

W. T. C.

**SUPPLEMENTAL
AGENDA COVER MEMO**



Memo Date: June 27, 2011
Sixth Reading Date: July 6, 2011

TO: Board of County Commissioners

DEPARTMENT: Public Works, Land Management Division, Planning Department

PRESENTED BY: Mark Rust, AICP, Associate Planner

AGENDA ITEM TITLE: SIXTH READING/DELIBERATIONS/Ordinance No. PA 1274 - In The Matter Of Amending The *Eugene-Springfield Metropolitan Area General Plan* (Metro Plan) To Adopt The *Springfield 2030 Refinement Plan Residential Land and Housing Element* And To Establish A Separate Springfield Urban Growth Boundary (UGB) Pursuant To ORS 197.304 And Adopting Savings And Severability Clauses. (Applicant: City of Springfield; File No. PA 09-6018) (Mark Rust, AICP, Associate Planner)

I. MOTION

Move Sixth Reading and adoption of Ordinance No. PA 1274:

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (Metro Plan) TO ADOPT THE SPRINGFIELD 2030 REFINEMENT PLAN RESIDENTIAL LAND USE AND HOUSING ELEMENT AND TO ESTABLISH A SEPARATE SPRINGFIELD URBAN GROWTH BOUNDARY PURSUANT TO ORS 197.304.

II. AGENDA ITEM SUMMARY

The Board is being asked to adopt Lane County Ordinance PA 1274 and its attachments. The Board held a joint meeting with the City of Springfield City Council on June 20, 2011 for the fifth reading and deliberations on this matter. At this meeting it was recommended that the Board conduct one additional reading prior to adoption due to four changes made by the Springfield City Council.

The attached ordinance includes a recital referencing the continued public hearing date and close of the public record that was included in the previous reading on June 20, 2011. Additionally, the attached ordinance identifies in Section 1 the date of the Housing Needs Analysis document, Exhibit B, that is now correctly listed as April 2011, the date in the May 16th reading of the ordinance. Finally, the attached revised Exhibit "F" findings document now incorporates by reference the findings that were adopted to support enactment of Ordinance No. 1 by the City of Springfield.

No UGB expansion is proposed as part of this proposed action.

ATTACHMENTS

1. Lane County Ordinance PA 1274 with revised Exhibit "F"
2. City of Springfield Ordinance No. 1 Exhibit "F"

BEFORE THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY OREGON

ORDINANCE NO. PA 1274

In The Matter Of Amending The *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* To Adopt The *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* And To Establish A Separate Springfield Urban Growth Boundary (UGB) Pursuant To ORS 197.304; And Adopting Savings And Severability Clauses. (File No. PA 09-6018) (Springfield, Lane County)

WHEREAS, in 2007 the Oregon Legislature passed and the Governor signed into law Chapter 650, Oregon Laws 2007, codified as ORS 197.304 and commonly known as "House Bill 3337"; and

WHEREAS, Chapter IV of the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* sets forth procedures for amendment of the *Metro Plan* and adoption or amendment of refinement plans, which for Lane County, are implemented by provisions of Lane Code Chapter 12; and

WHEREAS, the Springfield and Lane County Planning Commissions conducted a joint public hearing on the Draft *Springfield 2030 Refinement Plan* including the draft *Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land Use and Housing Element* policies and Springfield Urban Growth Boundary tax lot specific map on February 17, 2010, and continued on March 16, 2010; and

WHEREAS, following the joint public hearing with the Springfield Planning Commission, the Lane County Planning Commission and Springfield Planning Commission, on May 4, 2010, voted to recommend approval of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*, which incorporated the *Springfield Residential Land & Housing Needs Analysis*, as well as a parcel specific separate urban growth boundary around the City of Springfield, based on all of the evidence and testimony in the record at that time; and

WHEREAS, the Board of Commissioners held a first reading of Ordinance No. PA 1274 on March 16, 2011; and

WHEREAS, on April 4, 2011, a joint public hearing was held before the Lane County Board of Commissioners and Springfield City Council on the proposed separate Springfield Urban Growth Boundary, the *Springfield Residential Land and Housing Needs Analysis, January 2011* and the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*; and the Development Services staff report, the oral testimony, letters and emails received, written submittals of the persons testifying at the hearing, and the public records for file # LRP 00014 (*Springfield 2030 Refinement Plan*), file # LRP 2007-00030 (*Springfield Residential Land Study*), file # LRP 2009-00012 (*Springfield 2030 Refinement Plan Diagram*) and the *Springfield Urban Growth Boundary Technical Supplement* have been considered and are hereby incorporated into the record for this proceeding; and

WHEREAS, on May 16, 2011, the Springfield City Council and Lane County Board of Commissioners concluded the public hearing and left the record open through May 31, 2011. The City Council and Lane County Board of Commissioners are asked to review the proposed policies to address Springfield's housing needs and to determine whether the aforementioned inventory, analysis and policies support a determination that Springfield's proposed UGB will provide sufficient buildable land to accommodate Springfield's projected housing needs for twenty years; and

WHEREAS, substantial evidence exists within the record demonstrating that the proposal meets the requirements of the Metro Plan, Lane Code and applicable state and local law.

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

Section 1: The proposed amendments to the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* to adopt the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* and the *Springfield Residential Land and Housing Needs Analysis*, April 2011, attached as Exhibits A and B and incorporated here by this reference, are adopted pursuant to ORS 197.304 as refinements to the *Metro Plan*.

Section 2: The proposed amendment to the *Metro Plan* Diagram is hereby adopted to establish a separate Springfield Urban Growth Boundary pursuant to ORS 197.304 and in accordance with OAR 660-024-0020(2) as depicted and described in the attached Exhibit C, D and E, incorporated here by this reference.

Section 3: The prior versions of the *Metro Plan* and its diagram superseded or replaced by this Ordinance shall remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion constitutes a separate, distinct and independent provision and such holding does not affect the validity of the remaining portions thereof.

Although not a part of this ordinance, the findings and conclusions attached as Exhibit F and incorporated here by this reference are adopted in support of this action.

ENACTED this ____ day of _____, 2011.

Faye Stewart, Chair
Lane County Board of County Commissioners

Melissa Zimmer, Recording Secretary

APPROVED AS TO FORM

Date _____ Lane County

OFFICE OF LEGAL COUNSEL

**ORDINANCE NO. PA 1274
FINDINGS AND CONCLUSIONS**

IN SUPPORT OF AN ORDINANCE AMENDING THE *EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN)* TO ADOPT THE *SPRINGFIELD 2030 REFINEMENT PLAN RESIDENTIAL LAND USE AND HOUSING ELEMENT* AND TO ESTABLISH A SEPARATE SPRINGFIELD URBAN GROWTH BOUNDARY PURSUANT TO ORS 197.304.

In 2007 the Oregon Legislature passed and the Governor signed into law Chapter 650, Oregon Laws 2007, codified as ORS 197.304 and commonly known as “House Bill 3337” mandating separate residential lands studies and resulting urban growth boundaries for the cities of Eugene and Springfield consistent with each city jurisdictional responsibility. In addition, the *Metro Plan* contains provisions for adoption or amendment of refinement plans as further described in Lane Code Chapters 12 & 16. These findings address the new law and other applicable criteria sufficient to support adoption by the Lane County Board of Commissioners of the proposed Springfield refinement plan residential land use and housing element, related residential land needs analysis, Springfield urban growth boundary technical supplement and map amendment for a separate Springfield UGB for the area east of I-5. Additionally, the City of Springfield prepared and adopted findings, Exhibit F to its adopted Ordinance No. 1, in support of implementation of ORS 197.304 to establish a separate Springfield Urban Growth Boundary. Those findings are incorporated by reference herein.

1. **ORS 197.304 Lane County accommodation of needed housing.**
 - (1) Notwithstanding an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions to the contrary, a city within Lane County that has a population of 50,000 or more within its boundaries shall meet its obligation under ORS 197.295 to 197.314 separately from any other city within Lane County. The city shall, separately from any other city:
 - (a) Establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and
 - (b) Demonstrate, as required by ORS 197.296, that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.
 - (2) Except as provided in subsection (1) of this section, this section does not alter or affect an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions adopted by Lane County or local governments in Lane County. [2007 c.650 §2]; and
2. **ORS 197.304 Springfield evaluation of the sufficiency of its residential buildable land supply.** Local housing policies must meet the requirements of Oregon Statewide Planning Goal 10 (ORS 197.295 to 197.314, ORS 197.475 to 197.490, and OAR 600-008) and ORS 197.296 defines factors to establish sufficiency of buildable lands within an urban growth boundary and requires analysis and determination of residential housing patterns. Springfield Development Services Department and ECO Northwest, under contract, begin an inventory and analysis of Springfield’s residential land on December 5, 2005. Springfield completed its evaluation and reports results and conclusions of the

residential land supply and need as summarized in the *Springfield Residential Land and Housing Needs Analysis, February, 2011*.

Criteria for adoption of a Metro Plan Amendment is found in Lane Code Chapter 12, Section 12.225 (2) (a) & (b). It states that in reaching a decision, the Board of County Commissioners must adopt findings which demonstrate that the proposal meets applicable approval criteria and state and local laws. The Applicable Statewide Planning Goals are addressed in these findings.

LC12.225 (2) (a) Criterion #1 “The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission.”

Goal 1 – Citizen Involvement. Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process."

3. The Springfield Planning Commission conducted public hearings for review/adoption of draft Residential Land & Housing Needs Analysis on October 20, 2009.

The Springfield City Council conducted public hearings for review/adoption of the draft Residential Land & Housing Needs Analysis on November 16, 2009 and continued the hearing on December 7, 2009 to allow additional time for consideration of refinements to constraints data and adopted the draft *Springfield Residential Land & Housing Needs Analysis* by resolution: A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING THE 2009 PRELIMINARY SPRINGFIELD RESIDENTIAL LAND AND HOUSING NEEDS ANALYSIS, FULFILLING ITS STATUTORY OBLIGATION TO "COMPLETE" THE PRELIMINARY INVENTORY, ANALYSIS AND DETERMINATION BEFORE JANUARY 1, 2010.

Springfield Development Services Department conducted public open houses on the Draft Springfield 2030 Refinement Plan including *Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land Use and Housing Element* policies and Springfield Urban Growth Boundary tax lot specific map on February 3 and 4, 2010 and on March 16, 2011 to explain the proposed amendments and to receive public comment.

The Springfield and Lane County Planning Commissions conducted a joint public hearing on the Draft Springfield 2030 Refinement Plan including the draft *Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land and Housing Element* policies and Springfield UGB tax lot specific map on February 17, 2010, and continued on March 16, 2010.

On May 4, 2010 the Springfield and Lane County Planning Commissions voted to recommend approval of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*, incorporating the *Springfield Residential Land & Housing Needs Analysis* and a parcel specific separate urban growth boundary around the City of Springfield, based on the evidence and testimony in the record.

On April 4, 2011, the City of Springfield City Council and the Lane County Board of Commissioners held a public hearing on the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*; and the Development Services staff report, the oral testimony, letters and emails received, written submittals of the persons testifying at the hearing, and the public records for file # LRP 00014 (Springfield 2030 Refinement Plan), file # LRP 2007-00030 (Springfield Residential Land Study), and the *Springfield Urban Growth Boundary Technical Supplement* have been considered and hereby are incorporated into the record for this proceeding;

Goal 2 – Land Use Planning. Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted.

4. The Eugene-Springfield Metropolitan Area Urban Growth Boundary (UGB) was originally acknowledged by the Land Conservation and Development Commission on August 19, 1982; and upon completion of periodic review the city, by ordinance 6087 on May 17, 2004 adopted the current and now acknowledged Metro Plan diagram including the UGB on an 11 X 17" map; and Springfield's jurisdictional area of responsibility as specified in the acknowledged comprehensive plan is the Metro Area UGB east of Interstate 5.

Springfield has completed its evaluation of the residential land supply and has adopted a housing needs determination (the *Springfield Residential Land and Housing Needs Analysis, January 2011*) and residential land use policies (the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*) that together demonstrate, as required by ORS 197.296, that the existing acknowledged comprehensive plan for the Metro Area UGB east of Interstate 5 contains sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated Springfield's housing needs for the plan period 2010-2030.

Goal 10 – Housing. This goal specifies that incorporated cities must plan for and accommodate needed housing types and have an inventory of buildable residential lands and housing types, such as multifamily and manufactured housing.

5. Housing in a variety of price and rent ranges commensurate with the financial capabilities of its households is important to Springfield. The definition of needed housing types as "housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels," and ORS 197.303 defines needed housing types as:
 - (a) Housing that includes, but is not limited to, attached and detached single family housing and multiple family housing for both owner and renter occupancy;
 - (b) Government assisted housing;
 - (c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490; and

(d) Manufactured homes on individual lots planned and zoned for single family residential use that are in addition to lots within designated manufactured dwelling subdivisions.

The *Springfield Residential Land and Housing Needs Analysis, February, 20* is the technical supplement to the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* that incorporates input from citizens, stakeholder groups, commissions and elected officials received throughout a multi-year citizen involvement process that included a Residential Lands citizen advisory committee, online public surveys, community workshops, work sessions, open houses and public hearings.

6. The residential land use policies included in the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* together with the technical analysis included in the *Springfield Residential Land and Housing Needs Analysis, February 2011* are found to address Statewide Planning Goal 10: Housing, "To provide for the housing needs of the citizens of the state," including goals, objectives, policies and implementation actions that supplement the *Eugene-Springfield Metropolitan Plan Residential Land Use and Housing Element* (Chapter III-A), while demonstrating the City's ongoing commitment to increasing housing choice and residential densities within Springfield's separate Urban Growth Boundary.
7. The *Springfield Residential Land and Housing Needs Analysis* demonstrates that Springfield has sufficient land designated for Low Density Residential and Medium Density Residential uses for the 2010-2030 plan period; and the *Springfield Residential Land and Housing Needs Analysis* identified a deficit of approximately 28 gross acres of land designated for high density residential (HDR) use and addresses the deficiency through Policy H.2:

"To meet identified high-density, multiple-family housing needs, the City shall re-designate at least 28 additional gross buildable acres in Glenwood Refinement Plan Subarea 8 and the eastern portion of Subarea 6 to Residential Mixed Use by December 31, 2012. This residential mixed use district shall accommodate a minimum of 411 dwelling units in the high density category and shall increase the required net minimum density to at least 28 dwelling units per acre.

Establishment of higher minimum and maximum densities is encouraged to support the neighborhood commercial uses and employment uses envisioned in the Glenwood Refinement Plan. District boundaries and density ranges shall be established through the Glenwood Refinement Plan amendment process by December 31, 2012. The Glenwood Refinement Plan includes a multi-year planning process for updates and an Urban Renewal District in Glenwood to support preparation and implementation of the plan.
8. ORS 197.296 (9) recognizes rezoning or redesignation of nonresidential land and redevelopment strategies as actions and measures that demonstrably increase the likelihood of higher density residential development.

Goal 14 – Urbanization. This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs for the 20 year planning period. Oregon Administrative Rules Division 24 Urban Growth Boundaries clarifies

procedures and requirements of Goal 14 regarding a local government adoption or amendment of an urban growth boundary (UGB); and

OAR 660-024-0020(2) provides as follows:

“The UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location;”.

9. Springfield has prepared a tax lot-specific map of the acknowledged Metro Urban Growth Boundary, east of Interstate 5 that establishes a more precise location of the UGB based on GIS map files and documentation that establish Springfield’s UGB at a scale sufficient to determine which particular lots or parcels are included in the precise UGB location. Where the UGB does not follow tax lot lines, Springfield has prepared a written description of the location and documentation to provide sufficient information to determine the precise UGB location in those areas as described in the *Springfield Urban Growth Boundary Technical Supplement*.
10. The factors used to determine the precise location of the acknowledged UGB are based on the adopted policies contained in the *Eugene-Springfield Metropolitan Area General Plan* (Metro Plan) as clarified in previous land use decisions by the Lane County Hearings Official, as further described in Exhibit D and Exhibit E and as more fully documented in the *Springfield Urban Growth Boundary Technical Supplement*.

Conclusion

The above findings, including the City of Springfield findings for Implementation of ORS 197.304 Adoption of a Separate Springfield Urban Growth Boundary, Exhibit F to its enacted Ordinance No. 1 incorporated by reference herein, support the Board of Commissioners adopting this Ordinance to establish a separate Urban Growth Boundary for the city of Springfield, as required by ORS 197.304 and a Springfield specific map of the UGB in accordance with OAR 660-024-0020(2).

Implementation of ORS 197.304 Adoption of a Separate Springfield Urban Growth Boundary Findings

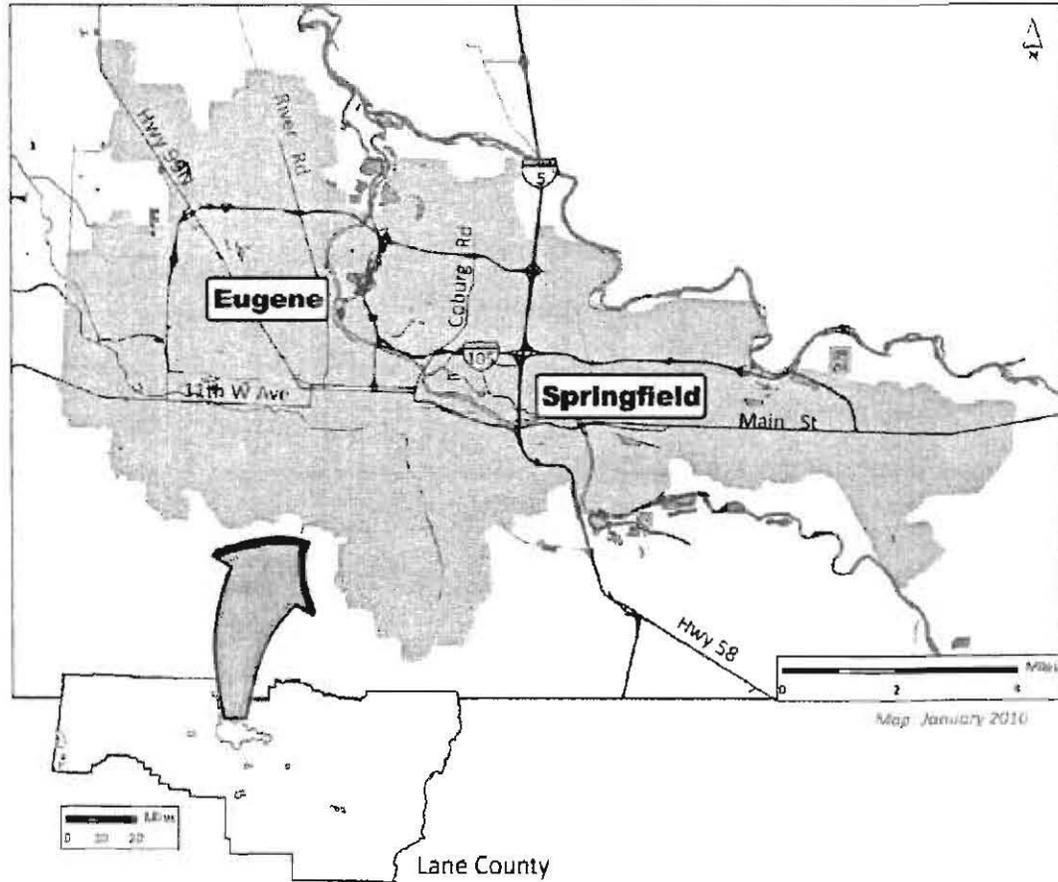


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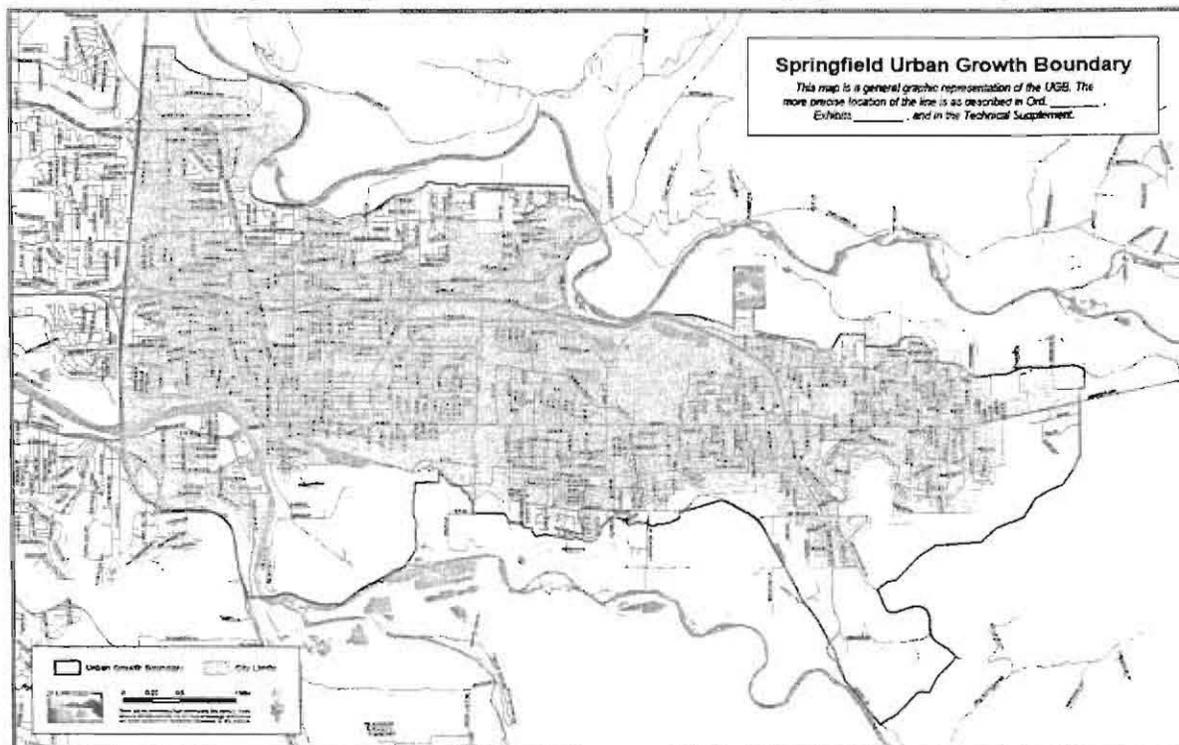
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I. Proposed Post-Acknowledgment Plan Amendment Package

This post-acknowledgement plan amendment (PAPA) package includes three changes to the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)*:

1. Adoption of an amendment to the Eugene-Springfield Urban Growth Boundary (Metro UGB) to establish a separate UGB for the city of Springfield pursuant to ORS 197.304.
 - a. The area encompassed by the Springfield UGB is the same as the City's acknowledged "jurisdictional area" described in the Metro Plan.
 - b. As a result of this amendment, there will be no increase in the combined urban areas of the cities within the acknowledged Metro UGB.
 - c. To comply with OAR 660-024-0020(2), the City has determined the precise location of the Metro UGB (now the Springfield UGB) east of Interstate Highway 5. (Map A, Ordinance No. 6268 Exhibits C, D and E)

Map A: Springfield Separate Urban Growth Boundary (ORS 197.304)



2. Adoption of the *Springfield Residential Land and Housing Needs Analysis; April 2011* (RLHNA) to demonstrate that Springfield has a 20-year supply of buildable land within its separate Springfield UGB. The RLHNA (Ordinance 6268, Exhibit B) and these findings (Exhibit F) demonstrate compliance with:
 - a. ORS 197.296 Factors to establish sufficiency of buildable lands within urban growth boundary; analysis and determination of residential housing patterns;
 - b. Related "Needed Housing" statutes (ORS 197.295 through 197.314); and
 - c. Statewide Planning Goal 10 (Housing) and its administrative rule (OAR Chapter 660, Division 008).

3. Adoption of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* (Springfield Housing Element) (Ordinance 6268 Exhibit A) to implement the Metro Plan and the results of the RLHNA, by increasing the supply of land designated for High Density Residential (HDR) uses by approximately 28 gross buildable acres. The adopted Housing Element includes the following policy and implementation "measure": Policy H .2. To meet identified high-density, multiple-family housing needs, the City shall redesignate at least 28 gross buildable acres in Glenwood Refinement Plan Subarea 8 and the eastern portion of Subarea 6 to Residential Mixed Use by December 31, 2012. This residential mixed use district shall accommodate a minimum of 411 dwelling units in the high density category and shall increase the required net minimum density to at least 28 dwelling units per acre. Establishment of higher minimum and maximum densities is encouraged to support the neighborhood commercial uses and employment uses envisioned in the Glenwood Refinement Plan. District boundaries and density ranges shall be established through the Glenwood Refinement Plan amendment process by December 31, 2012.

These amendments are necessary to comply with ORS 197.304 (*see* Section II) and ORS 197.296 (*see* Section III), notwithstanding any Metro Plan policy or intergovernmental agreement to the contrary.

II. Compliance with ORS 197.304

Background

ORS 197.304 is one of several “needed housing” statutes found in ORS 197.295 through ORS 197.314. This particular “needed housing” statute applies only to cities of over 50,000 in Lane County. ORS 197.304 requires that the city of Springfield adopt a separate UGB and demonstrate that there is sufficient buildable land within this separate UGB to meet identified housing needs over the next 20 years (as required by ORS 197.296).

ORS 197.304 is quoted in its entirety below in ***bold italic***, followed by the City’s findings demonstrating compliance with this statute:

197.304 Lane County accommodation of needed housing.

(1) Notwithstanding an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions to the contrary, a city within Lane County that has a population of 50,000 or more within its boundaries shall meet its obligation under ORS 197.295 to 197.314 separately from any other city within Lane County. The city shall, separately from any other city:

(a) Establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and

(b) Demonstrate, as required by ORS 197.296, that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.

(2) Except as provided in subsection (1) of this section, this section does not alter or affect an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions adopted by Lane County or local governments in Lane County.

Establishment of a Separate Springfield UGB

City Findings: The cities of Springfield and Eugene are located in Lane County and (according to the US Census American Communities Survey, 2009) have populations of 58,085 and 157,100 within their respective city limits. Springfield and Eugene are the only cities in Lane County that have a population greater than 50,000 and which share common comprehensive plan housing policies and a common urban growth boundary (UGB). Therefore, the application of ORS 197.304 is limited to these two Lane County cities.

ORS 197.304(1) requires each city to “meet its obligation” under the “needed housing” statutes (ORS 197.295 – 197.314) *separately* from the other. The cities of Eugene and Springfield currently meet their housing obligation under the needed housing statutes jointly: (a) through the acknowledged Metro Plan Residential Land Use and Housing Element, and (b) within a common (Metro) urban growth boundary. The Metro Plan, including the Residential Land Use and Housing Element, was adopted by Eugene, Springfield and Lane County in 2004,¹ and was subsequently acknowledged by the Land Conservation & Development Commission through the periodic review process.²

ORS 197.304 requires Springfield to “separately meet” its statutory housing obligations within a UGB “established” consistent with the Statewide Planning Goals. The UGB amendment necessary to “establish” a separate Springfield UGB will not result in a UGB expansion. Since there will be no increase in urban land area as a result of this amendment package, Goal 14 has limited applicability and thus the DLCDC Director shall determine whether this decision is subject to review by the Land Conservation and Development Commission “in the manner of periodic review.”³ In this case, amending the Metro Plan to “establish” a separate UGB does not have the technical meaning of “establish” as used in Statewide Planning Goal 14; rather, it means an amendment to the regional Metro UGB to adopt separate UGBs for each city, as required by ORS 197.304.⁴

¹ See Eugene Ordinance No. 20319 (adopted 4/21/04), Springfield Ordinance No. 6087 (adopted 4/17/04), and Lane County Ordinance No. PA 1197 (adopted 6/2/04).

² DLCDC Order 001635 Periodic Review Task #18, October 20, 2004

³ ORS 197.626 reads in relevant part: “**197.626 Expanding urban growth boundary or designating urban or rural reserves subject to periodic review.** * * * a city with a population of 2,500 or more within its urban growth boundary that amends the urban growth boundary to include more than 50 acres * * * shall submit the amendment or designation to the Land Conservation and Development Commission in the manner provided for periodic review under ORS 197.628 to 197.650.”

⁴ See Attachment 1, Memo by Corinne C. Sherton re “Legislative History of ORS 197.304,” dated December 28, 2010, which is incorporated into these findings by reference. As noted in attorney Sherton’s memorandum:

“There is no reference in the legislative history of HB 3337A to any intent that ‘establish an urban growth boundary,’ as used in ORS 197.304(1)(a), incorporate the technical meaning of ‘establish’ used in Goal 14. Rather, the frequent usage in written and oral testimony of the descriptions ‘splitting,’ ‘dividing,’ and ‘separating’ the existing Metro Plan UGB, to describe the HB 3337-mandated adoption of separate UGB’s by Springfield and Eugene, is more consistent with adoption of those separate UGB’s as amendments to the current Metro Plan UGB. Further, there is no doubt that the remainder of the Metro Plan (other than the current Metro UGB) will remain in effect when the HB 3337A process is concluded. Therefore, the demonstration required by ORS 197.304(1)(b), that a city’s comprehensive plan provides a 20-year supply of buildable land, as required by ORS 197.296, means that the necessary BLI and HNA must be adopted as amendments to the Metro Plan. If Springfield carries out the HB 3337A-mandated process of establishing its UGB and demonstrating compliance with ORS 197.296, as amendments to the acknowledged Metro Plan, then its UGB and housing analysis will become part of the Metro Plan, and in the future Springfield will be able to make decisions consistently

To accomplish this statutory requirement, Springfield has amended the acknowledged Eugene-Springfield Metro UGB to create a separate Springfield UGB for Springfield's "jurisdictional area[s] of responsibility" as described in the Metro Plan. The Metro Plan (Chapter II-D Jurisdictional Responsibility, p. II-D-1) states:

*"The division of responsibility for metropolitan planning between the two cities is the Interstate 5 Highway. Lane County jurisdiction is between the urban growth boundary (UGB) and Metro Plan Boundary; and the county has joint responsibility with Eugene between the city limits and UGB west of the Interstate 5 Highway and with Springfield between the city limits and the UGB east of the Interstate 5 Highway. * * * Refer to Plan Chapter IV and intergovernmental agreements to resolve specific issues of jurisdiction."*

Since Interstate 5 separates Springfield's "jurisdictional area of responsibility" from that of the city of Eugene, Interstate Highway 5 will serve as the western portion of Springfield's UGB, as further described in Ordinance # 6268 Exhibits C, D and E. The Metro UGB will continue to serve as Springfield's UGB to the north, east and south. Thus, the external Metro UGB (the UGB that "separates urban from rural land," as opposed to the Springfield/Eugene intercity UGB which separates the cities' urban areas) will remain unchanged, *subject to* the site specific interpretations of this boundary *required* by OAR 660-024-0020(2).⁵

No changes to existing intergovernmental agreements among Lane County, Eugene and Springfield are proposed or necessary to implement ORS 197.304.

Process Considerations

City Findings: Under the provisions of ORS 197.304 and Goal 14, Lane County must co-adopt Springfield's separate UGB. No changes are proposed to existing Metro Plan land use designations or to the City's urban growth management agreement with Lane County.

Importantly, there will be no change in Eugene's and Springfield's combined urban land area as a result of this amendment. Therefore, the DLCDC Director shall determine whether this post-

with the (new) acknowledged Metro Plan, as it is required to do under existing law.⁶

⁵ "660-024-0020 Adoption or Amendment of a UGB * * * (2) The UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location."

acknowledgment plan amendment proposal is subject to review by the Land Conservation and Development Commission “in the manner of periodic review (ORS 197.626).⁶

Statewide Planning Goal Findings

City Findings: Section III of these findings addresses Goal 10 (Housing) and its administrative rule (OAR Chapter 660, Division 008). Section IV of these findings addresses the remainder of the Statewide Planning Goals.

III. Compliance with ORS 197.296, Goal 10 and OAR Chapter 660, Division 008

The following findings show how the City has met each relevant provision of ORS 197.296 (Factors to establish sufficiency of buildable lands within urban growth boundary; analysis and determination of residential housing patterns). ORS 197.296 is divided into sections; each section is quoted below in ***bold italic*** followed by the City’s findings demonstrating compliance with the quoted section.

ORS 197.296 and OAR Chapter 660, Division 008 (Interpretation of Goal 10 Housing) have corresponding or related provisions. Compliance with these Division 008 provisions is addressed in footnotes under the corresponding or related ORS 197.296 section.

Applicability

197.296 Factors to establish sufficiency of buildable lands within urban growth boundary; analysis and determination of residential housing patterns.

(1)(a) The provisions of this section apply to * * * local government comprehensive plans for lands within the urban growth boundary of a city that is located outside of a metropolitan service district and has a population of 25,000 or more.

City Findings: ORS 197.296 applies to the City of Springfield because the City’s 2010 urban area population of 67,031 exceeds 25,000. The population within the Eugene-Springfield Metropolitan UGB (over 200,000) is much greater.

⁶ ORS 197.626 reads in relevant part: “**197.626 Expanding urban growth boundary or designating urban or rural reserves subject to periodic review.** * * * a city with a population of 2,500 or more within its urban growth boundary that amends the urban growth boundary to include more than 50 acres * * * shall submit the amendment or designation to the Land Conservation and Development Commission in the manner provided for periodic review under ORS 197.628 to 197.650.”

20-Year Buildable Land Supply

(2) At periodic review pursuant to ORS 197.628 to 197.650 or at any other legislative review of the comprehensive plan or regional plan that concerns the urban growth boundary and requires the application of a statewide planning goal relating to buildable lands for residential use, a local government shall demonstrate that its comprehensive plan or regional plan provides sufficient buildable lands within the urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years. The 20-year period shall commence on the date initially scheduled for completion of the periodic or legislative review.

City Findings: The City has conducted a legislative review that relates to Goal 10 (Housing) and the supply of buildable land needed for residential use. This review was undertaken, in part, in response to ORS 197.304 requirements. Springfield's initially scheduled date for completion of this legislative review process was December 31, 2009. Therefore, the 20-year planning period runs from 2010 through 2030.

The April 2011 *Springfield Residential Land and Housing Needs Analysis* (RLHNA) (Ordinance Exhibit B) is the final product of that legislative review and serves as the City's "housing needs analysis" and "buildable lands inventory" under Goal 10, Division 008, and ORS 197.296. As discussed in more detail below, the April 2011 RLHNA demonstrates that there is sufficient buildable residential land within Springfield's jurisdictional area (*i.e.*, the area within the City's separate UGB) to meet identified residential, public and semi-public land needs during the 20-year planning period.

Comments and Revisions to the Draft RLHNA

During the City's legislative review process, 1000 Friends of Oregon (1000 Friends) and the Department of Land Conservation and Development (DLCD) expressed concerns regarding the draft RLHNA. Where these concerns raised valid issues, they have been considered in the revised RLHNA or in these findings.

- 1000 Friends (letters dated October 9, 2009 from Mia Nelson⁷ and November 11, 2009 from Sid Friedman) argued that the August 2009 draft of the RLHNA over-estimated land need and under-estimated land supply, resulting in a recommendation to add more land to the UGB than can be justified under Goal 14. 1000 Friends' comments focused on the relationship between public and semi-public and residential land needs and the buildable land for each within Springfield's jurisdictional area. 1000 Friends also noted

⁷ Ms. Nelson submitted this letter on behalf of herself and LandWatch Lane County, but was soon after hired by 1000 Friends.

that projected growth in higher-density group quarters was inconsistent with past trends.

- DLCD (October 10, 2009 letter) also had concerns regarding the relationship between housing, public and semi-public land needs and Springfield's buildable land supply. DLCD suggested that the draft RLHNA "overstates the need for additional land to accommodate these uses." DLCD also questioned the basis for the assumption in the RLHNA that 5% of projected housing need would be met through redevelopment of developed residential land, and asked for documentation regarding consistency of the RLHNA with Metro Plan assumptions.

The impetus for many of these objections appears to have been the conclusion reached in the 2007 version of the RLHNA that a UGB expansion of 344 gross buildable acres *may* be necessary to meet identified residential, public and semi-public land needs.⁸

However, in December 2009, a mapping error was discovered that had the effect of increasing the supply of vacant and partially vacant buildable residential land within Springfield's jurisdictional area from 935 to 1,447 acres.⁹ This finding resulted in substantial revisions to the 2007 RLHNA: **the December 2009 RLHNA concluded that a UGB amendment was no longer needed to meet 20-year housing, public and semi-public land needs.**

- In January 2011, ECONorthwest revised the draft RLHNA to address comments from 1000 Friends, DLCD and others, and to ensure internal data consistency.¹⁰ The April 2011 RLHNA (Ordinance Exhibit B), at pp. 65-70, better explains how public and semi-public land needs are allocated to residential, public and employment lands.
- The revised 2011 RLHNA also increased the estimated percentage of group home residents from 1% to 2% of projected population growth, as suggested by 1000 Friends. Modifying the future persons in group quarters assumption from 1% of new population to 2% of new population better reflects historical trends and the anticipated future demographic characteristics of Springfield.

⁸ The City of Springfield responded to concerns raised by 1000 Friends and DLCD in two documents:

1. Council Briefing Memorandum from Gregory Mott, dated November 16, 2009.
2. Letter from Allen Johnson, Johnson & Sherton, PC, dated October 20, 2009.

⁹ The Goal 10 rule defines land with slopes of 25% or greater as "generally unbuildable." (OAR 660-008-0005(2)) The GIS maps mistakenly showed land with slopes of 15% or greater as unbuildable and were based on outdated information. The City used newer "LiDAR" mapping techniques to correctly map slopes of 25% or greater. By including land with 15-25% slopes in the "buildable lands" category, the residential buildable land supply increased from 935 to 1,447 acres – to the point where a UGB amendment was no longer necessary to meet identified residential, public and semi-public land needs. (ECONorthwest December 1, 2009 Memorandum entitled "Revisions to the Residential Lands Study")

¹⁰ See Attachment 2, memo by ECONorthwest titled "Revisions to the Springfield Residential Land and Housing Needs Analysis," dated January 18, 2011, which is incorporated into these findings by reference.

The April 2011 RLHNA

The April 2011 RLHNA provides the factual and analytical basis for the City's determination that the separate Springfield UGB has sufficient buildable land to meet identified housing needs (including public and semi-public uses that typically locate on residential lands) for the 20-year planning period.

As shown in the 2011 RLHNA's Executive Summary (pp. i-iii), to meet the housing needs for Springfield's coordinated Year 2030 population of 81,608 (an increase of 14,577 people):

"Springfield will need to provide about 5,920 new dwelling units to accommodate growth between 2010 and 2030 plus 291 group quarter dwellings for a total 6,211 dwelling units. For non-group quarter dwellings, about 3,552 dwelling units (60%) will be single-family types, which include single-family detached, manufactured dwellings, and single-family attached housing. About 2,368 units (40%) will be multi-family housing."

Based on an analysis of demographic, household income, and economic trends, the 2011 RLHNA (p. Chapter 5) *projects* the number of needed housing units and the needed density range for each plan designation. Springfield's average needed density for all housing types/plan designations is 7.9 dwelling units per net acre.

"The forecast indicates that Springfield will need about 745 net residential acres, or about 918 gross residential acres to accommodate new housing between 2010 and 2030. The forecast results in an average residential density of 7.9 dwelling units per net residential acre and of 6.5 dwelling units per gross residential acre. This represents a 20% increase in density over the historical average of 6.6 dwelling units per net acre."

The RLHNA shows the effect of this projected density increase of 20% over recent *actual* residential densities in Table S-4 (p. iv):

- LDR land is projected to develop at 4.5 units per gross buildable acre;
- MDR land is projected to develop at 12.5 units per gross buildable acre; and
- HDR land is projected to develop at 20 units per gross buildable acre.

Notably, these projections are at the low end of the densities authorized by the Metro Plan and the *Springfield Development Code*.

The Metro Plan (p. III-A-7) establishes density ranges for the LDR, MDR and HDR plan designations as follows:

- LDR: through 10 units per gross acre;
- MDR: 10-20 units per gross acre; and

- HDR: over 20 units per gross acre.

The *Springfield Development Code* (Section 3.2-205) implements Metro Plan High, Medium and Low Density Residential designations with its HDR, MDR and LDR zoning districts:

A. Low Density Residential District (LDR). *The LDR District establishes sites for residential development where the maximum dwelling units per developable acre permitted is 10, consistent with the provisions of this Code. Fractions will be rounded down to the next whole number.*

B. Medium Density Residential District (MDR). *The MDR District establishes sites for residential development where single-family or multiple family dwellings are permitted with a minimum density of more than 10 units per developable acre and a maximum density of 20 units per developable acre, consistent with the provisions of this Code. Fractions will be rounded down to the next whole number. Land divisions shall not be used to diminish the minimum density standard.*

C. High Density Residential District (HDR). *The HDR District establishes sites for residential development where single-family or multiple family dwellings are permitted with a minimum density of more than 20 units per developable acre and a maximum density of 30 units per developable acre, consistent with the provisions of this Code. Fractions will be rounded down to the next whole number. Land divisions shall not be used to diminish the minimum density standard.*

However, as noted in both the Metro Plan and the RLHNA, *actual* residential development densities have been considerably lower than the maximums allowed by the Metro Plan and City zoning. Thus, *if* the housing market responds to the densities allowed by the Metro Plan and Springfield's zoning districts, there is flexibility for housing densities to exceed those projected in the RLHNA. For example, there is no maximum density in Springfield's Downtown and Glenwood Mixed-use Nodal areas. Based on examples of high density housing types built recently in the Eugene-Springfield Metro area, it is anticipated that residential density in the City's mixed-use nodal areas is likely to achieve higher densities over the plan period.¹¹

This is consistent with Goal 10:

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

¹¹ See staff report for the April 4, 2011 City Council meeting - Attachment 1: Briefing Memo "Housing Types Correlated with Springfield Residential Plan Designations/Densities." The report provides examples of recently built multi-family housing in the Eugene-Springfield area.

Based on projected densities during the 20-year planning period, the RLHNA (pp. iv-v) determined that Springfield has more than sufficient buildable land, *in the aggregate*, to meet identified 20-year housing needs. Springfield has an overall surplus of residential land in two of three residential plan designations:

- The **Low Density Residential (LDR)** designation had a *surplus* of approximately 378 gross buildable acres;
- The **Medium Density Residential (MDR)** designation had a *surplus* of approximately 76 gross buildable acres.

However,

- **The High Density Residential (HDR) designation had a *deficit* of approximately 28 gross buildable acres needed to accommodate an additional 411 high-density, multiple family housing units.**

As discussed below, the adoption of the *Springfield Housing Element* includes a commitment to amend the *Glenwood Refinement Plan* (which is part of the Metro Plan) to erase this deficit by designating *at least* 28 gross buildable acres for HDR use in and immediately adjacent to the Glenwood area currently designated as “Mixed Use/Nodal Development” (Glenwood Mixed Use Node). The City has already initiated the process of amending the *Glenwood Refinement Plan*. The *Springfield Housing Element* also includes additional policies and implementation measures to provide for even greater flexibility in housing location, type and density than is required by Goal 10 or ORS 197.296.

Housing Needs Analysis and Buildable Lands Inventory

(3) In performing the duties under subsection (2) of this section, a local government shall:

(a) Inventory the supply of buildable lands within the urban growth boundary and determine the housing capacity of the buildable lands; and

(b) Conduct an analysis of housing need by type and density range, in accordance with ORS 197.303 and statewide planning goals and rules relating to housing, to determine the number of units and amount of land needed for each needed housing type for the next 20 years.

City Findings: The 2011 RLHNA serves as the City’s “housing needs analysis” and “buildable lands inventory” under Goal 10, OAR Chapter 660 Division 008 (Division 008),¹² and ORS 197.296(3) – and provides the factual and analytical basis for the City’s determination that the separate Springfield UGB has sufficient buildable land to meet identified housing needs during the 20-year planning period.

Chapter 1 of the RLHNA (pp. 1-3) explains the purpose and organization of the RLHNA as follows:

*This report presents a housing needs analysis for the City of Springfield. The primary purpose of this report is to address the requirement of HB 3337 [ORS 197.304] that Springfield “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.” The study is intended to comply with statewide planning policies that govern housing, including Goal 10 (Housing), ORS 197.296, and OAR [Chapter] 660, Division 8. * * **

The rest of this report is organized as follows:

- **Chapter 2, Framework for a Housing Needs Analysis**, describes the theoretical and policy underpinnings of conducting a Goal 10 housing needs analysis for Oregon cities.
- **Chapter 3, Residential Land Inventory**, describes the supply of residential land available to meet the 20-year need for housing.
- **Chapter 4, Historical Development Trends**, summarizes building permit and subdivision data to evaluate residential development by density and mix for the period beginning September 1, 1988, through June 30, 2000.
- **Chapter 5, Housing Needs Analysis**, presents a housing needs analysis consistent with HB 2709 requirements and the HB 2709 Workbook.
- **Chapter 6, Comparison of Supply and Need**, compares buildable land supply with estimated housing need.

The report also includes two appendices:

¹² OAR 600-008-0010, **Allocation of Buildable Land**, makes it clear that the “housing needs projection” determines the mix and density of needed housing and that the “buildable lands inventory” must document the amount of buildable land in each residential plan designation:

“The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must document the amount of buildable land in each residential plan designation.”

- **Appendix A, Context for Assessing Housing Needs** provides an overview of planning for housing and typical local policy objectives related to affordable housing.
- **Appendix B, National and Regional Housing Trends** presents research ECO has performed over the course of several years describing key factors affecting housing at the national and regional level.”

Chapter 5 of the RLHNA (p. 61) addresses the needed housing types described in 197.303.¹³

Step five of the housing needs assessment results in an estimate of need for housing by income and housing type. This requires some estimate of the income distribution of future households in the community. ECO developed these estimates based on (1) secondary data from the Census, and (2) analysis by ECONorthwest.

The next step in the analysis is to relate income levels to tenure and structure type. Table 4-3 showed tenure by structure type from the 2000 Census. Table 5-28 shows an estimate of needed housing by structure type and tenure for the 2010-2030 planning period. The housing needs analysis suggests that a higher percentage of multifamily units will be needed, thus, the housing mix changes from approximately 63% single-family/37% multifamily during the 1999-July 2008 period to 60% single-family/40% multifamily. The housing needs analysis also suggests the City will see a higher rate of homeownership in the future. Thus, the tenure split is increased from 54% owner-occupied/46% renter occupied to 57% owner-occupied/43% renter occupied.

As shown on Table 5-28 in the RLHNA, 52% of Springfield’s future housing is projected to be detached single-family residential (including manufactured homes on individual lots), with the remaining 48% in more affordable attached single-family (7%), manufactured homes in parks (1%), and multiple-family (40%). Table 4-3 also addresses housing need by type and tenure.¹⁴

¹³ ORS 197.303(1) defines “needed housing” as follows:

“As used in ORS 197.307, until the beginning of the first periodic review of a local government’s acknowledged comprehensive plan, ‘needed housing’ means housing types determined to meet the need shown for housing within an urban growth boundary at particular price ranges and rent levels. On and after the beginning of the first periodic review of a local government’s acknowledged comprehensive plan, ‘needed housing’ also means:

- “(a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple family housing for both owner and renter occupancy;
- “(b) Government assisted housing;
- “(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490; and
- “(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions.”

¹⁴ The RLHNA projects housing need by tenure. However, neither the Metro Plan nor the *Springfield Development Code* regulates housing tenure in any way. Therefore, the projection of housing need by tenure is not required by OAR 660-008-0040 (**Restrictions on Housing Tenure**), which provides:

“Any local government that restricts the construction of either rental or owner occupied housing on or after

Table 5-28. Estimate of needed dwelling units by type and tenure, Springfield, 2010-2030

Housing Type	Owner-Occupied		Renter-Occupied		Total	
	New DU	Percent	New DU	Percent	New DU	Percent
Needed Units, 2010-2030						
Single-family types						
Single-family detached	2,729	81%	351	14%	3,079	52%
Manufactured in Parks	53	2%	6	0%	59	1%
Single-family attached	340	10%	75	3%	414	7%
Subtotal	3,122	93%	431	17%	3,552	60%
Multi-family						
Multifamily	253	8%	2,115	83%	2,368	40%
Subtotal	253	8%	2,115	83%	2,368	40%
Total	3,374	101%	2,546	100%	5,920	100%

(4)(a) For the purpose of the inventory described in subsection (3)(a) of this section, "buildable lands" includes:

(A) Vacant lands planned or zoned for residential use;

(B) Partially vacant lands planned or zoned for residential use;

(C) Lands that may be used for a mix of residential and employment uses under the existing planning or zoning; and

(D) Lands that may be used for residential infill or redevelopment.

City Findings: The RLHNA (Chapter 3, Residential Land Inventory) addresses ORS 197.296(4)(a) requirements by providing working definitions for each of the listed buildable lands categories¹⁵ and applying these definitions consistently to vacant, partially vacant (infill) parcels in the LDR, MDR, and HDR plan designations, and to designated master plan (mixed use/nodal development) areas.

RLHNA Table 3-5 shows *vacant* and *partially vacant* buildable land (and resultant development capacity) by Metro Plan designation.

its first periodic review shall include a determination of housing need according to tenure as part of the local housing needs projection."

¹⁵ Springfield Residential Land and Housing Needs Analysis page 10

Table 3-5. Residential land with development capacity by plan designation, Springfield UGB, 2008

Plan Designation	Tax Lots	Total Acres in Tax Lots	Developed Acres	Constrained Acres	Buildable Acres
Low Density Residential	981	2,137	71	765	1,301
Medium Density Residential	126	329	142	58	128
High Density Residential	8	19	1	0	18
Total	1,115	2,485	214	824	1,447

Source: City of Springfield GIS data; analysis by ECONorthwest

The Glenwood Mixed-Use Nodal Development designated area provides an additional 21 acres of buildable residential land bringing the total buildable acreage to 1,468. As explained in note 7 on page 20 of the RLHNA, ECO calculated the buildable acreage figure and dwelling unit capacity for the Glenwood mixed-use area as follows:¹⁶

- Existing Glenwood Refinement Plan policy¹⁷ requires 30-60% of the mixed-use “River Opportunity” site to be used for housing; ECO assumed that 45% of the 47-acre site (21 acres) would actually be used for housing.
- ECO assumed that development would occur at 15 dwelling units per gross acre¹⁸ yielding 317 dwelling units;
- After accounting for 47 dwelling units that would be displaced from the River Bank Mobile Home Park, the resultant capacity is 270 net dwelling units on 21 acres.

The RLHNA also considers redevelopment potential (*i.e.*, new development that is likely to occur on already-developed land). Approximately 4% of Springfield’s new residential units resulted from redevelopment of land with existing single-family homes from 1999-2008. The City assumed 5% redevelopment will occur from 2010-2030 in the MDR and HDR zones and will account for a net increase of 296 dwelling units. This projection is based on the following evidence (RLHNA p. 20):

**** Redevelopment capacity is estimated based on historical redevelopment rates as described below.*

“Lane Council of Governments (LCOG) maintains a database that tracks all addresses and the attributes of the address, including: the record creation date, the type of residential

¹⁶ However, as noted above, to increase the supply of HDR land to meet identified housing needs, the *Springfield Housing Element* requires that approximately 28 acres of land in the Glenwood Mixed Use Node must be designated for HDR uses by the end of 2012.

¹⁷ Glenwood Refinement Plan Subarea 8: River Opportunity Area, Ordinance 6137, LRP2004-00031 permits both medium and high density uses, along with other uses.

¹⁸ Glenwood Refinement Plan Subarea 8: River Opportunity Area, Ordinance 6137, LRP2004-00031 requires residential uses to achieve an overall net density of at least 12/dwelling units per acre.

use (e.g. single-family, duplex), the spatial location of the address, and other information. LCOG has stated that this information can be used in combination with building permit reports, Lane County tax assessor's data, and other boundary information for to estimate rates of residential redevelopment. The address database has a high degree of accuracy and is used for a variety of purposes, including emergency responses to 911 calls.

"Analysis of historical redevelopment of residential lands provides context for determining how much redevelopment will occur over the 20-year planning period. Specifically, the analysis addressed redevelopment by analyzing new dwellings on developed lots. This includes lots that had addresses coded before 1999 and received additional addresses after 1999. In other words, it focuses on lands that were identified as "developed" in the buildable lands inventory, but had additional residential development in the 1999-2008 period.

"The analysis found 102 new dwellings were added on developed lots between 1999 and 2008. This is about 4% of 2,860 dwellings added in Springfield during this period. Of the 102 new dwellings added, 32 were on land designated for Commercial Mixed Use, and 70 were on land designated Medium Density Residential.

"Based on the analysis above, the City assumes that residential redevelopment rates will increase slightly over the planning period to 5% of needed new dwellings. The analysis presented in Chapter 5 (Table 5-30) shows that the City will need 5,920 new dwellings over the planning period. Applying the 5% redevelopment assumption to the 5,920 needed units yields 296 dwellings that will be allocated to land that is already developed. In other words, these 296 units will not need new vacant land."

Finally, the RLHNA accounted for approved development plans in designated mixed-use nodal areas based on approved master plans that were *not* included in the buildable acreage estimates.¹⁹ These areas include:

- Marcola Meadows (518 dwellings in the MDR designation); and
- RiverBend (730 dwellings in the MDR designation).

Table 3-7 shows that Springfield has capacity for 9,018 dwelling units within the existing UGB. Note that this figure includes capacity for 8,722 dwellings on vacant land *plus* 296 units projected to result from redevelopment.²⁰

¹⁹ Table 3-7, page 20

²⁰ Table 3-7 addresses the OAR 660-008-0020 (**Specific Plan Designations Required**) requirement to show how buildable land within each specific plan designation will accommodate identified housing needs:

“(1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be

Table 3-7. Estimated residential development capacity, Springfield UGB, 2009

Plan Designation	Buildable Acres	Residential Capacity (DU)	Percent of Capacity
Low Density Residential	1,301	5,379	60%
Medium Density Residential	128	2,718	30%
High Density Residential	18	355	4%
Mixed-Use (Glenwood)	21	270	3%
Redevelopment	na	296	3%
Total	1,468	9,018	100%

Source: City of Springfield residential BLI; analysis by ECONorthwest

Note that upon adoption of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*, the residential capacity of the Glenwood Mixed Use area will increase as a result of adoption of Policy H.2 requiring re-designation of 28 acres of land for high density residential use in this mixed use area. This *Housing Element* policy increases residential capacity for multiple family dwelling units in the Glenwood Mixed Use area from 270 units accounted for in the RLHNA to *at least* 411 high density units.

Special Considerations Related to the Buildable Land Supply

(4)(b) For the purpose of the inventory and determination of housing capacity described in subsection (3)(a) of this section, the local government must demonstrate consideration of:

(A) The extent that residential development is prohibited or restricted by local regulation and ordinance, state law and rule or federal statute and regulation;

(B) A written long term contract or easement for radio, telecommunications or electrical facilities, if the written contract or easement is provided to the local government; and

(C) The presence of a single family dwelling or other structure on a lot or parcel.

considered to be 'residential plan designations' for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in the local housing needs projection."

City Findings: The RLHNA (pp. 10 and 16) accounted for land constrained by local, state and federal regulation by removing *unbuildable* land from the buildable lands inventory consistent with ORS 197.296(4)(b)(A) and (B) and OAR 660-008-0005(2):²¹

"This category [unbuildable land] includes land that is undevelopable. It includes tax lots or areas within tax lots with one or more of the following attributes: (1) slopes greater than 25%; (2) within the floodway; (3) in areas with severe landslide potential (DOGAMI map); (4) within wetlands and riparian corridors and setbacks; (5) with an easement [for] a 230KV transmission line; (6) small irregularly shaped lots; and (7) publicly owned land."

Other than electrical transmission lines that are also addressed in the Metro Plan,²² the City did not receive written evidence related to other easements that would restrict the buildable land supply. All land within the Springfield UGB can be provided with public facilities, as documented in the *Eugene–Springfield Metropolitan Area Public Facilities and Services Plan and Technical Background Report: Existing Conditions and Alternatives*.

The RLHNA (p. 10) also accounted for existing dwellings on partially vacant land as follows:

"Partially Vacant Land. This category includes parcels over 0.5 acres in a residential plan designation with on existing dwelling. The vacant portion of each lot was calculated by deducting 0.25 acres for each existing dwelling, and constrained areas as defined in the 'Unbuildable, Not Serviceable' land definition."

²¹ OAR 660-008-0005(2) defines unbuildable land as follows:

"'Buildable Land' means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered 'suitable and available' unless it:

- "(a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;
- "(b) Is subject to natural resource protection measures determined under statewide Planning Goals 5, 15, 16, 17, or 18;
- "(c) Has slopes of 25 percent or greater;
- "(d) Is within the 100-year flood plain; or
- "(e) Cannot be provided with public facilities."

²² The Metro Plan (p. III-A.2) describes "unbuildable land" as follows:

"Undeveloped residential land is considered unbuildable and removed from the supply if it is within 230 KV powerline easements, the floodway, * * * wetlands larger than 0.25 acres in Springfield or buffers around Class A and B streams and ponds. * * *"

Buildable Lands Map

(4)(c) Except for land that may be used for residential infill or redevelopment, a local government shall create a map or document that may be used to verify and identify specific lots or parcels that have been determined to be buildable lands.

City Findings: The RLHNA (Maps 3-1 and 3-2) shows specific lots and parcels that are vacant and partially vacant by applicable comprehensive plan map designation, as required by this subsection. The record also includes a detailed spreadsheet of the tax lots in the residential land base that identifies the plan designations and classifications for each lot.

Determination of Housing Capacity

(5)(a) Except as provided in paragraphs (b) and (c) of this subsection, the determination of housing capacity and need pursuant to subsection (3) of this section must be based on data relating to land within the urban growth boundary that has been collected since the last periodic review or five years, whichever is greater. The data shall include:

(A) The number, density and average mix of housing types of urban residential development that have actually occurred;

(B) Trends in density and average mix of housing types of urban residential development;

(C) Demographic and population trends;

(D) Economic trends and cycles; and

(E) The number, density and average mix of housing types that have occurred on the buildable lands described in subsection (4)(a) of this section.

(b) A local government shall make the determination described in paragraph (a) of this subsection using a shorter time period than the time period described in paragraph (a) of this subsection if the local government finds that the shorter time period will provide more accurate and reliable data related to housing capacity and need. The shorter time period may not be less than three years.

(c) A local government shall use data from a wider geographic area or use a time period for economic cycles and trends longer than the time period described in paragraph (a) of this subsection if the analysis of a wider geographic area or the use of a longer time period will provide more accurate, complete and reliable data relating to trends affecting housing need than an analysis performed pursuant to

paragraph (a) of this subsection. The local government must clearly describe the geographic area, time frame and source of data used in a determination performed under this paragraph.

City Findings: Chapter 4 and Appendices A and B of the RLHNA provide the information on actual housing types and densities required by this section of the statute. The *actual* density of development in Springfield from 1999-2008 was 6.6 dwelling units per net buildable acre. The *projected* needed density for the 20-year planning period in the RLHNA is 7.9 dwelling units per net buildable acre..

As required by ORS 197.296(5)(a)(C) and (D), RLHNA Chapters 4 and 5 and Appendices A and B provide data and analysis related to demographic, population and economic trends from a “wider geographic area” that includes Springfield, Eugene, Lane County and Oregon, to support the City’s housing needs analysis.²³

“The City of Springfield used the 1999- July 2008 period for this analysis. The rationale for using this period is that permit data prior to 1999 could not be associated with tax lots to develop density estimates. Moreover, the most recent housing needs analysis and inventory for the Eugene-Springfield Metropolitan Area was conducted in 1999. With respect to housing mix, the 1990 and 2000 Census provide more accurate counts.” RLHNA, p. 23.

“ * * The data indicate that about 54% of residential dwellings approved were for single-family detached dwellings, manufactured homes accounted for about 10% of all permits issued, and multifamily housing of all types accounted for 36% of permits issued.” RLHNA p. 25.*

“ * * Between 1990 and 2000, Springfield increased its housing stock by 19%, adding 3,451 dwelling units. The mix of housing did not change substantially. In 1990 and 2000, 54% of dwelling units were single-family detached units. Over the ten-year period, Springfield added more than 2,000 single- family detached dwellings.*

²³ Appendix B of the RLHNA, *National and Regional Housing Trends*, presents research ECO has performed over the course of several years describing key factors affecting housing at the national and regional level. The City continues to rely on the regional housing goals policies found in the Residential Land Use and Housing Element of the Metro Plan (pp. III-A-1 through III-A-13). Lane County is the coordinating body under ORS 197.295, and has co-adopted this PAPA. Thus, establishment of a separate UGB based on the April 2011 RLHNA is consistent with OAR 660-008-0030, **Regional Coordination**, which requires that:

- “(1) Each local government shall consider the needs of the relevant region in arriving at a fair allocation of housing types and densities.
- “(2) The local coordination body shall be responsible for ensuring that the regional housing impacts of restrictive or expansive local government programs are considered. The local coordination body shall ensure that needed housing is provided for on a regional basis through coordinated comprehensive plans.

*“Thirty-one percent of the new dwellings added between 1990 to 2000 were multifamily or manufactured. However, the share of these more affordable housing types did not increase in Springfield over the ten-year period. In 1990, these housing types accounted for 37% of the housing stock and in 2000 they accounted for 37% of the housing stock. * * * ” RLHNA p. 26.*

“Table 4-5 summarizes approved net residential densities by housing type from July 1999 through July 2008. During this period, 2,860 dwelling units were approved by residential building permits. The dwellings are associated with individual tax lots to calculate the net residential density (expressed in dwelling units per acre).²⁴ This development consumed 436.3 net vacant acres. New housing in Springfield developed at an average net density of 6.6 dwelling units per net buildable acre between 1999 and July 2008.

“The data indicate that single-family detached housing types averaged a density of 5.4 dwelling units per net acre, while manufactured homes achieved a lower density of 4.6 dwelling units per net acre. Multifamily housing types show more variation—from 25 units per net acre for triplexes, to 8.5 dwelling units per net acre for fourplexes, and 24.4 dwellings per net acre for apartment buildings with five or more units.” RLHNA p. 28.

Table 4-5. Actual residential density by housing type, in net acres, Springfield, July 1999 – July 2008

Housing Type	Dwelling Units	Percent of DU	Net Acres	DU/Net Acre
Single-Family Detached	1,529	53%	280.7	5.4
Manufactured Home	280	10%	61.2	4.6
Duplex	233	8%	37.5	6.2
Triplex	30	1%	1.2	25.0
Fourplex	304	11%	35.9	8.5
Apartments 5+ Units	484	17%	19.8	24.4
Total	2,860	100%	436.3	6.6

Source: City of Springfield building permit data

Policy Options for Meeting Housing Need

(6) If the housing need determined pursuant to subsection (3)(b) of this section is greater than the housing capacity determined pursuant to subsection (3)(a) of this section, the local government shall take one or more of the following actions to accommodate the additional housing need:

²⁴ OAR 660-024-0040(9) defines a net buildable acre as follows: For purposes of this rule, a "Net Buildable Acre" consists of 43,560 square feet of residentially designated buildable land, after excluding present and future rights-of-way, restricted hazard areas, public open spaces and restricted resource protection areas.

(a) Amend its urban growth boundary to include sufficient buildable lands to accommodate housing needs for the next 20 years. As part of this process, the local government shall consider the effects of measures taken pursuant to paragraph (b) of this subsection. The amendment shall include sufficient land reasonably necessary to accommodate the siting of new public school facilities. The need and inclusion of lands for new public school facilities shall be a coordinated process between the affected public school districts and the local government that has the authority to approve the urban growth boundary;

(b) Amend its comprehensive plan, regional plan, functional plan or land use regulations to include new measures that demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without expansion of the urban growth boundary. A local government or metropolitan service district that takes this action shall monitor and record the level of development activity and development density by housing type following the date of the adoption of the new measures; or

(c) Adopt a combination of the actions described in paragraphs (a) and (b) of this subsection.

City Findings: The RLHNA determined that the 20-year housing need (ORS 197.296(3)(a)) exceeded the 20-year buildable land supply (ORS 197.296(3)(b)), but only with regard to a deficit of buildable land for 411 dwelling units in the High Density Residential designation, which equates to a deficit of 21 gross acres of HDR land, as shown in Table S-4:

Table S-4. Residential capacity for needed dwelling units by plan designation, Springfield UGB, 2010-2030

	1	2	3	4	5	6	7
Plan Designation	Need (DU)	Capacity (DU)	Surplus/ Deficit (DU)	Needed Density (DU/GRA)	Housing Land Need (Gross Acres)	Housing Surplus/ Deficit (Gross Ac)	
Low Density Residential	3,316	5,379	2,063	4.5	-455	455	
Medium Density Residential	1,982	3,136	1,154	12.5	-93	93	
High Density Residential	914	503	-411	20.0	21	-21	
Total	6,211	9,018	2,807		-527	527	

Source: ECONorthwest

Column Notes:

1. Plan designations
2. Needed dwellings by plan designation (table 5-30)
3. Capacity by plan designation (table 6-2); Note: MDR capacity includes capacity in master planned areas (Glenwood, Marcola Meadows, Riverbend); MDR and HDR includes capacity for redevelopment.

4. Capacity (column 3) minus Need (column 2); Note: a positive number denotes enough capacity within the existing UGB
5. Needed Gross Density (from bottom of page 62)
6. Total additional land needed (if a deficit exists). Equals -column 4 divided by column 5
7. Surplus/deficit gross acres (negatives mean a UGB expansion). Equals Column 4 divided by Column 5

After considering the need for public/semi-public land to provide public open space, as well as any needed public facilities, the RLHNA (pp. iv-v) concludes that an additional 7 and 17 acres of public/semi-public land are needed over the planning period, in the High Density Residential and Medium Density Residential designations, respectively, as shown in RLHNA Table S-5. This means that the 21-acre HDR deficit is increased by seven additional acres—a total deficit of 28 acres—to provide parks and open space for the needed for HDR dwelling units. It also means that the *surplus* of Medium Density Residential land shown in Table S-4 is reduced by 17 acres, to 76 acres.

Springfield will meet the HDR deficit through redesignation of 28 acres in the Glenwood Riverfront area. This area is currently designated Mixed Use/Nodal Development and Light Medium Industrial. The residential capacity in the Mixed Use/Nodal Development portion of the area has been assumed in the RLHNA as 270 MDR dwelling units. Footnotes on pages 69 and 70 of the RLHNA explain how the MDR dwelling unit capacity was calculated in the Glenwood Mixed Use area. The proposed redesignation of 28 acres in the Glenwood Riverfront area to HDR uses would thus have the impact of reducing the MDR dwelling unit capacity assumed in the RLHNA. Therefore, if the additional 28 acres of HDR-designated land needed is provided by redesignating 28 acres of land currently designated Mixed Use and Light Medium Industrial in the Glenwood riverfront area, as required by the *Springfield Housing Element*, the net effect will simply be to *reduce the surplus* of MDR-designated land, from 76 to 48 acres. The City has a sufficient surplus of land designated MDR to compensate for the 270 units @15 du/ac to be redesignated to High Density in the Glenwood Mixed Use Area. Table 6-6 shows that the City has MDR capacity to accommodate 1,154 MDR units. The Glenwood redesignation will thus reduce MDR capacity to 884 units as the assumed density of 12.5 units/gross acre.

Table 6-6. Residential capacity for needed dwelling units by plan designation, Springfield UGB, 2010-2030

	1	2	3	4	5	6	7
Plan Designation	Need (DU)	Capacity (DU)	Surplus/ Deficit (DU)	Needed Density (DU/GRA)	Housing Land Need (Gross Acres)	Housing Surplus/ Deficit (Gross Ac)	
Low Density Residential	3,316	5,379	2,063	4.5	-455	455	
Medium Density Residential	1,982	3,136	1,154	12.5	-93	93	
High Density Residential	914	503	-411	20.0	21	-21	
Total	6,211	9,018	2,807		-527	527	

Source: ECONorthwest, *Springfield Residential Land and Housing Needs Analysis*, page 70.

Column Notes:

1. Plan designations
2. Needed dwellings by plan designation (table 5-30)
3. Capacity by plan designation (table 6-2); Note: MDR capacity includes capacity in master planned areas (Glenwood, Marcola Meadows, Riverbend); MDR and HDR includes capacity for redevelopment.
4. Capacity (column 3) minus Need (column 2); Note: a positive number denotes enough capacity within the existing UGB
5. Needed Gross Density (from bottom of page 62)
6. Total additional land needed (if a deficit exists). Equals -column 4 divided by column 5
7. Surplus/deficit gross acres (negatives mean a UGB expansion). Equals Column 4 divided by Column 5

ORS 197.296(6) provides three options for responding to a 20-year deficit of buildable land within a UGB. Springfield has chosen option “b” by adopting as part of the *Springfield Housing Element* measures that “demonstrably increase the likelihood” that residential development will occur *within the separate Springfield UGB* at densities sufficient to accommodate housing needs for the next 20 years without expansion of its separate UGB. The adoption of the *Springfield Housing Element* commits Springfield to amending the *Glenwood Refinement Plan* by the end of 2012 to designate at least 28 gross buildable acres for HDR uses in the Glenwood Riverfront area, and thereby ensures that Springfield will increase its buildable land supply for HDR uses to meet the HDR deficit identified in the RLHNA. The adoption of the *Springfield 2030 Refinement Plan Housing Element* ensures that Springfield will have sufficient buildable land to accommodate identified 2030 housing needs within its separate, 20-year UGB.²⁵

Needed Housing Types and Density

(7) Using the analysis conducted under subsection (3)(b) of this section, the local government shall determine the overall average density and overall mix of housing types at which residential development of needed housing types must occur in order to meet housing needs over the next 20 years. If that density is greater than the

²⁵ The City's Glenwood Refinement Plan Update project — including the proposal to designate and zone land for high density residential uses consistent with *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* Policy H.2 — is scheduled for public review and adoption in fall-winter 2011.

actual density of development determined under subsection (5)(a)(A) of this section, or if that mix is different from the actual mix of housing types determined under subsection (5)(a)(A) of this section, the local government, as part of its periodic review, shall adopt measures that demonstrably increase the likelihood that residential development will occur at the housing types and density and at the mix of housing types required to meet housing needs over the next 20 years.

City Findings: With the exception of the High Density residential deficit, the City has sufficient residential and mixed-use land designated within its UGB to provide for the needed density identified in the RLHNA. To meet multiple family housing needs identified in the RLHNA, the *Springfield Housing Element* Policy H.2 requires that the *Glenwood Refinement Plan* be amended by the end of 2012 to redesignate 28 gross buildable acres of Mixed Use and Light Medium Industrial land in the Glenwood Mixed Use Node to Residential Mixed Use and establishes a net minimum density of at least 28 dwelling units per acre. This policy “measure” ensures that the high-density multiple family housing needs for the 20-year plan period will be met within the separate Springfield UGB.

The Glenwood Residential Mixed Use designation will increase multiple family residential capacity from 270 to *at least* 411 multiple family dwelling units in this transit-oriented, mixed-use nodal development area to address the deficit of 411 HDR units identified in Table S-4. The establishment of a transit-oriented mixed-use housing neighborhood Glenwood is consistent with existing *Glenwood Refinement Plan* policy, the Eugene-Springfield nodal development strategy (*TransPlan*), City Council goals, and community consensus – as demonstrated by Springfield voters’ support for establishment of a Glenwood Urban Renewal District. The input received through the City’s citizen involvement program confirms strong support for nodal mixed-use development in Springfield.

Chapter 5 of the *Springfield Residential Land and Housing Needs Analysis* summarizes the forecast of needed housing units in Springfield for the period 2010-2030. ²⁶Table 5-30 is supported by the findings on pages 61-62.

- Springfield had an average residential density of 6.6 dwelling units per net acre between 1999 and 2008.
- Average single-family density was 5.4 units per net acre. Manufactured homes averaged 4.6 dwelling units per net acre, while all multifamily housing types averaged 11.1 dwelling units per net acre.
- More than 28% of dwelling units in 2000 were multifamily types.

²⁶ *Springfield Residential Land and Housing Needs Analysis* page 61-64

- The “needed” density for single-family dwellings is 5.5 dwelling units per acre. This is a slight increase over the historical density of 5.4 dwellings per net acre.
- The City assumes an average multifamily density of 18.0 dwelling per net acre. This assumption is an increase of about 62% over the historical density of 11.1 dwellings per net acre for all multifamily types.
- The City assumes an average density for all housing types of 7.9 dwelling units per net acre. This is an increase of about 20% over the historical density of 6.5 dwelling units per net acre.
- Springfield’s overall needed housing mix is 60% single-family (including manufactured and single-family attached units) and 40% multifamily.
- 56% of needed dwelling units will locate in areas designated Low Density Residential. 31% of needed dwellings will locate in the Medium Density Residential designation. 13% of needed dwelling units will locate in High Density or Mixed Use Residential designations.

The major factor affecting 20 percent higher overall density in Springfield over the plan period is the shift to a higher percentage of multifamily housing units in the housing mix. The RLHNA suggests that a higher percentage of multifamily units will be needed, thus Springfield’s housing mix changes from approximately 63 percent single-family/37 percent multifamily during the 1999-July 2008 period to 60 percent single-family/40 percent multifamily.²⁷ Also, the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* contains policies that facilitate development of single family attached housing types in areas designated Low Density Residential. Single family attached dwellings typically achieve densities closer to multifamily housing types. The City assumes that an increasing percentage of household will choose single-family attached housing types. If these higher density housing types are included with multifamily, Springfield’s housing mix is 53 percent lower density, and 47 percent higher density types.²⁸

Increased overall density is also supported by the following existing land use efficiency measures already in place in Springfield:

²⁷ *Springfield Residential Land and Housing Needs Analysis* page 60-61

²⁸ *Springfield Residential Land and Housing Needs Analysis*, footnote page 60

Efficiency Measures Already Implemented in Springfield

- Reduce street width standards
- Allow small residential lots
- Encourage infill and redevelopment
- Encourage the development of urban centers and urban villages (Nodal Development)
- Allow mixed-use development
- Encourage transit-oriented design
- Downtown revitalization
- Permit accessory dwelling units in single-family zones
- Permit multi-family housing tax credits to developers
- Allow clustered residential development
- Allow co-housing
- Increase allowable residential densities
- Allow duplexes, townhomes and condominiums in single-family zones
- Financial incentives for higher density housing
- Removal or easing of approval procedures
- Minimum density ranges

ORS 197.296 (9) envisions a broad range of regulatory and incentive measures to increase efficient use of land to meet housing needs. While the City has a sufficient land base to accommodate its needed density, the City has adopted new Springfield-specific housing policies and implementation actions in the *Springfield 2030 Refinement Plan Residential Land and Housing Element* that will increase the likelihood that new development and redevelopment in Springfield will achieve higher overall density over the plan period to meet the housing needs identified in the RLHNA.²⁹ The *Eugene-Springfield Metro Plan* includes 8 policies (and no specific implementation actions) that address residential density.³⁰ Springfield's housing element refines and augments Metro Plan policy by adding 15 policies and 30 specific implementation actions intended to increase density and support development of needed housing.

These measures were developed through a multi-year citizen involvement process that included a Residential Lands Stakeholder Committee, a housing focus group, studies of existing and potential land use efficiency measures, coordination with the City's Commercial and Industrial Buildable Lands Study, work sessions with the Springfield Planning Commission and City Council to prioritize new measures, and a series of public workshops, open houses and public hearings. Adoption of the efficiency measures will increase development capacity and development/redevelopment opportunities for higher density development within the Springfield UGB. Efficiency measures support higher density by allowing housing units to be constructed on land where residential uses are currently not permitted or at densities higher

²⁹ *Springfield 2030 Refinement Plan Residential Land and Housing Element*, pages 4-9,

³⁰ *Eugene-Springfield Metropolitan Area General Plan*, page III-A-7 and III-A-8, policies A.9 through A.16

than what is currently permitted. Adoption of some measures could help facilitate development of affordable housing.

Springfield's housing element policies and implementation actions include new measures such as:

- Implementation Action 1.1 converts density ranges in the Springfield Develop Code from gross to net densities and establishes the following *minimum* densities:
 - 6 dwelling units per net acre on LDR designated land;
 - 8 dwelling units per net acre in a new "Special Density" zoning district on LDR designated land;
 - 14 dwelling units per net acre on MDR designated land;
 - 28 dwelling units per net acre on HDR designated land.
- Policy H.2 increases the minimum density required in the Glenwood node from 12 to at least 28 dwelling units per net acre and requires 28 acres to be designated "Residential Mixed Use."
- Policy H.3 requires high density residential development to be located within transportation-efficient Mixed-Use Nodal development centers and along corridors served by frequent transit service.
- Policy H.3 will increase density of development near employment and commercial centers.
- Implementation Action 3.1 identifies three neighborhoods where refinement plans will be amended to increase residential densities: Glenwood, Downtown and Gateway and requires these plans to be updated to support the development of additional high density residential uses adjacent to commercial and employment areas.
- Implementation Action 3.2 encourages higher density development by requiring coordination of housing, land use, human services, urban design, infrastructure and environmental strategies to support pedestrian-friendly communities at and within ¼ mile of transit stations.
- Implementation Action 3.3 identifies six projects to add to the Planning Division work program that will create opportunities for higher density development:
 - Expansion of the Glenwood node;
 - Expansion of the Downtown node;
 - Downtown to Gateway EmX Corridor land use plan update;
 - Main Street Corridor Plan;
 - Transit Corridor Overlay District Zoning;
 - Jasper-Natron Plan Amendments.

- Implementation Action 3.4 requires matching of high infrastructure cost needs with higher density development opportunity siting.
- Implementation Action 3.5 identifies shadow platting as a technique to help facilitate plan and zone changes in transitioning areas, such as the Main Street Corridor. Such changes in land uses will create opportunities for more mixed-use projects and multi-family housing in the corridor.
- Policy H.4 requires the City to address regulatory barriers to siting and constructing higher density housing types in the existing medium and high density districts.
- Policy H.5 requires the City to develop additional incentives to encourage and facilitate development of high density housing in areas designated for Mixed Use Nodal Development.
- Implementation Action 5.1 will establish a Vertical Housing Development Zone in Glenwood to incentivize development of high density housing.
- Implementation Action 5.2 requires the City to consider increasing building height allowances in areas designated for Mixed Use Nodal Development.
- Implementation Action 5.3 requires updated parking standards in mixed use districts to support higher density development and compact urban form;
- Implementation Action 5.4 allows establishment of higher and maximums (through removal of building height limitations) in areas designated for Mixed Use Nodal Development.
- Implementation Action 5.5 requires City to conduct an analysis to determine the feasibility of allowing density averaging for split zone/mixed use parcels.
- Implementation Action 5.6 requires City to consider implementing a Density Bonus Program to provide an economic incentive for construction of high density development with structured parking in the Downtown and Glenwood nodal development areas.
- Implementation Action 6.1 and 6.2 require the establishment of task teams to study impediments to construction of denser and more affordable housing types e.g. hillside development standards and residential street width standards.
- Policy H.7 requires the City to update regulatory options and incentives to encourage and facilitate development of more attached and clustered single-family housing types in the low density and medium density districts.
- Implementation Action 7.1 requires establishment of small-lot residential zoning standards that will permit reduction of lot size to 3,000 square feet (existing standards are 4,500 and 5,000 square feet) in some areas.
- Implementation Action 7.2 requires the City to apply small lot zoning (allows 3,000 square feet minimum lot size) to infill opportunity sites identified in the neighborhood planning processes.

- Implementation Actions 7.3 and 7.4 require analyses to determine applicability of the small lot zone as part of the Glenwood and Jasper-Natron planning studies.

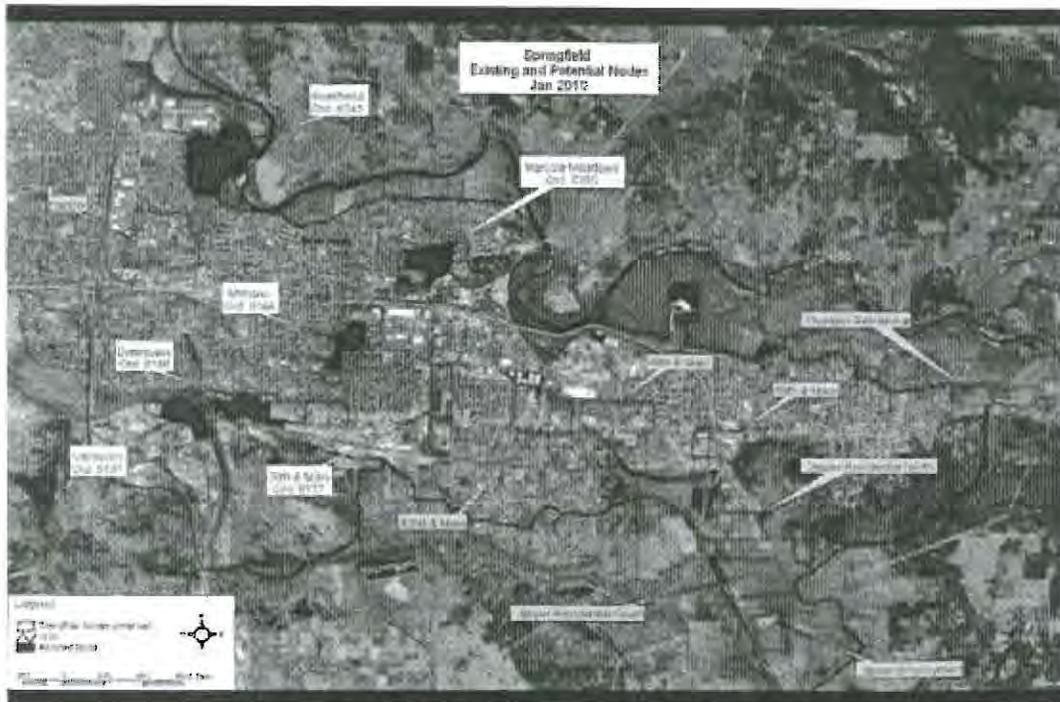
The City is conducting two parallel and coordinated planning studies to facilitate redevelopment in two key central Springfield areas: the Downtown District³¹ (plan adopted September 2010) and the Glenwood Refinement Plan Update (Phase One adoption scheduled for late 2011). The City's extensive citizen involvement programs for both projects has allowed a unique opportunity to test and vet the draft *Springfield 2030 Refinement Plan Residential Land and Housing Element* policies to ensure that implementation through subsequent plan amendments and zoning ordinance adoption will be consistent.

The City assumes that a portion of Springfield's buildable land inventory is located in Springfield's mixed-use nodal development areas³². In addition to the land base comprised of residential plan designations, the *Springfield Residential Land and Housing Needs Analysis* also identifies and assumes buildable residential dwelling unit development capacity in three areas designated for Mixed-use Nodal Development that are required to be developed with residential uses: 1) Glenwood (Ordinance 6137), 2) RiverBend (Ordinance 6109 and 6241); and Marcola Meadows (Ordinance 6195) as part of Springfield's residential land supply. One of the ways Springfield's overall residential density will increase over the plan period is through development of multifamily housing within nodes. There is no upper limit on density in the City's mixed-use nodal development areas. The City has placed high priority on downtown revitalization and redevelopment in Glenwood and has established urban renewal districts to support new development in both of these nodes. As of December 31, 2009 Springfield has designated 6 areas for Nodal Development:

1. Downtown (Ord. 6146)
2. Mohawk (Ord. 6144)
3. Glenwood Riverfront Plan District (Ord. 6137)
4. Marcola Meadows Master Plan (Ord. 6195)
5. RiverBend Master Plan (Ord. 6241)
6. 30th and Main (Ord. 6177)

³¹ *Springfield Downtown District Urban Design Plan and Implementation Strategy*, Resolution 10-57

³² *Springfield Residential Land and Housing Needs Analysis* page 14



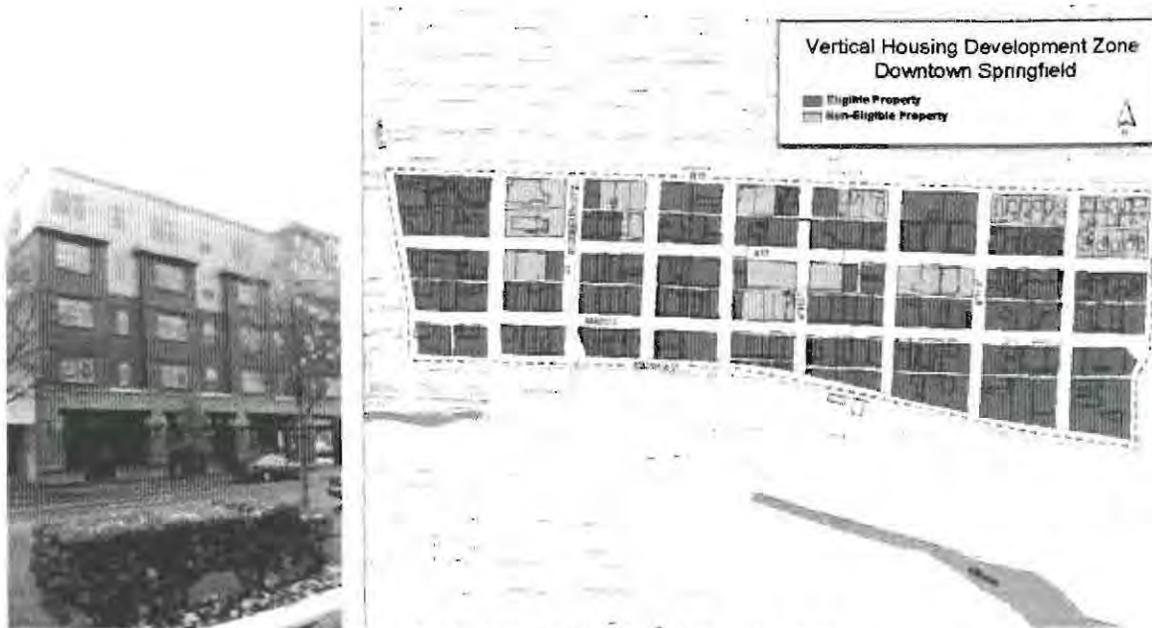
Existing Nodal Development/Mixed Use Plan Designations (in red)

Based on input received from land developers (through an RFP process in 2005-2006 and in subsequent meetings with mixed-use housing developers) and based on the most Eugene-Springfield multi-family housing development activity,³³ the City expects that new multifamily housing in the Glenwood and Downtown nodal development areas nodes will build out 1) at higher densities than the minimum density required in the plan designation and (2) higher than the conservative and moderate density estimates used as assumptions in the RLHNA. For example, in the Glenwood node the RLHNA assumed development capacity at only 28 du/acre net. Actual development in the Glenwood node is more likely to achieve a higher overall urban density of 50 du/ac or higher. The record includes an Agenda Item Summary staff report to the Springfield City Council and Lane County Board of Commissioners dated April 4, 2011, Attachment 1-18 through 1-25 that provides illustrated examples of existing and recent high density multifamily residential development in the Eugene-Springfield area and the densities achieved by each project. Development in the range of 50-100 du/acre in Glenwood and Downtown has potential to significantly increase Springfield's average multi-family density over the 20-year plan period.

Higher density development in the Downtown node is supported by the City's established Vertical Housing Development Zone (VHDZ) in the Downtown Nodal Development/Mixed Use

³³ The 5-story Royal Building in the Downtown Springfield mixed-use node achieved a density of 165 du/acre.

area. The Royal Building — developed at 165 dwelling units per acre on Springfield’s Main Street — is an example of a development that took advantage of the VHDZ tax incentive. The City’s housing element includes Implementation Action 5.1 “Establish a Vertical Housing Development Zone in Glenwood.”



*Royal Building in Downtown Springfield, density 165 dwelling units/acre
33 affordable units over retail (in Mixed Use Commercial zone)*

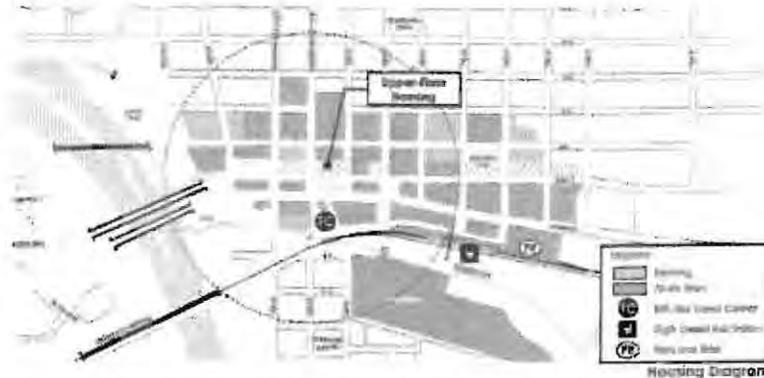
In September 2010, the City adopted the *Downtown District Urban Design Plan and Implementation Strategy Resolution No. 10-57*. This plan identifies opportunities for residential development within the Downtown mixed-use node. The City’s Downtown Refinement Plan includes plan policies and mixed-use zoning that support residential development in the Downtown mixed-use node and the City has mechanisms in place that encourage such development: an Urban Renewal District, a Vertical Housing Development zone, and the City Council’s Downtown Set-aside Program that earmarks a portion of the Community Development Block Grant federal funds the City receives and directs those funds toward downtown projects that meet certain HUD parameters. The *Downtown District Urban Design Plan and Implementation Strategy* identifies areas that could support additional capacity in a mixed-use setting that could accommodate over 1,000 dwelling units at full build-out.

Housing

Downtown housing helps to create an active and economically successful downtown. Downtown residents are attracted to the services, shopping, cultural activities and employment opportunities.

The housing framework:

- Accommodates over 1,000 dwelling units
- Provides opportunities for a variety of housing types for residents of all incomes and ages
- Locates residential development in desirable areas adjacent to existing or planned plazas, parks, and open spaces
- Transitions the building height and massing down to complement the adjacent historic Wolcott neighborhood
- Locates housing within a five-minute walk to transit
- Encourages upper-floor housing along Main Street
- Includes parking located on site



Downtown District Urban Design Plan and Implementation Strategy (Resolution 10-57), page 17.

Nodal Development Areas	Minimum density	Maximum density	Assumed density in RLHNA³⁴
Existing Glenwood Node (Riverfront Opportunity Area - Housing required)	12 du/ac net	No limit	270 units of MDR @15 du/gross
Downtown (Housing optional)	12 du/ac net	No limit	none
RiverBend (Master Plan - Housing required)	13.4-16.0 (min. density req't is linked to phasing of master plan development)	No limit	730 units of MDR
Marcola Meadows (Master Plan - Housing required)	12 du/ac	13.5 du/ac	518 units of MDR
Mohawk	12 du/ac net	No limit	none
30 th and Main	12 du/ac net	No limit	none

Analysis of Nodal Development Areas - Applicable Density Standards April 2011

In summary, Springfield’s 20% overall increase in density over the plan period is demonstrated and supported by several key factors and measures: 1) an increase in the percentage of multi-family housing in Springfield’s housing mix; 2) an increase in the density of multi-family development, especially in the mixed-use nodal development areas within two urban renewal districts (Glenwood and Downtown) where the City has financing mechanisms to incentivize this type of development; 3) a combination of innovative residential land use and housing

³⁴ Springfield Residential Land and Housing Needs Analysis, pages 19, 69

policies and implementation actions; and 4) documentation of actual performance over the last ten years.

Compliance with Goal 10, Division 008 and Needed Housing Statutes

(8)(a) A local government outside a metropolitan service district that takes any actions under subsection (6) or (7) of this section shall demonstrate that the comprehensive plan and land use regulations comply with goals and rules adopted by the commission and implement ORS 197.295 to 197.314.

City Findings: The *Eugene-Springfield Metropolitan Area General Plan* (Metro Plan) as implemented by the *Springfield Development Code* was acknowledged by LCDC in 2004 as complying with applicable statewide planning goals and rules. As documented above, the 2011 *Springfield Housing Element*, supported by the 2011 RLHNA, was prepared in compliance with ORS 197.296, Goal 10 (Housing) and OAR Chapter 660, Division 008.

Monitoring

(8)(b) The local government shall determine the density and mix of housing types anticipated as a result of actions taken under subsections (6) and (7) of this section and monitor and record the actual density and mix of housing types achieved. The local government shall compare actual and anticipated density and mix. The local government shall submit its comparison to the commission at the next periodic review or at the next legislative review of its urban growth boundary, whichever comes first.

City Findings: The Lane Council of Governments (LCOG) conducts reviews for Springfield and Lane County identifying the actual density and housing types of new development.

Measures to Achieve Higher Densities

(9) In establishing that actions and measures adopted under subsections (6) or (7) of this section demonstrably increase the likelihood of higher density residential development, the local government shall at a minimum ensure that land zoned for needed housing is in locations appropriate for the housing types identified under subsection (3) of this section and is zoned at density ranges that are likely to be achieved by the housing market using the analysis in subsection (3) of this section. Actions or measures, or both, may include but are not limited to: (a) Increases in the permitted density on existing residential land; (b) Financial incentives for higher density housing; (c) Provisions permitting additional density beyond that generally

allowed in the zoning district in exchange for amenities and features provided by the developer; (d) Removal or easing of appraisal standards or procedures; (e) Minimum density ranges; (f) Redevelopment and infill strategies; (g) Authorization of housing types not previously allowed by the plan or regulations; (h) Adoption of an average residential density standard; and (i) Rezoning or redesignation of nonresidential land.

City Findings:

The *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* provides policies and implementation actions that support higher densities:

<p><i>Measures that demonstrably increase the likelihood of higher density residential development</i></p>	<p><i>Springfield 2030 Refinement Plan Residential Land Use and Housing Element Policies and Implementation Actions</i></p>
<p>Increases in the permitted density on existing residential land</p>	<p>Policy H.3: Support community-wide, district-wide and neighborhood-specific livability and redevelopment objectives and regional land use planning and transportation planning policies by locating higher density residential development and increasing the density of development near employment or commercial services, within transportation-efficient Mixed-Use Nodal Development centers and along corridors served by frequent transit service.</p> <p>Implementation Action 3.1: As recommended through the Residential Land Study, the areas of the city best suited to high density residential uses are Downtown, Glenwood Riverfront/Franklin Corridor, and Gateway. Plans for these areas shall be updated to support development of additional high density residential uses adjacent to commercial and employment areas.</p> <p>Implementation Action 3.3: Apply Transit Corridor Overlay District to existing high density housing areas within 1/2 mile of transit stations.</p> <p>Implementation Action 7.1: Establish a small lot (3,000 square feet minimum lot size)special low-moderate density zoning district with a density range of 8-14</p>

	<p>du/acre to:</p> <ul style="list-style-type: none"> ▪ support development of smaller single family detached and attached dwelling housing types; ▪ support a greater diversity of housing mix; and ▪ provide a moderate transition zone between lower and higher density neighborhoods.
<p>Financial incentives for higher density housing</p>	<p>Implementation Action 5.1: Establish a Vertical Housing Development Zone in Glenwood.</p> <p>Implementation Action 5.2: Considering measures to increasing building height allowances in areas designated for Mixed Use Nodal Development when updating refinement plans, zoning plan districts and development standards.</p> <p>Implementation Action 5.3: Update development standards to correlate parking requirements in mixed-use districts more directly to the City’s overall development vision and develop parking management strategies (such as pay-in lieu programs) in Downtown Springfield and other districts where appropriate to use land efficiently and to support economical higher density development and urban form.</p> <p>Implementation Action 6.1: Establish a staff team and Hillside Development Task Force to examine barriers and impediments to economical hillside development and to prepare and evaluate techniques and options for constructing housing on sloped lands, such as incentives to encourage and reward cluster development; updates to the Hillside Development Standards to support density transfers in the Hillside Overlay District; and to address street design standards.</p> <p>Policy H.8: Continue to support and assist affordable home ownership through programs that subsidize the development of affordable homes and provide down payment assistance to income-qualified homeowners.-</p>

	<p>Implementation Action 9.2: Create a land banking program to reserve land for affordable housing, as described in the 2010 “Complete Neighborhoods, Complete Streets” grant application, continue to seek grant funding sources for the program, and seek to implement this strategy in the Glenwood Riverfront District.</p>
<p>Provisions permitting additional density beyond that generally allowed in the zoning district in exchange for amenities and features provided by the developer</p>	<p>Implementation Action 5.6: Consider implementation of a Density Bonus Program to provide an economic incentive for construction of high density development with structured parking in the Downtown and Glenwood Nodal Development areas. The program shall permit variance of the building height limits in specific “density receiving areas” identified in the Downtown and Glenwood District plans when a developer provides an extra community benefit such as dedication of public open space, construction of affordable housing units, etc. to be determined by the City Council.</p>
<p>Removal or easing of approval standards or procedures</p>	<p>Implementation Action 9.4: Continue to seek input from a housing task force to assess and evaluate the effects of City policies and regulations on housing development costs and overall housing affordability, considering the balance between housing affordability and other objectives such as environmental quality, urban design quality, maintenance of neighborhood character and protection of public health, safety and welfare.</p> <p>Implementation Action 10.6: In order to control the effects of regulatory processes on housing price, strive to minimize the time taken to process land use and building permits, subject to the need to review projects in accordance with applicable regulations. Continue to give priority in the plan review process to permits for very low-income housing.</p>
<p>Minimum density ranges</p>	<p>Implementation Action 1.1: Convert density ranges in the Springfield Development Code from gross to</p>

	<p>net densities, consistent with the broad density categories of the <i>Metro Plan</i>. This plan converts Metro Plan gross densities to <u>net</u> densities as follows:</p> <p>Residential Low Density 6-14 dwelling units per acre*;</p> <p>Residential Special Density 8-14 dwelling units per acre;</p> <p>Residential Medium Density 14-28 dwelling units per acre;</p> <p>Residential High Density 28-42 dwelling units per acre;</p> <p>Residential Mixed Use in Nodal Development Overlay and Transit Corridor Overlay District: Minimum and maximum densities to be determined through Refinement Plan and/or Master Plan process.</p> <p>*Note: More restrictive standards apply in the Hillside Development Overlay District where larger lot sizes are required to compensate for slope constraints and engineering requirements.</p>
<p>Redevelopment and infill strategies</p>	<p>Implementation Action 7.1: Establish a small lot (3,000 square feet minimum lot size) special low-moderate density zoning district with a density range of 8-14 du/acre to:</p> <ul style="list-style-type: none"> ▪ support development of smaller single family detached and attached dwelling housing types; ▪ support a greater diversity of housing mix; and ▪ provide a moderate transition zone between lower and higher density neighborhoods;
<p>Authorization of housing types not previously allowed by the plan or regulations</p>	<p>Implementation Action 7.2: Apply small lot zoning (3,000 square feet minimum lot size) to infill opportunity sites identified in neighborhood planning processes.</p> <p>Implementation Action 7.3: As part of the Jasper-Natron refinement planning process, conduct analysis to determine applicability of the Residential Small Lot zoning district to maximize efficient use of land constrained by wetland resources.</p> <p>Implementation Action 7.4: As part of the Glenwood</p>

	<p>refinement planning process, conduct analysis to determine applicability of the Residential Small Lot zoning district in the existing residential neighborhoods south of Franklin Boulevard.</p>
<p>Adoption of an average residential density standard</p>	<p>Policy H. 1: Based on the findings in the RLHNA and to accommodate projected growth between 2010 and 2030, Springfield has designated sufficient buildable residential land</p> <p>(a) for at least 5,920 new dwelling units at an estimated density of at least 7.9 units per net buildable acre; and</p> <p>(b) to accommodate a new dwelling mix of approximately 52 percent detached single family dwellings (including manufactured dwellings on individual lots), seven percent attached single-family dwellings, one percent manufactured dwellings in parks, and 40 percent multifamily dwellings.</p>
<p>Rezoning or redesignation of nonresidential land</p>	<p>Policy H.2: To meet identified high-density, multiple-family housing needs, the City shall re-designate at least 28 gross buildable acres in Glenwood Refinement Plan Subarea 8 and the eastern portion of Subarea 6 to Residential Mixed Use by December 31, 2012. This residential mixed use district shall accommodate a minimum of 411 dwelling units in the high density category and shall increase the required net minimum density to at least 28 dwelling units per acre. Establishment of higher minimum and maximum densities is encouraged to support the neighborhood commercial uses and employment uses envisioned in the Glenwood Refinement Plan. District boundaries and density ranges shall be established through the Glenwood Refinement Plan amendment process by December 31, 2012.</p>

The measures adopted under ORS 197.296(6)(b) discussed above will increase the planned residential density for at least 28 acres within the Glenwood Mixed Use Node. Mixed Use/Nodal Development Areas are designated based on their attractiveness for High Density Residential use, because of the presence of nearby shopping areas and access to employment areas due to their location along major transit routes. The Glenwood Mixed Use node is

strategically located along Franklin Boulevard and on the EmX mass transit corridor that connects downtown Springfield, the University of Oregon and downtown Eugene. It is well-suited to and desirable for High Density Residential housing types. In addition, the *Springfield Housing Element* includes policies to address housing affordability issues that exceed Goal 10 and ORS 197.296 requirements.

ORS 197.296 Conclusion

The Springfield RLHNA provides the factual and analytical basis for demonstrating compliance with ORS 197.296, Goal 10 (Housing) and the Goal 10 Rule (Division 008). The RLHNA shows that the Springfield jurisdictional area encompassed by the separate Springfield UGB has sufficient buildable land – in the aggregate – to meet identified 20-year housing needs by type and density. Springfield also has sufficient land to accommodate identified public and semi-public land needs (parks, schools, religious institutions, etc.) without expanding its separate UGB.

However, there is a 28-acre *deficit* of buildable land in the HDR category and a 76-acre *surplus* in the MDR category. The *Springfield Housing Element* includes a mandatory policy that commits the City to designate at least 28 gross buildable acres of High Density Residential (HDR) in the Glenwood Mixed Use Node by the end of 2012. The effect of this change will be to erase the HDR deficit by allowing *at least* 411 high-density, multiple dwelling units to be developed in this transit-oriented, mixed-use nodal development area.

This ORS 197.296 “measure” demonstrates with certainty how the City will meet all identified housing needs – including high-density, multiple family housing needs, during the 20-year planning period.

IV. Compliance with Statewide Planning Goals

As explained in Section I above, this PAPA amends the Metro Plan to (1) establish a separate Springfield UGB, (2) adopt the Springfield RLHNA, and (3) adopt the Springfield Housing Element. As explained in Section II above, these amendments are required for compliance with ORS 197.304. Further, these amendments do not change the amount or location of urban land subject to the acknowledged Metro Plan, the acknowledged plan map designations applied to the land within the separate Springfield UGB, or the implementation measures in the acknowledged *Springfield Development Code* and other acknowledged land use regulations applicable to such land. Consequently, except as addressed below, compliance of this PAPA with Statewide Planning Goals 5-9 and 11-15 is assured by the City’s continued reliance on the

acknowledged Metro Plan and implementing regulations as the controlling land use planning documents for the City's jurisdictional area.

As addressed in detail in Section III above, the adopted *Springfield Housing Element* includes a policy requiring the City to redesignate at least 28 additional gross buildable acres in the Glenwood Mixed Use Node for High Density Residential use by the end of 2012. This will require an amendment to the Glenwood Refinement Plan, which is part of the Metro Plan. All Statewide Planning Goals applicable to such a site-specific PAPA will be applied at that time.

Goal 1 (Citizen Involvement)

Goal 1 requires the City "[t]o develop a citizen involvement program [CIP] that insures the opportunity for citizens to be involved in all phases of the planning process."

City Findings:

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. A summary of the Springfield Residential Land Study planning process is included below. The summary and record demonstrate that Springfield has conducted the Residential Lands Study planning process to date in a manner consistent with Statewide Planning Goal 1. Evidence of the public involvement process thus far is fully documented in the public record: file numbers LRP2007-00030, LRP2007-00031 and LRP2009-00014.

A plan for citizen involvement was presented to the Committee for Citizen Involvement (a function of the Planning Commission) on March 7, 2006. A Residential Lands Study Stakeholder Committee composed of citizens, housing advocates, business professionals, realtors, agencies and staff met five times from May 2006 to April 2007. Committee members were also invited to participate in a Planning Commission work session on July 21, 2009. Public open houses to present the revised findings of the RLS and preliminary determination of need and to get input on proposed Land Use Efficiency Measures were held on April 2, May 14 & 20, 2009.

Notice to the Department of Land Conservation and Development (DLCD) was provided at least 45 days before the initial evidentiary hearing (planning commission), on September 4, 2009.

Notice of the Planning Commission hearing was sent by email to interested parties on October 1, 2009. Notice of the proposed action was published in the Register-Guard - a newspaper of general circulation - on October 8, 2009. The *Springfield Residential Land and Housing Needs Analysis* and hearing dates were posted on the Springfield Planning Division web page.

Public hearings on the *Springfield Residential Land and Housing Needs Analysis* were held before the Planning Commission on October 20 and November 16, 2009. The Springfield City Council conducted public hearings for review/adoption of the draft Residential Land & Housing Needs Analysis on November 16, 2009 and continued the hearing on December 7, 2009 to allow additional time for consideration of refinements to constraints data. All written comments received at the hearings were incorporated into the record. The Springfield City Council adopted the draft Springfield Residential Land & Housing Needs Analysis by the following resolution: A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING THE 2009 PRELIMINARY SPRINGFIELD RESIDENTIAL LAND AND HOUSING NEEDS ANALYSIS, FULFILLING ITS STATUTORY OBLIGATION TO "COMPLETE" THE PRELIMINARY INVENTORY, ANALYSIS AND DETERMINATION BEFORE JANUARY 1, 2010.

Public hearings on the Springfield 2030 Refinement Plan incorporating the *Springfield Residential Land and Housing Needs Analysis* and Residential Land Use and Housing Element, and the Springfield Urban Growth Boundary were conducted by the Springfield and Lane County Planning Commissions February 17 and March 16, 2010. On May 4, 2010 the Springfield Planning Commission voted unanimously to recommend approval of the *Springfield 2030 Refinement Plan Residential Land and Housing Element incorporating the Springfield Residential Land & Housing Needs Analysis*, based on the evidence and testimony in the record.

The City Development Services Department conducted public open houses on the Draft Springfield 2030 Refinement Plan including *Springfield Residential Land & Housing Needs Analysis*, *Springfield 2030 Refinement Plan Residential Land and Housing Element* policies and Springfield Urban Growth Boundary tax lot specific map on February 3 and 4, 2010 and on March 16, 2011 to explain the proposed amendments and to receive public comment.

An Amended Notice of Proposed Amendment was sent to the Department of Land Conservation and Development (DLCD) on February 18, 2011.

The Springfield City Council and Lane County Board of Commissioners conducted two joint work sessions on the Draft Springfield 2030 Refinement Plan including the draft *Springfield Residential Land & Housing Needs Analysis*, *Springfield 2030 Refinement Plan Residential Land and Housing Element* policies and Springfield Urban Growth Boundary tax lot specific map on February 7 and 22, 2011.

The Springfield City Council and Lane County Board of Commissioners conducted a joint public hearing on the Springfield 2030 Refinement Plan Residential Land Use and Housing Element incorporating the *Springfield Residential Land and Housing Needs Analysis* and the Springfield Urban Growth Boundary April 4, May 16, 2011. The record closed on May 31, 2011.

The City and County's joint adoption of the separate Springfield Urban Growth Boundary, Residential Land and Housing Needs Analysis, and Springfield Housing Element is supported by these findings and by the evidence that has been submitted to City decision makers during the City's legislative review and the PAPA process that were conducted to carry out the mandate of ORS 197.304 (HB 3337) that the city establish a separate urban growth boundary.

Springfield Residential Lands Study		
Summary of Process to Date – June 20, 2011		
Tasks	Target Dates	Task Completed
Task 1: Residential Buildable Lands Inventory (Work conducted internally by City Staff)		
City Council directed DSD staff to begin an inventory and analysis of Springfield's residential land. (Goal Setting Session)	December 5, 2005	PROJECT INITIATION
Citizen Involvement Plan presented to CCI	March 2, 2006	YES
Review work program with Planning Commission and City Council	March 6, 2006	YES
RLS Stakeholder Committee recruitment	March 30, 2006	YES
Stakeholder Committee meetings #1-2 to review the definitions/assumptions for "vacant, underutilized, and redevelopable," and to define constraints that would make land "unbuildable."	May 11 th , 2006	YES
Review definitions and assumptions with Planning Commission	June , 2006	YES
Review definitions and assumptions with City Council	June 12, 2006	YES
Conduct initial inventory work: <ul style="list-style-type: none"> ▪ Identify vacant, underutilized, and redevelopable land ▪ Identify environmentally constrained lands ▪ Identify land with public facility constraints 	May 2006 – December 2006	YES
ECONorthwest hired in October 2006 to begin Phase 2 (see below) Housing Needs		

Analysis		
Task 2: Residential Land & Housing Needs Analysis (Work conducted by City's consultant ECONorthwest and City staff)		
Coordinate with City Staff to determine the actual density/mix of housing	October 2006 – December 2006	YES
Stakeholder Committee meeting #3 to review the population definitions/assumptions for population projections and anticipated housing trends	January 18 th , 2007	YES
Conduct a Housing Needs Analysis	January 2007 – August 2009	YES
Stakeholder Committee meeting #4 to review the initial housing inventory & needs findings.	March 8, 2007	YES
Compare the needed housing density and mix with the actual density and mix.	January 2007 – March 2007	YES
Stakeholders Committee Meeting #5 to review the Draft Report.	April 16, 2007	YES
Present RLS Draft <i>Technical Memorandum</i> to City Council for review. <i>Includes modifications made in the draft report between April 07 and October 07 due to project delay from HB 3337; and new spatially adjusted GIS data which impacted the inventory numbers.)</i>	October 22, 2007	YES
Present RLS Draft <i>Technical Memorandum</i> to Planning Commission for review	November 6, 2007	YES
Present Land Use Efficiency Measures work program	December 11, 2007	YES
Send Land Use Efficiency Measures info packet to Stakeholder Committee, conduct on-line survey and post potential measures on planning website	January 7-21, 2008	YES
Stakeholder Committee meeting #6 to review survey	January 31, 2008	YES

results		
Review Land Use Efficiency Measures survey results with Planning Commission	February 20, 2008	YES
Stakeholder Committee meeting #7 to review survey results and finalize committee recommendations	February 28, 2008	YES
Identify and evaluate potential measures to increase the likelihood that needed residential development will occur (Land Use Efficiency Measures). Present Stakeholder recommendation to Planning Commission and City Council	March 18, 2008 (PC) April 13, 2008 (CC)	YES
Task 3: Verification and Updating of Inventory (staff & ECO Northwest)		
Inventory recalculation due to project hold <ul style="list-style-type: none"> ▪ Two new inventory recalculations were completed during this time as new inventory maps were produced to verify accuracy of spreadsheet information. ▪ One additional inventory recalculation has been completed to include steep slopes & floodplain (<i>per direction from DLCD</i>) ▪ Inventory was updated to July 2008 	August 2007 August 2008	YES
Coordinate adoption of Springfield population projection with Lane County	2007- October 2009	YES
Task 4: Revised Residential Land & Housing Needs Analysis, Integration of RLS with CIBL / Goal 14 Analysis & Preliminary Policy Development		
Public open houses to present the revised findings of the RLS and preliminary determination of need and to get input on proposed Land Use Efficiency Measures including increasing density in mixed-use nodes and transit corridors.	April 2, 2009 May 14 & 20, 2009	YES

Produce revised inventory map	April 2009	YES
Recalculate Needs Analysis in response to updated inventory & population projection.	May-June 2009	YES
Present RLS findings to Planning Commission for review and get input on proposed Land Use Efficiency Measures	April 16 & June 2, 2009	YES
Present RLS findings to City Council for review and get input on proposed Land Use Efficiency Measures	April 13, 2009	YES
Incorporate RLS findings into Goal 14 Alternatives Analysis	April – June 2009	YES
Present revised RLS findings and preliminary UGB concepts at CIBL Stakeholder Meeting	June 11, 2009	YES
Planning Commission Work Session – Present revised RLS findings and get input on Land Use Efficiency Measures to provide needed housing density & mix	June 2, 2009	YES
Present draft RLS findings, proposed Land Use Efficiency Measures and preliminary UGB concepts at public open houses	July 16, 2009 August 12, 2009	YES
Reconvene Stakeholder Committee and multifamily housing developers at Planning Commission work sessions to review the housing inventory & needs findings and gather input on proposed Land Use Efficiency Measures implementation actions including increasing density in mixed-use nodes and transit corridors and creating a small-lot residential district. PC Consensus to recommend increasing	June 2, 2009 July 21, 2009	YES

density in Glenwood Riverfront District, Downtown and Gateway.		
Staff verified inventory to account for PAPAs not documented in LCOG data	August - October	YES
Send Residential Land & Housing Needs Analysis to DLCD for review (45-Day Notice of Proposed Adoption)	September 3, 2009	YES
Prepare addendum to RLS report if necessary to correct the inventory	October 12, 2009	YES
Planning Commission Public Hearing for review/adoption of Residential Land & Housing Needs Analysis – first reading	October 20, 2009	YES
City Council conducts Public Hearing for review/adoption – second reading	November 16, 2009	YES
City Council conducts Public Hearing for review/adoption – Nov. 16th hearing was continued to allow additional time for consideration of refinements to constraints data.	December 7, 2009	YES
City Council adopts draft <i>Springfield Residential Land & Housing Needs Analysis</i> by resolution: A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD ADOPTING THE 2009 PRELIMINARY SPRINGFIELD RESIDENTIAL LAND AND HOUSING NEEDS ANALYSIS, FULFILLING ITS STATUTORY OBLIGATION TO "COMPLETE" THE PRELIMINARY INVENTORY, ANALYSIS AND DETERMINATION BEFORE JANUARY 1, 2010.	December 7, 2009	YES

- ✓ **Milestone: Completed City's obligation to make the determination of buildable land sufficiency by December 31, 2009. Through adoption of the draft *Springfield Residential Land & Housing Needs Analysis* the City determined the number and type (e.g. single family and multi-family) of housing units needed**

to house the projected population residing within Springfield's jurisdictional share of the area subject to the Eugene-Springfield Metropolitan Area, consistent with requirements of HB 3337, Goal 14, ORS 197.296, and OAR 660-008.

Task 5: Prepare Metro Plan Amendment – Draft Springfield 2030 Refinement Plan Residential Land & Housing Element Policy Development	December 31, 2009	YES
Prepare Draft Springfield 2030 Refinement Plan Residential Element (plan policies).	Oct-Dec 2009	YES
Prepare Draft Springfield 2030 Refinement Plan Diagram (plan designations and overlays) and UGB map.	October 30, 2009	YES
Submit Draft Springfield 2030 Refinement Plan Metro Plan amendment to DLCD including <i>Springfield Residential Land and Housing Needs Analysis</i> and <i>Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies.	December 31, 2009	YES
Task 6: Refine Springfield 2030 Plan policies and determine the effect of implementation of new policies and designations on the land supply and UGB Alternatives Analysis	December 2009 – February 2011	YES
Mail and publish notice and conduct public open houses on Draft Springfield 2030 Refinement Plan including <i>Springfield Residential Land & Housing Needs Analysis</i> , <i>Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies and Springfield Urban Growth Boundary tax lot specific map.	February 3 and 4, 2010	YES
Conduct public hearings (Springfield and Lane County Planning Commissions,) on adoption of	February 17, 2010	YES

Springfield 2030 Refinement Plan including <i>Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies and Springfield Urban Growth Boundary tax lot specific map.	March 16, 2010	
Springfield and Lane County Planning Commissions recommend adoption of Springfield 2030 Refinement Plan including <i>Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies and Springfield Urban Growth Boundary tax lot specific map.	April 20, 2010 and May 4, 2010	YES
Revise <i>Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies to address and respond to testimony.	May 2010- January 2011	YES
Conduct work sessions with City Council and Board of Commissioners	February 7, 2011 February 22, 2011	YES
Send revised Notice of Amendment to DLCD	February 18, 2011	YES
Mail and publish notice to parties of record and conduct public open house	March 16, 2011	YES
City Council and Lane County Board of Commissioners conduct public hearing(s) on adoption of <i>Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies and Springfield Urban Growth Boundary tax lot specific map.	April 4, 2011, May 16, 2011	YES
Record closed	May 31, 2011	YES

Revise ordinance in response to testimony	May 16-June 6, 2011	YES
City Council and Lane County Board of Commissioners adopt <i>Springfield Residential Land & Housing Needs Analysis, Springfield 2030 Refinement Plan Residential Land and Housing Element</i> policies and Springfield Urban Growth Boundary tax lot specific map.	June 20, 2011	YES
		

SUMMARY OF SPRINGFIELD'S LAND USE EFFICIENCY MEASURES POLICY EVALUATION AND CITIZEN INVOLVEMENT PROCESS TO DATE

- January 7, 2008. Planning Commission work session – Introduction to Land Use Efficiency Measures. Land Use Efficiency Measures packet sent to the Residential Lands Stakeholder Committee and Planning Commission for review.
 - January 7 – 21, 2008. An online survey was distributed to the Residential Lands Stakeholder Committee and Planning Commission. The Committee and Planning Commission were asked to review the informational document and consider which efficiency measures would be best utilized in Springfield.
 - January 31, 2008. Housing Stakeholder Committee meeting scheduled to review Efficiency Measures. Did not result in a quorum. Because of the low Stakeholder turn-out, Staff scheduled another meeting for February 28th to gain group consensus on a recommendation to the Planning Commission.
 - February 20, 2008. Planning Commission Work Session - Land Use Efficiency Measures The results of the survey (along with Stakeholder Committee recommendations) were presented to the Planning Commission. Planning Commission discussed which measures to evaluate and specific issues identified with the measures.
 - February 20, 2008. Efficiency Measures information, including survey results, were posted on the Planning website.
 - February 28, 2008. Residential Lands Stakeholder Committee Meeting. The results of the survey (along with Stakeholder Committee recommendations) were presented to the committee. The committee went through a consensus building process which resulted in categorization of the measures into three groups: (1) high priority; (2) medium priority; and (3) low priority. Some of the low priority measures were policies that are already implemented in Springfield. Measures classified as “high” or “medium” priority were recommended for increased use by the committee. The committee recommended that the Planning Commission consider implementing these measures or consider changing existing policies to increase the land use efficiency derived from these measures.
 - March 18, 2008. Planning Commission Work Session – Prioritization of Land Use Efficiency Measures. The Planning Commission reviewed the Housing
-

Stakeholder Committee recommendations and forwarded a different package of recommended efficiency measures to the City Council.

- April 2, 2009. Staff conducted an open house to present the proposed measures to the public. A display ad was published in the Register Guard on March 30 to announce the open house. An article about the open house was published in the Springfield Extra section of the Register Guard on April 2.
 - The Planning Commission conducted work sessions on May 19 and June 2, 2009.
 - Proposed residential land use and housing policies presented at public open houses on June 16 and August 12, 2009.
 - June 2 and July 21, 2009 Reconvened Stakeholder Committee and multifamily housing developers at Planning Commission work session to review the housing inventory & needs findings and gather input on proposed Land Use Efficiency Measures implementation actions including increasing density in mixed-use nodes and transit corridors. Consensus to recommend increasing density in Glenwood Riverfront District, Downtown and Gateway.
 - Planning Commission and City Council conducted public hearings October 20, November 16, December 7, 2009.
 - February 3 and 4, 2010 Conducted public open houses on proposed residential land use and housing policies.
 - February 17 and March 16, 2010 Planning Commission conducted public hearings on proposed residential land use and housing policies.
 - April 20 and May 4, 2010 Springfield and Lane County Planning Commissions recommend adoption of proposed residential land use and housing policies.
 - March 16, 2011 Conducted public open house on proposed residential land use and housing policies.
 - April 4 and May 16, 2011 City Council and Lane County Board of Commissioners conducted public hearings on proposed residential land use and housing policies.
 - June 20, 2011 City Council adopts *Springfield 2030 Refinement Plan Residential*
-

*Land Use and Housing Element.***Goal 2 (Land Use Planning)****Adequate Factual Base**

Goal 2 requires the City's land use planning decisions to have an adequate factual base.

City Findings: The City's adoption of the separate Springfield Urban Growth Boundary, Residential Land and Housing Needs Analysis, and Springfield Housing Element is supported by these findings and by the evidence that has been submitted to City decision makers during the City's legislative review and the PAPA process that were conducted to carry out the mandate of ORS 197.304 (HB 3337) that the city establish a separate urban growth boundary.

Consistency with Metro Plan

Goal 2 requires the City's plans and actions related to land use to be consistent with the Metro Plan, which is the acknowledged comprehensive plan for Springfield, Eugene and Lane County.

City Findings: In this instance, this provision of Goal 2 is superseded or preempted by ORS 197.304. ORS 197.304(1) provides, in relevant part:

*"Notwithstanding * * * acknowledged comprehensive plan provisions to the contrary, a city within Lane County that has a population of 50,000 or more within its boundaries shall meet its obligation under ORS 197.295 to 197.314 separately from any other city within Lane County. The city shall, separately from any other city:*

"(a) Establish an urban growth boundary, consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan; and

"(b) Demonstrate, as required by ORS 197.296, that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years." (Underline emphasis added.)

The three amendments to the Metro Plan adopted by this PAPA (establishment of the separate Springfield UGB, adoption of the 2011 RLHNA, adoption of the Springfield Housing Element) have all been made to carry out the City's obligation under ORS 197.304 to establish a UGB and to meet its obligations under the needed housing statutes separately from any other city. Consequently, these amendments may be adopted "notwithstanding [any] acknowledged plan provisions to the contrary, making this provision of Goal 2 inapplicable.

Public Hearings and Opportunities for Review and Comment by Citizens and Affected Governmental Units

Goal 2 requires that comprehensive plan amendments be adopted after a public hearing by the governing body, and that "opportunities [are] provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans * * *."

City Findings: As documented in the record and as summarized in the *Springfield Residential Lands Study Summary of Process to Date – June 20, 2011* included on pages 45-55 of these findings, the City and County have provided ample opportunities for public review and comment on the plan amendments.

Coordination with Affected Governmental Units

Goal 2 requires the City to coordinate its adoption of a PAPA with "affected governmental units," which are defined by the Goal as "those local governments, state and federal agencies and special districts which have programs, land ownerships, or responsibilities within the area included in the plan."

Coordination with Eugene and Lane County

City Findings: Springfield, Eugene and Lane County have continuously coordinated the Metro Plan partner jurisdictions' response to HB 3337. Information was communicated and input sought at Planning Directors meetings, meetings of the Joint Elected Officials, joint (Springfield and Lane County) planning commission work sessions and public hearings, joint (Springfield and Lane County) work sessions and public hearings and communications between staff and legal counsel of all three jurisdictions.

On October 29, 2009 the three coordinating jurisdictions (Eugene, Springfield and Lane County) presented information to the Lane County Board of Commissioners at a work session with consultant Terry Moore of ECONorthwest to discuss "Long-Range Planning and the Requirements of HB 3337." City of Eugene, Springfield and Lane County planning staff have met

throughout the project timeline to communicate and coordinate their respective comprehensive planning processes. Lane County planning staff participated in Springfield's Technical Advisory Committees, attended public open houses, work sessions and public hearings conducted in Springfield. City of Eugene staff reviewed the proposed UGB location, and contributed refinements to the UGB description, including a metes and bounds legal description for the boundary location along Interstate 5. Springfield staff participated in Eugene's land assessment Technical Advisory Committee to inform Eugene about Springfield's process. Springfield and Eugene staff provided reports and updates on housing needs and proposed residential land use and housing policies at Housing Policy Board meetings.

Coordination with State and Federal Agencies

The city of Springfield received the following letters from the Department of Land Conservation and Development (DLCD):

Letter from Ed Moore, South Willamette Valley Regional Representative, dated
October 20, 2009

Letter from Darren Nichols, Community Services Division Manager, dated
December 4, 2009

Letter from Ed Moore, dated January 29, 2010

Letter from Ed Moore, date March 11, 2010

City Findings: In response to DLCD concerns regarding the RLHNA and Buildable Lands Inventory, the City requested that ECONorthwest revise the 2007 and 2009 versions of the RLHNA to address comments related to the need for land for public and semi-public uses, the need for group quarters, the buildable lands inventory (related to the mapping and accounting for slopes of 25% and greater, and corrections of text and tables that resolved internal inconsistencies). Section III of these findings demonstrates how the revised 2011 RLHNA complies with applicable ORS 197.296, Goal 10 and Division 008 requirements.

Department of Land Conservation and Development staff (Ed Moore) participated in Technical Advisory Committee meetings for the buildable lands study.

Department of Land Conservation and Development Director Richard Whitman and staff conducted a meeting in Eugene on September 21, 2010 at the request of the Lane County Board of Commissioners. Mr. Whitman and DLCD staff presented information on "Urban Growth Boundary Expansion". The Mayors and City Councilors of Springfield, Eugene and the other Lane County cities were invited to attend.

In response to DLCD (and others') concerns regarding the Economic Opportunities Analysis, Commercial-Industrial Buildable Lands Inventory, UGB amendment alternatives analysis, and other elements of the *2030 Springfield Refinement Plan* that were originally proposed to be adopted as part of this PAPA, the City decided to postpone further consideration of these Metro Plan amendments at this time and to proceed with adoption of only the three elements that are essential to compliance with the mandate of ORS 197.304 – the separate Springfield UGB, the revised 2011 RLHNA, and the Springfield Housing Element.

Coordination with Special Districts

City Findings: Willamalane Park and Recreation District staff participated in the preparation and review of the *Springfield Residential Land and Housing Needs Analysis*. As documented in footnote 25 on page 67 of the RLHNA, the analysis determined future parkland need by applying the policies in Willamalane's adopted Park and Recreation Comprehensive Plan. The final draft of the RLHNA was revised in response to a requested amendment from Willamalane staff³⁵ to more accurately describe how future need for parkland will be accommodated over the 20-year plan period, consistent with the *Park and Recreation Comprehensive Plan*.

Willamalane and Springfield Utility Board staff participated in Technical Advisory Committee meetings for the buildable lands study.

Springfield School District 19 staff participated in the preparation and review of the *Springfield Residential Land and Housing Needs Analysis*. A copy of their most recent facilities plan is included in the record. As documented on page 67 of the RLHNA, the analysis determined a land need of 0.9 acres per 1,000 persons was based on population growth and the District's need for one 14-acre site.

Goal 14 (Urbanization)

Springfield is not proposing to expand its separate UGB as part of this postacknowledgment Plan amendment proposal. Therefore, the provisions of Goal 14 and OAR Chapter 660, Division 24 (Urban Growth Boundaries) are for the most part not applicable. However, OAR 660-023-0020(2) does require that there be "sufficient information to determine the precise UGB location" of Springfield's separate UGB:

660-024-0020 Adoption or Amendment of a UGB * * * (2) The UGB and amendments to the UGB must be shown on the city and county plan and zone

³⁵ City Council Agenda Packet for May 16, 2011 Regular Session, Attachment 1, page 1-2

maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location."

City Findings: ORS 197.304 requires Springfield to "separately meet" its statutory housing obligations within a UGB "established" consistent with the Statewide Planning Goals. In this case, amending the Metro Plan to "establish" a separate UGB does not have the technical meaning of "establish" as defined in Goal 14; rather, it means an amendment to the regional Metro UGB to adopt a separate UGB for each city, as required by ORS 197.304. *See n 4, supra.*

To accomplish this ORS 197.304 requirement, Springfield has amended the acknowledged Eugene-Springfield Metro UGB to create a separate Springfield UGB for Springfield's "jurisdictional area[s] of responsibility" prescribed in the Metro Plan. Interstate 5 defines the separates Springfield's "jurisdictional area of responsibility" from that of the city of Eugene. Therefore, the I-5 centerline will serve as the western portion of Springfield's UGB. The current Metro UGB will serve as Springfield's UGB to the north, east and south, *subject to the site specific interpretations of this boundary required by OAR 660-024-0020(2).*

Because the existing Metro Plan UGB was established prior to adoption of OAR 660-024-0020(2), it is not entirely site specific. The Metro Plan (pp. II-G-14) states:

*"The UGB is tax lot-specific where it is coterminous with city limits, where it has been determined through the annexation process, and where it falls on the outside edge of existing or planned rights-of-way. In other places, the UGB is determined on a case-by-case basis through interpretation of the * * * Plan Boundaries Map in this Metro Plan and the following factors: * * **

Where the existing Metro Plan UGB bordering Springfield's "jurisdictional area of responsibility" is not tax lot-specific, the City employed a methodology consistent with that described by the Metro Plan above to delineate the precise location of the separate Springfield UGB. That methodology is described in Ordinance Exhibit E "Summary of Methodology Utilized to Refine the Location of the Springfield Urban Growth Boundary", which is incorporated by reference into these findings and documented further in the UGB Technical Supplement included as working papers in the record.

This process resulted in the "Springfield Urban Growth Boundary Map" (Exhibit C), which delineates the precise location of the separate Springfield UGB and a "List of tax lots that are adjacent to and inside, or split by the UGB" (Exhibit D) that have been adopted as an amendment to the Metro Plan. Accordingly, the urban area within the separate Springfield UGB remains unchanged from the area in Springfield's "jurisdictional area of responsibility" within the existing Metro Plan UGB.

Response to Testimony from Lane County Homebuilders Association (LCHBA)

When the city began work on its response to HB 3337/ORS 197.304, the initial approach was to complete and adopt the residential and commercial and industrial needs analyses, new refinement plan policies and implementation measures all at the same time. However after it was determined that the city did not need to expand its UGB for residential purposes, a more narrow, one step at a time approach, was established.

Step one is quite narrow — existing solely of the adoption of a new refinement plan residential land use housing element and housing needs analysis and a separate Springfield UGB to meet Springfield’s housing needs for the plan period 2010-2030, as required by ORS 197.304. The Springfield UGB includes only land within the existing acknowledged Metro UGB. The advantage to this approach is that Springfield’s comprehensive plan, except for the actual changes proposed, remains acknowledged.

The more narrow scope is very important to understanding the City’s response to the LCHBA. Because of the broader initial scope and the fact that the LCHBA supported many of the initial goals and objectives, the association was quite surprised by the City’s phased adoption. The association wanted the city to stay on its original path. Through many meetings with LCHBA and public testimony, the LCHBA ultimately reduced their concerns to four issues³⁶ (Letter dated April 4, 2011, from Bill Kloos, attorney for the LCHBA to Springfield City Council and Lane County Board of Commissioners). In addition, a consultant for the LCHBA also added a request to remove a significant portion of the land (200+ acres) contained in the Residential Land inventory for the reason that it is not practical nor feasible to develop the property when the property is accessed by steep slopes (greater than 25%).

1. **Request that Springfield adopt an actual inventory of residential land.** While the city believed the substance of the inventory was already part of the proposal, copies of the actual inventory in the form of an excel spreadsheet with a listing of tax lots was provided to the LCHBA. It is also now part of the record of this proceeding and explained in the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*.³⁷
2. **Request that all parcels in the residential inventory be designated for residential uses.** This issue arises because the acknowledged Metro Plan designation map is not tax lot specific in areas outside of refinement plans. However during meetings with the LCHBA,

³⁶ Letter of April 4, 2011, from Bill Kloos, attorney for the LCHBA to Springfield City Council and Lane County Board of Commissioners

³⁷ *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* p 10, Findings 6 and 7.

Bob Parker of EcoNorthwest (the City's consultant and author of the RLHNA) indicated that only tax lots with a Residential designation or with a mixed use designation that requires residential development were used to build the inventory.³⁸ Preparation of a parcel-specific plan map for the City is beyond the scope of ORS 197.304 and is premature given the phasing of the Springfield 2030 Refinement Plan work tasks and adoption and thus has been deferred to a later step. The record includes substantial evidence (RLHNA Maps 3-1 and 3-2) that shows the specific lots and parcels that were counted as vacant and partially vacant buildable lands by applicable comprehensive plan map designation. The record also includes a detailed spreadsheet of the tax lots in the residential land base that identifies the plan designations and classifications for each lot.

3. **Request that all the parcels in the residential inventory be zoned for residential uses.** This issue arises because from time to time it is discovered that a parcel designated for residential use is in fact zoned for some other use. While it was not feasible to address the plan zone conflict issue within the scope of this plan amendment, the city was able to explain to the LCHBA that existing policies allowed land owners to apply for zone change to cure the conflict at no cost and this can be done 3 times per year. The city reaffirmed this right in *Springfield 2030 Refinement Plan Residential Land Use and Housing Element*.³⁹
4. **Request that owners of land in the residential inventory have the right to develop under clear and objective standards.** While the city believes this request is an appropriate objective for the LCHBA, to fully implement this request would require a significant revision to the City's acknowledged development code that is beyond the scope of HB 3337. However the city is also aware that there is a statutory requirement to approve residential development under clear and objective criteria. The city therefore added a finding in the housing element recognizing this statutory right.⁴⁰
5. **Request to remove residentially designated land from the inventory when accessed by slopes over 25%.** In response to this request, the city carefully reviewed the Goal 10 administrative rule, OAR 66-08-005, with its definition for buildable land. We note that land that is over 25% slope may be excluded. When the city conducted its inventory, land with this slope or higher was excluded. However the request of the Association is to exclude land with less than a 25% slope if accessed by land with slopes over 25%.

³⁸ *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* p. 10, Finding 7.

³⁹ *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* p. 11, Finding 7

⁴⁰ *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* p.13, Approval Standards Finding 1

We are not aware of any court case or LCDC determination that this approach is acceptable. *Friends of Yamhill County vs. City of Newberg*, LUA # 2010-034 2010, does allow a city to go beyond the exclusionary criteria of OAR 660-08-0005(2). But this can be done only when the city has presented an adequate factual base. In an effort to meet this standard the Association did submit a letter dated May 31, 2011 from a local engineering firm explaining the difficulties of providing access on property with steep slopes.

The city consulted its Public Works Department, and the City Engineer, in a memo dated June 3, 2011 certainly agreed that building access on steep slopes can be difficult and expensive. However he does not believe it meets the administrative rule test that it "cannot" be built upon. He pointed out several recent developments, Mountain Gate, Westwind Estates, River Heights and the EWEB Water Filtration Plant as being examples of developments occurring despite being accessed by steep slopes. Services providers, including Springfield Utility Board, when consulted on this matter through the buildable lands studies Technical Advisory Committee planning process, would not state that these areas cannot be served. An email to Planning Manager Greg Mott from Fire Marshall Al Gerard dated June 16, 2011 provides the Fire Department's response to LCHBA's allegation that the streets necessary to access these lands are not accessible by fire trucks. In his email he stated: "In Springfield (and Eugene) we "beef up" our braking systems and buy more powerful motors on all of our rigs because of the hills." He also states that he specifically amended the Fire Code to address slope-related factors such as turning movements, angles of approach and departure at the initiation or termination of a slope to enable his ability to "approve" steeper grades as need. Apparatus has been tested on slopes like this in the 1990's.⁴¹

We would also point out the Association raised Goal 7, Natural Hazards in their submittal. The city did consider this issue when building its inventory. The city applied the Dogami Natural Hazard map and incorporated that into the constraints analysis.⁴²

We therefore find that there is not an adequate factual base to exclude these residentially designated parcels.

⁴¹ This issue is explained in detail in the June 20, 2011 City Council AIS Packet Briefing Memo, Attachment 1-1 to 1-11

⁴² *Springfield Residential Land and Housing Needs Analysis* Map 3-4.

V. Overall Conclusion

Springfield's post-acknowledgment plan amendment package includes the following amendments to the Metro Plan required for compliance with ORS 197.304:

1. Adoption of a separate UGB for the City of Springfield;
2. Adoption of the *Springfield 2030 Refinement Plan Residential Land Use and Housing Element* as a refinement plan, including policies to increase housing capacity as prescribed by the RLHNA through the Glenwood Refinement Plan amendment process by the end of 2012;
3. Adoption of the 2011 *Springfield Residential Land and Housing Needs Analysis* as a technical supplement to demonstrate compliance with ORS 197.296.

The City will continue to rely on the acknowledged Metro Plan (including subordinate refinement plans and land use regulations) to ensure compliance with the Statewide Planning Goals. The Metro Plan will continue to control land use decisions within the City's "jurisdictional area" which is the area encompassed by Springfield's separate UGB.

Since there will be no increase in urban land area as a result of this amendment package, Goal 14 has limited applicability and thus the DLCDC Director shall determine whether this decision is subject to review by the Land Conservation and Development Commission "in the manner of periodic review."

These findings demonstrate that the City's PAPA complies with:

- ORS 197.304 ("separate UGB" statute)
- ORS 197.295 to 197.314 ("needed housing statutes")
- Goal 1 (Citizen Involvement);
- Goal 2 (Land Use Planning);
- Goal 10 (Housing)
- OAR Chapter 660, Division 008 (Interpretation of Goal 10, Housing)
- OAR 660-024-0020(2) (related to the precise location of Springfield's separate UGB)

Attachments

1. Memo by Corinne C. Sherton re "Legislative History of ORS 197.304," dated December 28, 2010.

LAW OFFICE OF

CORINNE C. SHERTON

A PROFESSIONAL CORPORATION

OREGON LAND USE LAW

CORINNE C. SHERTON

SUITE 205
247 COMMERCIAL ST. NE
SALEM, OR 97301
TEL (503) 391-7446
FAX (503) 391-7403
E-MAIL cs@corinnesherton.com
WEB corinnesherton.com**MEMORANDUM**

To: Bill Grile, Greg Mott and Linda Pauly

From: Corinne C. Sherton

Re: Legislative History of ORS 197.304

Date: December 29, 2010

In our meeting with Richard Whitman and other DLCD staff, a question came up regarding whether the requirement of ORS 197.304(1) that Springfield “separately from any other city, **establish** an urban growth boundary * * *” (emphasis added) can be satisfied by Springfield adopting its UGB as an amendment to the acknowledged Metro Plan UGB, or whether Springfield must adopt its own UGB, separate from the Metro Plan UGB, as though it were a City adopting a UGB for the first time.

ORS ch 197 uses the word “establish” or “establishment” in many ways and places, but only in ORS 197.304 is it used in a requirement to “establish” a UGB. Therefore, the question is whether “establish” in ORS 197.304 was intended to have the same meaning it has in Statewide Planning Goal 14, which does contain several references to “establishment and change” of UGB’s (*i.e.* implying that establishment of a UGB is something different from amendment of a UGB).

Legislative History

ORS 197.304 was the product of HB 3337 (2007). I have reviewed the legislative history of HB 3337, including the audiotapes of committee hearings and work sessions and the exhibits submitted to the committees. HB 3337 as originally introduced by Rep. Beyer and Sen. Morrisette, at the request of the Oregon Home Builders Assoc. (OHBA), was quite different from the version that was eventually enacted. The original HB 3337 would have applied to any local government within a metropolitan planning organization and focused on requiring updates to the buildable lands inventories (BLI’s) and housing needs analyses (HNA’s) required by ORS 197.296(3). It contained no provisions regarding Springfield or Eugene establishing separate UGB’s.

Proposed amendments to HB 3337 were introduced during the April 24, 2007 work session of

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the House Committee on Agriculture and Natural Resources. These proposed amendments replaced the original HB 3337 with the language that subsequently was adopted by the Legislature and is now codified as ORS 197.304. Jon Chandler of OHBA gave a brief explanation of what the amendments would do, stating that the bill would be applicable only to Eugene and Springfield, referring to the amendments' requirement that each city establish its own UGB, and saying that everything else about planning in the area would continue on a regional basis. Chandler also said that the amendments addressed DLCD's concerns about one city encroaching on the other's UGB by referencing "the jurisdictional areas of responsibility, which are referenced in the existing comprehensive plan."

The amendments were adopted and, with virtually no discussion, the amended bill was passed out of the House Committee on Agriculture and Natural Resources. On May 3, 2007, HB 3337A passed the House on a 50-5 vote.

On May 22, 2007, the Senate Committee on Environment and Natural Resources held a hearing and work session on HB 3337A. The Bill was generally described by its sponsors in the same way Chandler had described it during the April 24 work session. Nothing specific was said about how the cities of Springfield and Eugene were to "establish a [UGB]," as provided in Sec. 2(1)(a) of the Bill. The Legislative Fiscal Analysis submitted as Exhibit A analyzed the cost of compliance with HB 3337A as the cost of doing the BLI and HNA required by ORS 197.296. With one exception, there was no mention of anything else the cities would have to do to comply with the requirements of HB 3337A. The one exception was the City of Eugene, which opposed the Bill and testified that, due to the age of its BLI, it would also have to conduct an inventory of commercial and industrial land, so it could take a "wholistic" view of the process, as in periodic review. Eugene's projected costs for such additional inventories were also included in the Legislative Fiscal Analysis

In written and oral testimony, both proponents and opponents of HB 3337A often referred to the HB 3337A-mandated process of Springfield and Eugene each adopting its own UGB as "splitting," "dividing" or "separating" the existing Metro Plan UGB. No one questioned that HB 3337A requires that the dividing line between the two UGB's be I-5, "consistent with the jurisdictional areas of responsibility specified in the acknowledged [Metro] Plan." HB 3337A, Sec. 2(1)(a). No one disputed that the remainder of the acknowledged Metro Plan would remain in effect after Springfield and Eugene adopted their own UGB's.

After the May 22 work session, the Senate Committee on Environment and Natural Resources passed out HB 3337A, on a 4-1 vote, with virtually no discussion. In explaining his "nay" vote, Sen. Prozanski said he doesn't agree with "UGB splitting" in a regional setting, that it's not the best land use planning. On June 1, 2007, HB 3337A passed the Senate on a 25-2 vote, subsequently becoming Oregon Laws 2007, chapter 650.

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Conclusions

There is no reference in the legislative history of HB 3337A to any intent that “establish an urban growth boundary,” as used in ORS 197.304(1)(a), incorporate the technical meaning of “establish” used in Goal 14. Rather, the frequent usage in written and oral testimony of the descriptions “splitting,” “dividing,” and “separating” the existing Metro Plan UGB, to describe the HB 3337A-mandated adoption of separate UGB’s by Springfield and Eugene, is more consistent with adoption of those separate UGB’s as amendments to the current Metro Plan UGB. Further, there is no doubt that the remainder of the Metro Plan (other than the current Metro UGB) will remain in effect when the HB 3337A process is concluded. Therefore, the demonstration required by ORS 197.304(1)(b), that a city’s comprehensive plan provides a 20-year supply of buildable land, as required by ORS 197.296, means that the necessary BLI and HNA must also be adopted as amendments to the Metro Plan. If Springfield carries out the HB 3337A-mandated process of establishing its UGB and demonstrating compliance with ORS 197.296 as amendments to the acknowledged Metro Plan,¹ then its UGB and housing analysis will become part of the Metro Plan, and in the future Springfield will be able to make decisions consistently with the (new) acknowledged Metro Plan, as it is required to do under existing law.

¹ The adoption of a UGB pursuant to ORS 197.304(1)(a), and a BLI and HNA pursuant to ORS 197.304(1)(b), come under the “notwithstanding clause” of ORS 197.304(1), which provides:

“Notwithstanding an intergovernmental agreement pursuant to ORS 190.003 to 190.130 or acknowledged comprehensive plan provisions to the contrary, [Springfield] shall meet its obligation under ORS 197.295 to 197.314 separately from any other city within Lane County. [Springfield] shall, separately from any other city:”

Consequently, Springfield can adopt its UGB, BLI and HNA as Metro Plan amendments, in conjunction with Lane County, without joint adoption by the City of Eugene.

