



Lane County Board of Commissioners

Bill Dwyer
Bill Fleenor
Rob Handy
Pete Sorenson
Faye Hills Stewart

March 17, 2010
WD bc/bf/10016/T

Eugene Mayor and City Council
777 Pearl St.
Eugene, OR 97401

Re: Eugene's Ordinance No. 20444 and 20445, withdrawal of co-adoption request

Dear Mayor Piercy and Council:

On November 23, 2009, the Eugene council adopted Ordinances No. 20444 and 20445 to change the Metro Plan designation of property both within and without the city limits but inside the Urban Growth Boundary ("RiverRidge" site). For the property outside the city limits, co-adoption of the designation change is required by Lane County Board of County Commissioners. As you will remember, the County and the City held joint hearings in August and October of 2009. After the City's adoption of the two ordinances, however, the City withdrew its application for co-adoption of the designation change.

Eugene Ordinance No. 20444, Section 5, provides that, upon future annexation of Tax Lot 304, the property will be "automatically redesignated" on the Metro Plan map. Because redesignation of Tax Lot 304, currently outside the city limits, requires co-adoption of Lane County, Eugene does not have the authority to provide for an "automatic" redesignation without the involvement of Lane County. The Board of Commissioners thus believes that Eugene's adoption of Ordinance No. 20444 requires co-adoption or, alternatively, that Section 5 should be held null and without effect.

With this letter, the Board of County Commissioners wishes to bring this concern to the City officials, so that appropriate remedies can be discussed. We have directed our legal counsel to be available for such discussions, and we request that, if necessary, the Department of Land Conservation and Development (DLCD) staff be made aware of the situation. We are requesting that DLCD not consider Eugene Ordinance No. 20444 to be "acknowledged" as in compliance with the Metro Plan and the statewide Goals (especially Goal 2, requiring coordinated planning for such areas) until this issue is adequately addressed.

Sincerely,

Bill Fleenor, Chair
Lane County Board of County Commissioners

c: DLCD