Coastal cities (Dunes City and Florence) have the lowest occupancy rates due to vacation homes and seasonal housing. The places with the highest occupancy rates – above 96 percent - are Veneta, Westfir, and the Eugene-Springfield UGB. The average number of persons that occupy a household (PPH), or household size, is influenced by several factors; age and racial/ethnic composition; share of elderly population versus the share of married couples and growing families due to the propensity of elderly to live alone, and changes in fertility rates and school enrollment.
19. By housing type, the PPH in single-family units (SFR) is typically higher than in multifamily residences (MFR), or mobile homes. This is the case in Lane County, its unincorporated area, and most of its cities. In Junction City, however, the PPH is higher in mobile homes than in other housing types. The rates of increase in the number of housing units in Lane County and its cities and unincorporated area are similar to the growth rates of their corresponding populations for most of the ten smaller cities in Lane County. The pattern of population and housing change in the County also remains relatively similar.
20. Facilities such as nursing homes, college dorms, and prisons are categorized as group quarters. In 2008, 3.0 percent of Lane County's population, or 10,669 persons, resided in group quarters facilities. The City of Eugene is home to about 82 percent of the County's group quarters population, with 90 percent of persons in group quarters residing within the Eugene-Springfield UGB. The forecast assumes the group quarters population will remain fairly stable during the forecast period except in Junction City, where construction of a state prison and state hospital is planned for the early years of the forecast.
21. The mortality rate used to develop the forecast assumes that current mortality will improve during the forecast period and that the gender difference in life expectancy at birth will mostly maintain the current level. The mean age at all births will slightly increase, which is consistent with the U.S., state, and county historical trends since the 1960s.

22. Migration rates are a more difficult demographic factor to estimate than the other factors, yet they remain a main factor affecting population changes in Lane County. Around three fourths of population growth in the County since 2000 is attributed to net migration (movers in minus movers out). The final projected net migration used in the forecast is a hybrid of the demographic method, time series, and economic growth analysis methods. Net migration was negative in the 1980s, and was about 10,000 residents (meaning 10,000 more persons moved out of Lane County than moved in), or 3.5 percent of total population. Net migration was positive in the 1990s, about 30,000 residents, or about 11 percent of the total population. The negative net migration in the 1980s was marked by Oregon's most severe economic downturn since the Great Depression, while the large positive net migration in the 1990s was more prosperous, with strong job growth. From 2000 to 2008, population growth in Lane County due to net migration was estimated to be around six to seven percent. Positive net migration was seen despite downturns in the economy in the first few years of the decade. The highest job increase since at least 2000 occurred in 2005, however, the economy was showing signs of weakening again in 2007 and hasn't yet recovered. Still, evidence continues to show signs of a positive in-flow of net migrants to Lane County. Net migration will be lower in the 2000s than in the 1990s and the downturn is expected to continue over the next few years. Net in-migration will regain vitality after 2015, however, due to an economic recovery. Due to the relatively larger population base that has been increasing since at least 1990, total net migration in the 2010s is projected to be slightly higher than in 1990 although it will be at lower rates. Net in-migration will accelerate some and will gain momentum until around 2030 when the magnitude lessens a bit.
23. All population forecasts are based on a combination of a beginning population; various known, estimated, and predicted rates; and the forecasters' expertise and knowledge about future trends. The forecasts may err through imprecise data or unexpected shifts in demographic trends. Generally, forecasts for larger geographical areas, such as the entire county are more reliable than those for small areas, such as for a small city with fewer than 1,000 persons. These forecasts will be used as a guide to population growth over the next few years, and changes in local areas will surely affect populations in some cities, resulting in the actual population deviating from the numbers shown in the adopted forecasts. The differences between the forecast and actual populations will vary in magnitude and perhaps direction.
24. The forecasts presented in the PSU report *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035* (May 2009) meet the requirement of Oregon Revised Statute (ORS) 195.036 and Oregon Administrative Rule (OAR) 660-024-0030 which require counties in Oregon to coordinate with their cities to develop population forecasts for use by the county and cities in land-use planning activities. *"The coordinating body under ORS 195.025(1) shall establish and maintain a population forecast for the entire area within its boundary for use in maintaining and updating comprehensive plans, and shall coordinate the forecast with the local governments within its boundary."* The PSU report establishes population forecasts for all of Lane County and the urban areas within the county. The effort leading up to the report and development of the forecasts included three public meetings where city representatives and interested parties provided testimony and spoke directly to the

collective and unique needs and issues in each of the cities of Lane County. These concerns and all the testimony and evidence was taken into consideration as described in the PSU report *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 (May 2009)* adopted and incorporated here by this reference. The small cities and Eugene and Springfield provided input into the coordinated forecast, as evidenced in the record of proceedings and process for the report. The efforts of PSU and Lane County throughout the process, including the public hearing on the proposed countywide population forecasts adopted in the Lane County Rural Comprehensive Plan (RCP) provided more than adequate coordination with local governments and other interested parties.

25. As a part of the coordination process, the City of Coburg submitted additional information, including a study the City had commissioned from Johnson Reid, a land use economics consulting firm. The study, titled *Estimate of Long-Term Population Growth Rates in Coburg, Oregon*, provided more detailed information concerning the population forecast for the City of Coburg, a city currently of around 1,000 persons. That study and the testimony about the findings of the study that accompanied its submission on June 3, 2009, are adopted and incorporated here by this reference. The Coburg study considered factors that were not considered, or, in the opinion of Johnson Reid, were not sufficiently considered in the PSU report *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035 (May 2009)*. Included in the Johnson Reid analysis were the supplemental facts of the probable increase in the number of manufacturing jobs in Coburg, the employment trends in Eugene and Springfield, Coburg's commitment to change as expressed in its adopted Comprehensive Plan and other documents, and the calculated size of Coburg's developing infrastructure. Based on these additional factors, the Johnson Reid study provided a more detailed and slightly different forecast for Coburg's population. While the difference may be significant for the City of Coburg population forecasts, the change in the adopted forecasts included in the RCP made no statistically significant difference for the County forecast as a whole and did not make a substantial change to any section of the ordinance prior to adoption.
26. This Ordinance amends the Lane County Rural Comprehensive Plan, and such amendment shall be by Ordinance as stated in Lane Code Chapter 12.050, Method of Adoption and Amendment. LC12.050(2) is found to be met as follows: The Board may amend or supplement the comprehensive plan upon a finding of:
 - (a) an error in the plan; or
 - (b) changed circumstances affecting or pertaining to the plan; or
 - (c) a change in public policy; or
 - (d) a change in public need based on a reevaluation of factors affecting the plan; provided, the amendment or supplement does not impair the purpose of the plan as established by LC12.005 below.

The amendment to adopt a coordinated population forecast into the RCP is necessary based on changes in public need, policy and circumstances affecting comprehensive plans throughout Lane County. Public policy changes now codified in state law that direct the responsibility for adopting the coordinated forecasts as part of or by reference in a comprehensive plan to the Lane County Board of Commissioners as the decision body for the county and its urban areas has required a re-evaluation of population forecasting

and other relevant factors affecting all of the Lane County comprehensive plans. In addition to the public policy changes regarding responsibility of the Lane County Board for countywide coordinated population forecasts, HB 3337 (2007) requires a re-evaluation of population forecasts presented for the area within the current Eugene/Springfield Metropolitan Area single urban growth boundary. A single population forecast for that urban area is no longer useful under HB3337 direction enabling Eugene and Springfield to conduct residential buildable land studies and other studies separately so that each may consider having its own urban growth boundary and makes it necessary to produce future population projections based on the jurisdictional area and requirements of each of the two largest cities in Lane County.

LC12.005 Purpose. The Board shall adopt a comprehensive plan. The general purpose of the comprehensive plan is the guiding of the social, economic, and physical development of the County to best promote public health, safety, order, convenience, prosperity and general welfare.

Lane Code Chapter 16.400(6)(h)(iii)(aa) further requires the Board to make findings that the proposed amendment meets all applicable requirements of state and local law, Statewide Planning Goals and Oregon Administrative Rules.

The proposed amendment meets the purpose section of LC Chapter 12 and is also in conformance with the applicable state and local laws, Statewide Planning Goals and Oregon Administrative Rules as discussed below.

27. Goal 1: Citizen Involvement

This goal calls for the opportunity for citizens to be involved in all phases of the planning process. It requires each city and county to have a citizen involvement program.

The citizen involvement process timeline presented below establishes adequate opportunities for citizen involvement and is found to be fully compliant with this goal.

On August 5, 2008, the Board of Commissioners directed staff to begin the coordinated population forecast project by solicitation of appropriate consultant firms to conduct the analysis required for the project using a process that would be open and provide ample opportunity for citizen involvement in the preparation and coordination of countywide population forecasts.

On September 5, 2008, DLCDC was notified the cities of Eugene and Springfield had initiated a post-acknowledgement plan amendment to the *Metro Plan* to adopt new population forecasts for the cities to comply with the needed housing determination required by ORS 197.304 (HB 3337). The Lane County Planning Commission participated in coordinated population forecasting for the metro cities through a joint hearing with the Metro planning commissions in Springfield City Hall on November 6, 2008 to hear testimony regarding the Metro Safe Harbor separate population forecasts proposed by Eugene and Springfield for the first time under HB 3337. The three planning commissions each voted a separate recommendation up to their elected officials, the vote from Lane County was to recommend adoption.

On December 2, 2008, the Lane County Planning Commission was invited, and many participated in the PSU Countywide Population Forecast Kick-off meeting held in Harris Hall. Two additional public coordination meetings were held upon release of the PSU population forecasts, on February 26, 2009 and March 26, 2009.

The PSU effort was also presented in various ways during the LCPC public hearings and consideration of the small city PAPA requesting a coordinated countywide population forecast be adopted into the RCP. The LCPC ultimately recognized the Board would need to decide on the appropriate population forecasts. All of these proceedings gave interested parties and cities an opportunity to coordinate and participate in development of population forecasts for Lane County and utilized the adopted county citizen involvement program consistent with Goal. 1

28. Goal 2: Land Use Planning *This goal requires establishment of a land use planning process and policy framework to coordinate decisions and actions related to land use and assuring an adequate factual basis for those decisions.*

The adoption of a countywide coordinated population forecast for Lane County and urban areas of the county fulfills this goal through the public involvement process under the coordinated policy framework as demonstrated in the public record on file in Land Management. The cities and Lane County have coordinated this decision through the data consideration and analysis phase under contract with PSU. The public was provided ample opportunity for input and involvement in the process, as evidenced by over 300 exhibits in the public record for this project. Therefore adopting this amendment is fully consistent with Statewide Planning Goal 2.

The Lane County Rural Comprehensive General Plan Policies, Introduction, illustrates the connectedness of the city and county plans, and describes the co-adoption of each city's Comprehensive Plan as illustrated in the introduction. In addition to this visual representation of the relationship between the cities plans and the overall general county plan, Part I, Section D of the Rural Comprehensive Plan states:

"While the Policies in this document are directed at Lane County government, it is clearly recognized that the County has a responsibility to, and must coordinate efforts closely with, the incorporated cities within its boundaries. Statewide planning law requires that each incorporated city develop and adopt its own land use plan which must itself comply with LCDC Goals. The plan must contain essentially the same elements as the County General Plan, with an additional element of an identified Urban Growth Boundary (required by Goal 14). Future urban growth for each city is to take place within that Boundary. In the case of the Eugene-Springfield Metropolitan Area Plan, a mutual Boundary is adopted by both cities and the County. For all other cities, the County must ratify the cities UGBs by independent evaluation of, and adoption of, appropriate city plan provisions.

Through this method, the County becomes responsible for administering the provisions of city plans within the city UGBs but outside of the corporate city limits. 'Joint Agreements for Planning Coordination' drawn up between the County and each city lay the framework for cooperative action in the effort."

The coordinated population forecasts for each urban area provide a key component of the base data to support the policies and framework for long range planning necessary to meet municipal needs for each local jurisdiction particularly as it relates to urban growth. The countywide population forecasts adopted in the RCP provide the basis for cities to use those forecasts and coordinate the population residing in urban areas with the remainder of the population in rural Lane County. The enactment of the statutory and rule requirements now applicable in Lane County and the urban areas makes it necessary to adopt projections that are reasonable and sufficient for future planning purposes. The adopted forecasts, once part of the RCP, must then be used by the cities for the necessary urban area planning under OAR 660-024-0030.

29. Goal 9: Economic Development *Goal 9 requires the provision of adequate opportunities throughout the state for a variety of economic opportunities to increase prosperity of Oregon's citizens.*

Population forecasts are a key factor in determining future land needs to serve as location for businesses and companies that provide jobs in Lane County communities. The urban growth boundaries of cities are planned for a twenty year future need as determined by Economic Opportunity Analysis and other documentation that would support amendments and adjustments to UGB's. The lack of a coordinated and adopted forecast, or the adoption of an unreasonable forecast which does not account for current trends poses a significant hurdle to cities seeking to create adequate long range economic, residential and infrastructure development plans. Therefore, adoption of a countywide coordinated population forecast is consistent with Statewide Planning Goal 9.

30. Goal 10: Housing *Goal 10 requires availability of adequate numbers of needed housing to meet the needs of the citizens of the state.*

Population forecasts are used in determining the amount and type of housing needed to accommodate the projected population growth for 20 years. Housing needs are also planned for and determined by urban areas. Housing Needs Studies and other analysis or documentation that supports amendments to the current adopted population forecasts were reviewed. Accurate population forecasts will ensure that cities may determine whether urban services are adequate to handle populations which may exceed those projected in past planning efforts. Adoption of a coordinated reasonable forecast that accounts for current trends complies with this Statewide Planning Goal.

31. Goal 11. Public Facilities and Services *This goal calls for planning and developing a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural developments.*

Planning for adequate public facilities and infrastructure requires an accurate population forecast. The design and construction of public facilities such as municipal water and wastewater treatment facilities requires a reasonable population forecast for sufficient supply of infrastructure over a twenty year planning period. The countywide coordinated population forecast will provide the basis for compliance with this Statewide Planning Goal.

32. Goal 12: Transportation *This goal calls for providing and encouraging a safe, convenient and economic transportation system to serve the people.*
 Planning for adequate transportation system facilities requires an accurate population forecast. The design and construction of roads, public transportation and associated facilities requires a reasonable population forecast for sufficient budgeting and planning to construct in a timely manner these facilities over a twenty year planning period. The countywide coordinated population forecast will provide the basis for compliance with this Statewide Planning Goal.
33. Goal 14: Urbanization *Goal 7 requires the orderly and efficient transition from rural to urban land use.*
 The adoption of updated population forecasts for the county and urban areas of the county would provide a basis for the twenty year planning for urban area needs in the cities. Establishment and change of urban growth boundaries shall be based on demonstrated need to accommodate urban populations consistent with twenty year population forecasts coordinated with affected governments. The adoption of this amendment is consistent with this applicable Statewide Planning Goal.
34. Remaining Statewide Planning Goals not specifically mentioned above are not implicated by the amendment of the Lane County Rural Comprehensive Plan adopting coordinated countywide population forecasts and the RCP compliance with those Goals remain unaffected by this action.

Conclusion Findings of Compliance

The adoption of countywide coordinated population forecasts for Lane County and the urban areas of the county as demonstrated in these findings and supporting documents referred to here and incorporated by reference, is found to be in compliance with all applicable statewide planning goals, administrative rules and the Lane County Comprehensive Plan. The PSU report, *Population Forecasts for Lane County, its Cities and Unincorporated Area 2008-2035(May 2009)* is fully incorporated here by reference, contains the supporting documentation, analysis, and responses to relevant comments and questions prior to the date of its publication regarding forecasts for each of the urban areas of the county and provides additional support for this action.