

Lane County Planning Commission Briefing Memo



June 8, 2021 (Date of Memo)
June 15, 2021 (Date of Work Session)

TO: Lane County Planning Commission
DEPARTMENT: Public Works/Land Management Division, Planning
PRESENTED BY: Lindsey Eichner, Principal Planner
AGENDA ITEM TITLE: Eugene Urban Reserves Proposed Policies

I. AGENDA ITEM SUMMARY

Staff will provide the Lane County Planning Commission with an update on Urban Reserves planning for Eugene, focusing on proposed land use policies. No action is requested.

II. DISCUSSION

A. Background

Urban Reserves are a special designation, allowed by state law, for lands outside the urban growth boundary (UGB) that can be considered a first priority if and when a city needs to expand for a growing population. The goal of Urban Reserves planning is to identify an appropriate supply of land for possible expansion, so that Eugene is prepared to grow in a way that meets the community's needs when the time is right. Land designated as Urban Reserves will remain rural, and cannot be urbanized, unless it is brought into Eugene's UGB through a formal process.

Since state rules give communities flexibility when deciding on the size of Urban Reserves, decision-makers can choose to designate enough land to meet the needs of anywhere between 10 and 30 years of population growth beyond Eugene's 20-year UGB, or beyond 2032. Urban Reserves identifies land for housing, parks, schools, and jobs needed by Eugene's population in the long-term future, while implementing the area's regional open space vision, including preservation of significant farm and forest land, waterways, and natural resources.

Urban reserves planning has been underway since January 2018. Lane County staff serve on the Project Management Team. Collectively, staff has met with the Lane County and Eugene Planning Commissions, City Council, and Lane County Board of Commissioners twenty-one times since the project began. Additionally, staff have convened and met with various stakeholders, including:

- Urban Reserve-area (County) residents (over 1,400 addresses)
- Neighboring cities (Coburg, Creswell, Springfield, and Veneta)
- 4J and Bethel School Districts

- Eugene Municipal Airport
- Area Service Providers
- Eugene’s Triple Bottom Line (TBL) Sounding Board
- Envision Eugene Technical Advisory Committee (EETAC)

Other project partners include a diverse list of interested parties who are kept up to date on Urban Reserves through a monthly newsletter and the project’s detailed [web page](#). The project’s public engagement has included:

- Five in-person public meetings primarily for study area (County) residents
- A month-long virtual open house (from June 26-July 26, 2020) with over 1,500 visitors
- Four rounds of postcards mailed to all residents within the Urban Reserves study area, in addition to a wide array of electronic communication.
- Three interactive GIS story maps

B. Work to Date

Urban Reserves planning has been organized into five phases; each building on the previous one, as shown below. The project is now in the last phase, assembling the information needed for the formal adoption process.



Following is a brief summary of the work to date on Urban Reserves:

1. **Technical Analysis**

The Technical Analysis phase was a multi-step process focused on identifying the amount of land needed for Urban Reserves; identifying land in the study area that is developable; and determining how many homes or jobs can be accommodated on the developable land. Please see the [Urban Reserves Technical Analysis Story Map](#) on the project web page for complete information.

2. **Suitability Analysis**

While state and local policies provide guidance for where to grow, there is no ‘perfect’ area for Eugene to grow into. All areas have trade-offs. The purpose of the suitability analysis was to consider and balance a list of factors, prescribed by state rules, then dismiss land that would be unsuitable for urban development. The analysis went through multiple rounds of review by City and County staff, service providers, and the Envision Eugene Technical Advisory Committee (EETAC). Of the approximately 11,000 acres of developable land that were studied,

approximately 6,700 acres were considered potentially suitable for Urban Reserves based on the criteria.

3. Option Development

Land identified as potentially suitable for Urban Reserves was then considered for inclusion based on its land classification, with non-farm and non-forest land being prioritized over high-value farm and forest land, per state rules. Several options were developed and refined with the help of the Envision Eugene Technical Advisory Committee; they reflected the largest possible Urban Reserve size (30-year), the smallest possible Urban Reserve size (10-year) and two options in between that protect the highest-class soils. Please see the [Urban Reserves Options Story Map](#) on the project web page for complete information.

The last time staff met with the Lane County Planning Commission was in August 2020, during the Option Development phase. After two meetings, the Planning Commission voted 5-3 to recommend Option 1, the 30-Year option, but only with a plan policy requiring that the Class 1 and 2 farm land in the Awbrey subarea be the last of the urban reserve land to be considered for expansion of Eugene's urban growth boundary. Prior to the County's vote, the Eugene Planning Commission voted unanimously to recommend Option 3, which includes enough land to meet approximately 27 years of growth beyond 2032 (this option excludes the Class 1 and 2 farm land in the Awbrey subarea). On [October 21, 2020](#), the Eugene City Council passed a motion, in a 7 - 1 vote, to support Urban Reserve Option 3. Following, on [November 10, 2020](#), the Lane County Board of Commissioners unanimously passed a motion to support initiation of a public review and adoption process to consider the establishment of Urban Reserves as described in [Option 3, the 27-Year Option](#) with the addition, "so long as the proposal includes a comprehensive plan or IGA provision that requires reconsideration of urban reserves within 10 years of the UGB's expansion."

4. Formal Adoption Process

Staff is now developing an adoption package that will be brought to the Lane County and City of Eugene Planning Commissions later this year for formal review and recommendations, before proceeding to the Board of Commissioners and City Council for their consideration. The components of the Urban Reserves adoption package include:

- Urban Reserves findings and analysis
- Plan amendments
 - Lane County Rural Comprehensive Plan
 - Eugene-Springfield Metropolitan Area Plan
 - Eugene-Springfield Metropolitan Area Public Facilities and Services Plan
 - Envision Eugene Comprehensive Plan
- Lane County, City of Eugene and Service Provider Intergovernmental Agreements (~11)
- Lane County and City of Eugene Urban Reserves Ordinances

The purpose of this work session is to review the draft county policies to be included in the Metro Plan and the Lane County Rural Comprehensive Plan. The complete adoption package will be brought to the Lane County Planning Commission in the Fall.

C. For Discussion: County Policies for Urban Reserves

As part of the adoption package, Lane County is required by State law to adopt or consider a range of regulatory measures in the Urban Reserves related to continuing to plan and zone land for rural uses until it is brought into Eugene's urban growth boundary. Proposed Metro Plan and Rural Comprehensive Plan amendments will implement regulatory measures for land within the Urban Reserves. Some regulatory measures are required to be adopted along with Urban Reserves per Oregon Administrative Rules Chapter 660 Division 21, while others are optional.

As proposed, staff are proposing to focus on limiting new policies to only what is required by the state, with two exceptions. The emphasis of the policies are on ensuring that urban reserve land continues to be planned and zoned for rural uses, while ensuring the orderly, economic and efficient provision of urban services when included in the UGB. No zoning code amendments are proposed.

Attachment A includes the list of proposed policies to be included in both the Metro Plan and Rural Comprehensive Plan, as Urban Reserves includes land both inside and outside of the Metro Plan. Policies 1, 2 and 3a are required by the state, while policies 3b and 4 are optional, however policy 4 was directed by the Board of Commissioners.

Attachment B includes a matrix with draft policy language and corresponding state rules, citations, and the rationale for inclusion. This will be the focus of our presentation and discussion.

Attachment C is the draft Urban Reserves map.

D. Planning Commission Rule on Urban Reserves

The Lane County Planning Commissions has an important role throughout the project, including:

- Review and provide input on the Public Involvement Plan and Project Charter (completed)
- Receive updates and provide input throughout the process (completed)
- Make a recommendation on a preferred option to the Lane County Board of Commissioners (completed)
- **Provide input on proposed regulatory policies for Urban Reserves (Currently)**
- Make a recommendation on the adoption package to the Lane County Board of Commissioners, as part of the formal adoption process (upcoming)

III. ACTION

No action requested; update on proposed land use policies for Urban Reserves.

A. Next Steps

The Urban Reserves project team will be bringing the complete adoption package to the Lane County and City of Eugene Planning Commissions in the fall.

IV. ATTACHMENTS

1. Draft Urban Reserves Land Use Policies
2. Policy Matrix
3. Proposed Urban Reserves Area Map

FOR MORE INFORMATION

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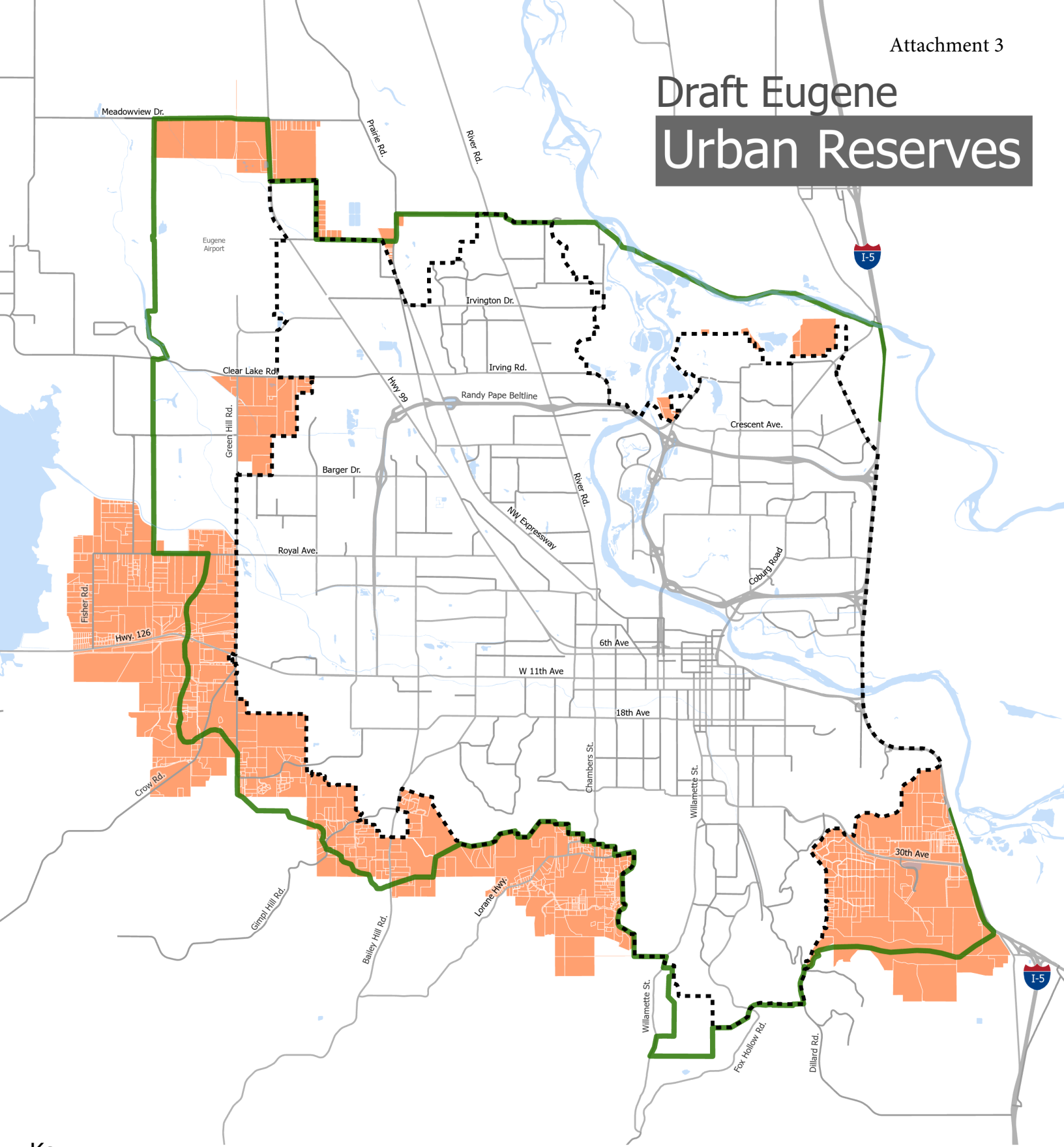
Proposed Policies for Eugene Urban Reserves, June 2021

1. The areas identified as Eugene urban reserves on the Eugene Urban Reserves map adopted as part of the Metro Plan and/or on the map of Eugene Urban Reserves adopted as part of the Lane County Rural Comprehensive Plan shall be given priority consideration, consistent with Oregon law, for inclusion within the Eugene UGB when a UGB expansion is considered.
2. The County shall continue to allow the siting of a single-family dwelling on a lawfully established unit of land identified as Eugene urban reserves if the County's regulations would have allowed the single-family dwelling prior to the land's inclusion in Eugene urban reserves.
3. Lane County shall continue to plan and zone land identified as Eugene urban reserves for rural uses in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services and that will not hinder the efficient transition to urban land uses when these lands are included in the Eugene urban growth boundary as follows:
 - a. The County shall not approve a change to its plans, land use code or zoning that would allow more intensive uses (including higher residential density) on exception or nonresource land identified as Eugene urban reserves than the uses allowed on that land at the time the urban reserves were adopted.
 - b. The County shall not approve a change that would allow resource land identified as Eugene urban reserves to be rezoned or redesignated to a non-resource zone or designation.
4. Eugene, in coordination with Lane County, shall initiate a review of Eugene's urban reserves no later than 10 years after Eugene's first UGB expansion following the initial adoption of urban reserves adoption.

State Requirement	Draft Policy Language	Metro Plan	LC Rural Comp Plan	Reason for Staff Recommendation
<p><i>Where urban reserves are adopted or amended, they shall be shown on all applicable comprehensive plan and zoning maps ...</i></p> <p>OAR 660-021-0020(1)</p>	<p>(Urban Reserve maps adopted in both Metro Plan and Rural Comp Plan.)</p> <p>(Illustrative map only in Eugene Comprehensive Plan.)</p>	X	X	Required by OAR 660-021-0020(1)
<p><i>...Plan policies and land use regulations shall be adopted to guide the management of these reserves in accordance with the requirements of this division.</i></p> <p>OAR 660-021-0020(1)</p>	<p>1. The areas identified as Eugene urban reserves on the Eugene Urban Reserves map adopted as part of the Metro Plan and/or on the map of Eugene urban reserves adopted as part of the Lane County Rural Comprehensive Plan shall be given priority consideration, consistent with Oregon law, for inclusion within the Eugene UGB when a UGB expansion is considered.</p>	X	X	Required by OAR 660-021-0020(1)
<p><i>A local government shall not prohibit the siting of a single family dwelling on a legal parcel ... if the single family dwelling would otherwise have been allowed under law existing prior to the designation of the parcel as part of an urban reserve.</i></p> <p>ORS 195.145(3) & OAR 660-021-0040(7)</p>	<p>2. The County shall continue to allow the siting of a single-family dwelling on a lawfully established unit of land identified as Eugene urban reserves if the County's regulations would have allowed the single-family dwelling prior to the land's inclusion in Eugene urban reserves.</p>	X	X	The County already complies; no action is needed to maintain this status quo, but policy is included to emphasize compliance.
<p><i>Until included in the urban growth boundary, lands in urban reserves shall continue to be planned and zoned for rural uses ...but in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services when these lands are included in the urban growth boundary.</i></p> <p>OAR 660-021-0040(1)</p>	<p>3. Lane County shall continue to plan and zone land identified as Eugene urban reserves land for rural uses, but in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services and that will not hinder the efficient transition to urban land uses when these lands are included in the Eugene urban growth boundary as follows:</p>	X	X	This new policy assures compliance of OAR 660-021-0040(1)

<p><i>For exception areas and nonresource land in urban reserves, land use regulations shall prohibit zone amendments allowing more intensive uses, including higher residential density, than permitted by acknowledged zoning in effect as of the date of establishment of the urban reserves.</i></p> <p>OAR 660-021-0040(3)</p>	<p>3a. The County shall not approve a change to its plans, land use code or zoning that would allow more intensive uses (including higher residential density) on exception or nonresource land identified as Eugene urban reserves than the uses allowed on that land at the time the urban reserves were adopted.</p>	X	X	<p>This new policy is needed to comply with OAR 660-021-0040(3)</p>
<p><i>Resource land that is included in urban reserves shall continue to be planned and zoned under the requirements of applicable statewide planning goals.</i></p> <p>OAR 660-021-0040(4)</p>	<p>3b. The County shall not approve a change that would allow resource land identified as Eugene urban reserves to be rezoned or redesignated to a non-resource zone or designation.</p>	X	X	<p>3b. will retain larger and fairly un-developed parcels for resource uses until the area urbanizes. This will allow farm and forest zoned properties to be rezoned to Marginal Lands, but not residential, commercial, or industrial.</p>
<p><i>Urban reserve land use regulations shall ensure that development and land divisions in exception areas and nonresource lands will not hinder the efficient transition to urban land uses and the orderly and efficient provision of urban services.</i></p> <p>OAR 660-021-0040(2)</p>	--	--	--	<p>The County already complies. No new land use regulations are proposed for exception areas and nonresource lands.</p>

Draft Eugene Urban Reserves



Key

- Eugene Urban Reserves
- Eugene Urban Growth Boundary
- Metro Plan Boundary
- Rivers and Waterways

- Roads
- Taxlots

0 0.5 1 2 Miles



This dataset was compiled relative to numerous data sources (e.g. tax parcel boundaries) and the quality may be variable. Boundaries on the map represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. This map is not suitable for legal, engineering, or surveying purposes. This map in no way attempts to predict, determine, or require what happens on individual lots.