Planning Commission Agenda

Current Development Manager:
Greg Mott 541-726-3774
Management Specialist:
Brenda Jones 541.726.3610

City Hall
225 Fifth Street
Springfield, Oregon 97477
541.726.3610
Online at www.springfield-or.gov

Planning Commissioners:
Greg James, Chair
Denise Bean, Vice Chair
Johnny Kirschenmann
Steve Moe
Stacy Salladay
Tim Vohs
Nick Nelson

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours notice prior to the meeting. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available. To arrange for these services, call 541.726.3710.
Meetings will end prior to 10:00 p.m. unless extended by a vote of the Planning Commission.

All proceedings before the Planning Commission are recorded.

December 3, 2013

7:00 p.m. Regular Session
Council Chambers

CALL TO ORDER

ROLL CALL – Chair James _____, Vice Chair Bean _____, Kirschenmann ___, Moe___, Salladay___, Vohs ____, and Nelson _____.

PLEDGE OF ALLEGIANCE

BUSINESS FROM THE AUDIENCE

APPRIOVAL OF MINUTES October 15, 2013 Joint Work Session with Lane County and City of Eugene
October 15, 2013 Joint Regular Session with Lane County and City of Eugene
November 5, 2013 Joint meeting with Lane County

1. **QUASI-JUDICIAL PUBLIC HEARING –**

   a. **Zone Change – Springfield School District Proposed Rezoning of Surplus School District Property at 725 South 42nd Street. TYP313-00006**

   Planner: Mark Metzger
   30 Minutes

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

- Staff will explain procedural requirements mandated by State Law
- Commencement of the hearing
- Declaration of conflict of interest or "ex-parte" contact
- Staff report

- Testimony from the applicant
- Testimony of those in support
- Testimony of those in opposition\Questions from the Commission
- Summation by the Staff
- Rebuttal from the applicant
- Close of the public hearing
- Planning Commission discussion (possible questions to staff or public)
- Motion to recommend approval or approval with conditions or denial of the request based on staff report and/or oral/written testimony
- Recommendation signed by Chair incorporating findings and reasoning to support decision

REPORT OF COUNCIL ACTION

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DIRECTOR

BUSINESS FROM THE PLANNING COMMISSION

ADJOURNMENT

AGENDA ITEM SUMMARY		
	Meeting Date:	12/3/2013
	Meeting Type:	Regular Meeting
	Staff Contact/Dept.:	Mark Metzger/DPW
	Staff Phone No:	541-726-3775
	Estimated Time:	15 Minutes
S P R I N G F I E L D PLANNING COMMISSION	**Council Goals:**	Mandate

ITEM TITLE:	PROPOSED REZONING OF SURPLUS SCHOOL DISTRICT PROPERTY AT 725 SOUTH 42ND STREET
ACTION REQUESTED:	Conduct a public hearing and approve; approve with conditions; or deny a proposal by the Springfield School District to rezone 3.6 acres of property from Public Land and Open Space (PLO) to Low Density Residential (LDR).
ISSUE STATEMENT:	School District 19 has declared the property it owns on the northeast corner of 42nd Street and Mt. Vernon/Holly Street to be surplus and intends to market the site. The District seeks to rezone the property to facilitate its sale. At issue is whether the proposed rezoning is consistent with the applicable approval criteria for zone changes. The Staff Report and Recommendation (Attachment 1) provides findings which address conformity of the proposal with those criteria.
ATTACHMENTS:	1. Staff Report and Recommendation 2. Applicant's Submittal 3. PC Order
DISCUSSION:	The subject site is the location of the old Mt. Vernon Elementary School which was closed several years ago and was demolished in August 2013. Much of the school site was previously partitioned and redeveloped as Volunteer Park, a facility now owned and maintained by Willamalane Park and Recreation District. The remainder of the school site was declared surplus property and is now proposed for rezoning and sale. The current zoning for the subject site and the adjoining Volunteer Park is PLO. The zoning for the park shall remain. The PLO zone is appropriate for a park use, but the District seeks to rezone the subject site to LDR. The proposed rezoning to LDR is intended to make the surplus lot suitable for sale. District 19 will use the proceeds from the sale to help fund other capital projects within the district as allowed by state law. Rezoning to LDR will maintain conformity with the *Metro Plan* designation. Under the provisions of Section 3.2-205 of the Springfield Development Code, the LDR zone allows for residential development of primarily detached single-family dwellings with a density range of 6 to14 dwelling units per net acre. Duplexes are allowed on corner lots. The zone also provides for a limited range of neighborhood uses that provide services for residents including care facilities and churches which may be approved with a Discretionary Use Permit. Nearby properties on the east side of South 42nd Street are zoned LDR. The neighborhood to the west, across South 42nd Street, is largely Medium Density Residential with some LDR and Community Commercial to the south.

City Of Springfield
Development Services Department
December 3, 2013

Mt Vernon Rd./Holly St. Rezone, School District 19
Staff Report

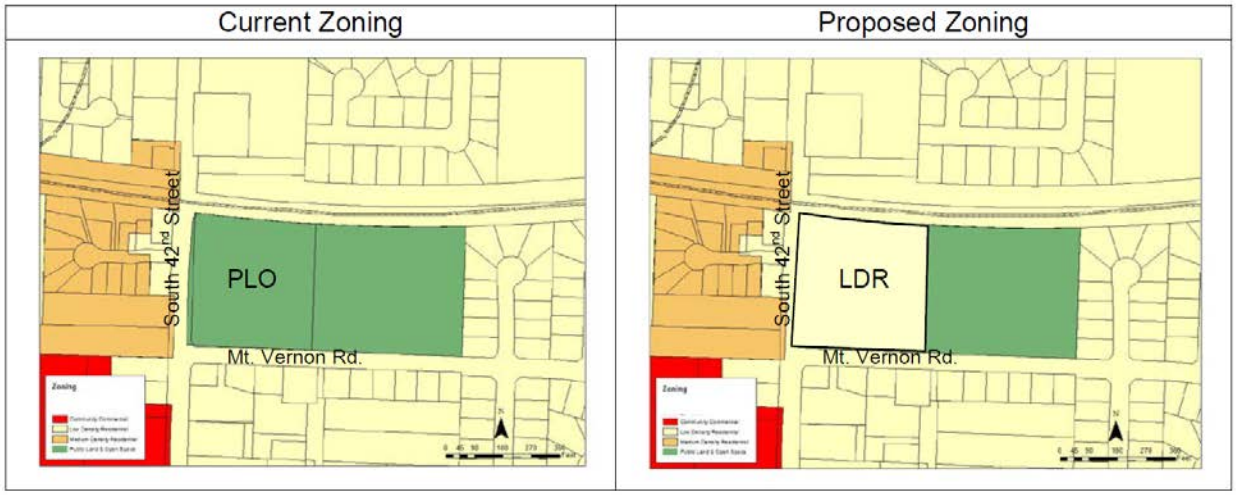
Applicant: Springfield School District 19	**Journal No.** TYP313-00006
Request: To amend the Springfield Zoning Map to apply the Low Density Residential zone to a 3.6 acre parcel at the corner of S. 42nd Street and Mt. Vernon Rd. which is also known as Holly Street. The parcel is currently zoned Public Land and Open Space (PLO).	**ProcedureType:** Type III—Quasi-Judicial
Affected Properties/ Assessor's Map No. 18-02-05-21 Tax lot 8300	**Approximate Area** 3.6 acres
Attachments: Attachment 1: Current Zoning Map showing the subject property Attachment 2: Proposed Zoning Map showing the subject property	

I. Executive Summary

The subject site is the location of the old Mt. Vernon Elementary School which was closed and demolished in 2013. Much of the school site was previously redeveloped as Volunteer Park, a facility now owned and maintained by Willamalane Park and Recreation District. The remainder of the school site was declared surplus property and is now proposed for rezoning and sale.

Vicinity Aerial

The maps below report show the current and proposed zoning for the subject site. The current zoning is Public Land and Open Space (PLO). This proposed zoning, Low Density Residential (LDR), is consistent with the current Metro Plan designation for the property (LDR) found on the Eugene-Springfield Metropolitan Area General Plan Diagram.



Subject Site	Acres	Current Zone	Proposed Zone	Current Plan Designation	Proposed Plan Designation
725 S. 42nd Street	3.6	PLO	LDR	LDR	LDR

The staff report below addresses the conditions of approval for Zoning Map amendments and presents findings and suggests conclusions that address those conditions. Staff believes that the proposal satisfies the conditions of approval for zoning map amendments found in Section 5.22-115 of the Springfield Development Code and recommends that the Planning Commission approve the proposed zone change from PLO to LDR for the subject site.

II. Background

The subject site is the location of the old Mt. Vernon Elementary School which was closed and demolished in August 2013. Much of the school site was previously partitioned and redeveloped as Volunteer Park, a facility now owned and maintained by Willamalane Park and Recreation District. The remainder of the school site was declared surplus property and is now proposed for rezoning and sale. The current zoning for the subject site and the adjoining Volunteer Park is Public Land and Open Space. The PLO zone is appropriate for a park use, but the District seeks to rezone the subject site to Low Density Residential. The current Metro Plan designation for the subject site is LDR. Rezoning to LDR will bring the site into conformity with the *Metro Plan.*

Section 3.2-205 of the Springfield Development Code describes Low Density Residential (LDR) zoning district. The LDR zone establishes sites for residential development where primarily detached single-family dwellings and duplexes are permitted with a density range of 6 to14 dwelling units per net acre. The zone also provides for a limited range of neighborhood uses that provide services for residents.

The neighborhood east of the subject site on Mt. Vernon/Holly Street (apart from Volunteer park) is currently zoned LDR. The neighborhood is composed of single family dwellings with a corner duplex located on the corner of S. 42nd and Mt. Vernon Rd.

The neighborhood to the west of the subject site, across South 42nd Street, is largely Medium Density Residential and Community Commercial. The area includes a large duplex subdivision that was recently completed and a mix of single family homes and homes with large deep lots that have additional dwellings sited behind them on the same lot.

The proposed rezoning to LDR is intended to make the surplus lot suitable for sale. District 19 will use the proceeds from the sale to help fund other capital projects within the district as allowed by state law.

III. Procedural Requirements

Section 5.22-110 of the SDC describes the process to be followed when amending the Zoning Map. Since this proposal affects a single site, it is shall be processed as a Type III quasi-judicial action, consistent with the requirements of SDC Section 5.22-110 B.

A Type III review process is described in Section 5.1-135 of the SDC. Type III review processes require both newspaper notice and mailed notice to property owners and occupants within 300 feet of the property being reviewed and to the appropriate neighborhood association, where applicable (Section 5.1-135 B of the SDC). This section also requires that a sign be posted on the subject sites. The content and timing of these notices are regulated by Section 5.2-115 of the SDC. Under state regulations following Ballot Measure 56, mailed notice is required at least 30 days prior to the first public hearing by the elected officials.

Mailed notice of the proposed Zoning map amendment must be sent to the Department of Land Conservation and Development as specified in ORS 197.610 and OAR 660-18-0020. This notice must be filed no less than 35 days before the first evidentiary hearing.

Under a Type III process, the Planning Commission will conduct a public hearing on this matter and will make a decision.

Findings:

1. Springfield School District initiated this amendment of the Zoning Map to change the zoning of the subject sites from PLO to LDR on October 16, 2013.

2. A Public hearing was scheduled before the Springfield Planning Commission for December 3, 2013.

3. A "DLCD Notice Proposed Amendment" was mailed to the Department of Land Conservation and Development on October 25, 2013, alerting the agency to the City's intent to amend the Zoning Map. The notice was mailed more than 35 days in advance of the first evidentiary hearing as required by ORS 197.610.

4. A Development Review Committee meeting was scheduled for November 5, 2013. Findings and conditions of approval issued by participating members are contained in this report.

5. Mailed notice of public hearings concerning the proposed zoning map amendment was sent out on November 12, 2013 to property owners and residents within 300 feet of the subject site. The mailing allowed more than 20 days notice before the first public hearing as required by Section 5.2-115 A of the SDC. A second mailed notice was mailed on November 19 to correct an error in the amount of acreage shown for the property.

6. Notice of the public hearing concerning this matter was published on October 29, 2013 in the Register Guard, advertising the hearing before the Planning Commission on December 3, 2013. The content of the notice followed the direction given in Section 5.2-115 B of the SDC for quasi-judicial actions.

Conclusion:

Procedural requirements described in Sections 5.2-115 and 5.22-110 of the SDC have been followed. The notice to DLCD, as required by ORS 197.610 and OAR 660-18-0020 for amending the Development Code has also been followed.

IV. Decision Criteria and Findings

Section 5.22-115 of the SDC describes the criteria to be used in approving a Zoning Map amendment. It states that in reaching a decision, the Planning Commission must adopt findings which demonstrate that the proposed zone change shows:

"1) Consistency with applicable Metro Plan policies and the Metro Plan diagram;

2) Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and

3) The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

4) Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

a. Meet the approval criteria specified in Section 5.14-100; and
b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable."

Criterion #1: "Consistency with applicable Metro Plan policies and the Metro Plan diagram;"

Findings

7. The Metro Plan contains a Diagram designating land uses for all parcels within Springfield's planning jurisdiction. The subject site is currently designated Low Density Residential (LDR) on the Metro Plan Diagram.

8. Section II-G of the Metro Plan includes descriptions of the various plan designations. The designation, "Residential" consists of three designations; Low Density Residential, Medium Density Residential, and High Density Residential (Pg. II-G-3). The current Metro Plan Low Density Residential designation allows for a development density of up to 10 dwelling units per gross acre. The designation also allows for auxiliary uses including public facilities, neighborhood commercial and churches if allowed by the local development code.

9. The proposed zone change from Public Land and Open Space (PLO) to Low Density Residential (LDR) is consistent with the current Low Density Residential Metro Plan designation. The LDR

zoning limits density to the density set by the Low Density Residential Metro Plan designation and allows for the auxiliary uses described in the Plan.

Conclusion

The proposed Zoning Map amendment will change the PLO zoning to LDR on the subject site. Such a change is consistent with Metro Plan Diagram and designation description for low density residential development.

Criterion # 2: "Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and"

Findings:

10. The subject site is located outside of any neighborhood refinement plan.

11. Other applicable refinement plans and functional plans include the Willamalane Park and Recreation Comprehensive Plan, TransPlan and the Eugene-Springfield Metropolitan Public Facilities and Services Plan. While the subject site is located within the planning area for these documents, a review shows that there are no specific policies or map elements which conflict with the proposed rezoning.

Conclusion

The proposed Zoning Map amendment is consistent with the applicable refinement plans and functional plans for the area.

Criterion #3: "The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property."

Findings:

12. The subject site is located on the northeast corner of S. 42nd Street and Mt. Vernon Rd./Holly Street. South 42nd Street is classified as a minor arterial. Mt Vernon/Holly Street is a local street.

13. The site is located within the city limits and is currently served with city water, stormwater and sanitary sewer services.

14. Participating utility, public facility and transportation providers participating on the Development Review Committee indicated in their meeting on November 5, that the subject site is adequately served to support buildout of the subject site at the density allowed by the proposed LDR zoning.

Conclusion

The proposed Zoning Map amendment is supported by existing service capacity for transportation, public facilities and utilities which already serve surrounding neighborhood.

Criterion #4: "Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:

> *a. Meet the approval criteria specified in Section 5.14-100; and*
> *b. Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable."*

Findings:

15. The proposed Zoning Map amendment affects a single tax lot.

16. SDC Section 5.22-110 B defines quasi-judicial Zoning Map amendments to be those "…generally affecting a single or limited group of properties and may or may not include a Metro Plan diagram amendment." By this definition, the proposed Zoning Map amendment is a quasi-judicial zoning map amendment and is not a legislative amendment.

Conclusion

Criterion #4 specifically addresses itself to "Legislative Zoning Map amendments." The proposed Zoning map amendment "quasi-judicial" and not "legislative" and therefore do not apply to this proposal.

V. Conclusion and Recommendation of Staff

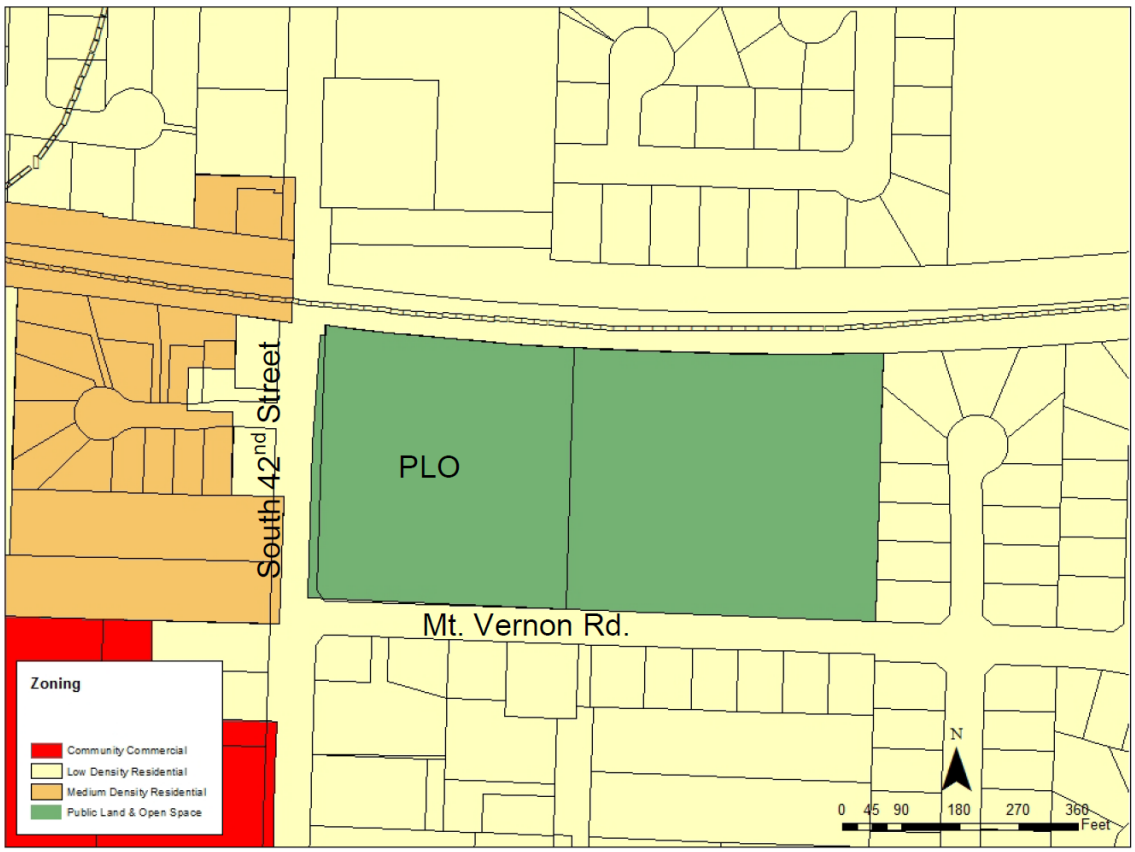
Based on the findings of staff with respect to the criteria defined in Section 5.22-115 of the Springfield Development Code for approving a Zoning Map amendment, staff find that the proposed amendment that would change the PLO zoning on the subject site to LDR, to be consistent with these criteria and recommend approval of the amendment.

VI. Attachments

Attachment 1: Current Zoning Map showing the subject property
Attachment 2: Proposed Zoning Map showing the subject property

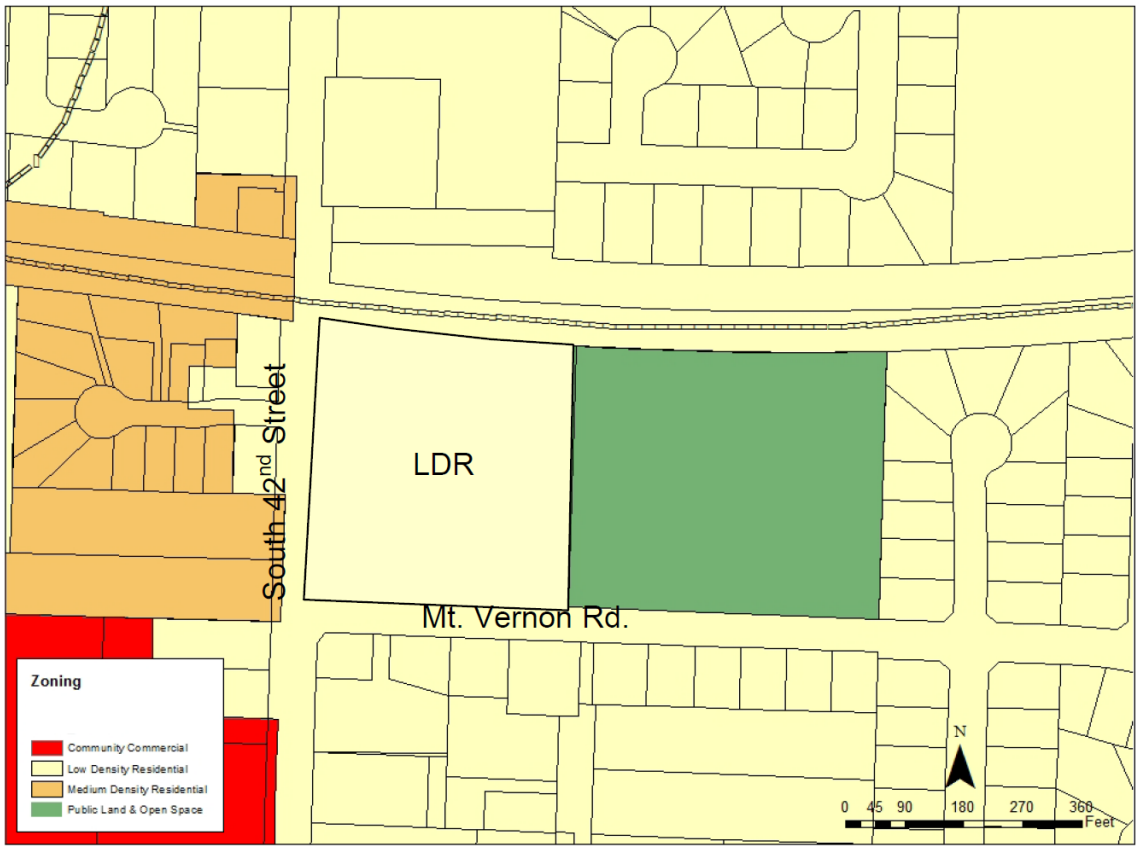
Attachment 1

Current Zoning



Attachment 2

Proposed Zoning



City of Springfield
Development Services Department
225 Fifth Street
Springfield, OR 97477

SPRINGFIELD

Zoning Map Amendment, Type III

Required Project Information *(Applicant: complete this section)*

Applicant Name:	John Saraceno	**Phone:**	541.726.3204
Company:	Springfield Public Schools	**Fax:**	541.726.9555
Address:	1890 42nd Street, Springfield, OR 97477		
Applicant Signature:			
Property Owner:	Dr. Hertica Y. Martin	**Phone:**	541.726.3267
Company:	Springfield Public Schools	**Fax:**	541.744.6374
Address:	525 Mill Street, Springfield, OR 97477		
Owner Signature:			

If the applicant is other than the owner, the owner hereby grants permission for the applicant to act in his or her behalf

ASSESSOR'S MAP NO: 18-02-05-21 **TAX LOT NO(S):** 8300

Property Address: 725 South 42nd Street, Springfield, OR 97478

Area of Request **Square Feet:** 156,816 **Acres:** 3.60

Existing Use(s) of Property: Educational: Kindergarten and Day Care/Nursery

Description of The Proposal: The Applicant requests a Zoning Map Amendment of this parcel from the existing zoning of Public Land and Open Space (PLO) to Low-Density Residential (LDR), consistent with the *Eugene-Springfield Metropolitan Area General Plan* designation of LDR.

Required Property Information *(City Intake Staff: complete this section)*

Case No.: TYP 313-00006 **Date:** 10/16/2013 **Received by: (initials)** tar

Application Fee: 5178.00 **Postage Fee:** 385.00 **Total Fee:** 5821.90

5% 258.90

~~Date Received:~~

OCT 16 2013

Edited 7/19/2007 bjones

 Original Submittal_____

Zoning Map Amendment Submittal Requirements Checklist

1. **The application fee -** Refer to the Development Code Fee Schedule for the appropriate application and postage fee. A copy of the Fee Schedule is available at the Development Services Department.

2. **Deed** - A copy of the deed to show ownership.

3. **Vicinity Map** – A map of the property and the surrounding vicinity which includes the existing zoning and plan designations. One copy must be reduced to 8 ½" by 11" which will be mailed as part of the required neighboring property notification packet.

4. **Findings** - Before the Planning Commission can approve a Zone/Overlay District Change Request, there must be information submitted by the applicant which adequately supports the request. The Criteria the Planning Commission will consider in making their decision is listed below. If insufficient or unclear data is submitted by the applicant, there is a good change that the request will be denied or delayed. It is recommended that you hire a professional planner or land use attorney to prepare your findings.

Criteria of Approval (Quasi-judicial)

SDC 12.030 requires that in reaching a decision on these actions, the Planning Commission or Hearings Official map approve, approve with conditions or deny a quasi-judicial Zoning Map amendment based upon approval criteria (a)-(c), below.

(a) Consistency with the Metro Plan policies and the Metro Plan Diagram;

(b) Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and

(c) The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

Date Received:

OCT 16 2013

Original Submittal_____

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LAND USE APPLICATION FORMS

- **Zoning Map Amendment**

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5.2 Conclusion 28

EXHIBITS

A Deed ..... A

B Vicinity Map ..... B

Date Received:

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Original Submittal_____

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SPRINGFIELD PUBLIC SCHOOLS
SOUTH 42ND STREET SURPLUS PROPERTY

ZONING MAP AMENDMENT APPLICATION

Written Statement

1.0 PROJECT INFORMATION

Applicant's Request:	The applicant, Springfield Public Schools, requests approval of a Zoning Map Amendment from Public Land and Open Space (PLO) to Low Density Residential (LDR) as part of the disposition process for surplus properties.
Property Owner:	Springfield Public Schools 525 Mill Street Springfield, OR 97477
Applicant:	John Saraceno Springfield Public Schools 525 Mill Street Springfield, OR 97477 541.726.3204 john.saraceno@springfield.k12.or.us
Applicant's Representative:	Colin McArthur, AICP Principal Planner Cameron McCarthy 160 East Broadway Eugene, OR 97401 541.485.7385 colin@cameronmccarthy.com
Project Name:	Springfield Public Schools South 42nd Street Surplus Property
Subject Property:	Assessor's Map 18-02-05-21 Tax Lot 8300
Location:	725 South 42nd Street Springfield, OR 97478
Property Size:	3.60 acres (156,816 square feet)
Total Development Area:	N/A

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Plan Designation:	Low Density Residential (LDR)
Plan Overlay Designation:	N/A
Zoning Designation:	Public Land and Open Space (PLO)
Overlay Zoning Designation:	N/A
Development Issues Meeting:	N/A
Associated Applications:	N/A

Date Received:

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2.0 DESCRIPTION OF PROPOSAL

2.1 Overview

Springfield Public Schools (SPS) ("the Applicant") requests approval of a Zoning Map Amendment from Public Land and Open Space (PLO) to Low Density Residential (LDR) as part of the disposition process for surplus properties.

2.2 Location

The property (site, subject site) is located entirely within the *Eugene-Springfield Metropolitan Area General Plan* (Metro Plan) Boundary, Springfield's Urban Growth Boundary (UGB), and Springfield city limits. At 3.60 acres (156,816 square feet), the site is identified on Lane County Assessor's Map 18-02-05-21 as Tax Lot 8300. Exhibit B Vicinity Map shows the site as located in southeast Springfield, abutting South 42nd Street, Mt. Vernon Road, and Booth Kelly Road. The subject site is currently developed as a kindergarten and day care/nursery educational use.

2.3 Purpose and Need

School District Needs
The request involves a Zoning Map Amendment change for one (1) parcel within Springfield city limits under the ownership of SPS. Proceeds from the sale of the subject parcel are expected to allow SPS to continue to meet the needs of district constituents. In order to facilitate the sale of surplus property, and to ready the parcel for development, a Zoning Map Amendment to change the zoning from PLO to LDR is required. SPS has declared this parcel as surplus property. The sale will also allow improved services through apportionment of additional funds to current obligations or to areas SPS seeks to enhance by identifying capital projects.

At the February 25, 2013 school board meeting, the 2012–2013 citizen-led Facilities Advisory Committee (Advisory Committee) presented recommendations to the School Board to guide the District as it considered a future bond measure to be placed on the November 5th ballot. The School Board voted unanimously in favor of the measure. The committee met eight (8) times between November 2012 and February 2013 and was comprised of 26 community and staff representatives. The committee was asked to focus on several topics and ultimately submitted five (5) recommendations, including solutions that attend to the District's instructional needs and capital needs of all District facilities.

A vast number of needs remains, those of which cannot be met with the current budget. The 2012– 2013 school year began with a Minor Capital Improvement Fund balance of $68,000 and a balance of $208,894.81 for other capital improvements, which does not begin to address even the most urgent and unmet needs of the District's facilities, much less the medium- to low- priority projects. These funds are not replenished annually but are generated from the sale of surplus property and/or equipment. Once depleted, these funds will no longer be available unless property or equipment is sold.

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A priority of the Advisory Committee is to create more efficient schools to provide comprehensive, basic education for Springfield students. The proposed bond thus addresses many issues faced by Springfield schools:

- Inequitable access to educational technology that is intended to support learning for all students;
- Outdated technology that inadequately prepares students for 21st Century careers; and
- Aging facilities which no longer adequately support the best practices in curriculum design.

Projects to improve SPS facilities to undertake the above-stated concerns include maintaining, repairing, and replacing buildings and building systems to extend their lifespan and reduce operating costs. Twelve (12) of 21 schools are more than 50 years old, and six (6) are more than 60 years old. The committee recognizes the importance of continuing to invest in and maintain those buildings to ensure they remain viable school facilities. The committee further recommended that improvements focus on the following areas: replace portable classrooms with permanent structures, improve school security (e.g., Crime Prevention through Environmental Design, security cameras and key card locks), improve transportation infrastructure, and update athletic facilities.

Hamlin Middle School, built in 1957, has extensive maintenance issues. Its outdated and failing electrical, storm water, potable water and heating systems can no longer support the number of students enrolled or the instructional program. Despite the current facility's flaws, its location in the heart of Springfield and proximity to athletic fields, potential for co-curricular improvements, and main Springfield thoroughfares make it an ideal school site. Furthermore, the District's other three (3) middle schools are nearly at capacity, so Hamlin students cannot simply be absorbed into Agnes Stewart, Briggs and Thurston Middle Schools.

The adopted SPS 2013-2014 Operating Budget demonstrates that SPS has become increasingly strategic as it decides where and how to invest its limited resources to best serve students; those efforts are beginning to create positive momentum. Changes to student enrollment have resulted in the closing of facilities in the SPS District. These changes have left SPS with both vacant buildings and buildings that have successfully been filled by other educational agencies, which in turn are representing rental income for the District. Principal sources of local revenue are property taxes and earnings on investments. Under the provisions of ORS 294.045, the District may invest money from any bond fund or surplus funds in any of a list of investments approved by the State Treasurer and the Springfield Public Schools Board of Directors.

Accordingly, the Advisory Committee recommended that the District maintain a "capital for capital" strategy where funds raised through the sale of land or other properties are dedicated to capital improvements. Under ORS 332.155(5), the School Board has authority to sell any property of the District which in the judgment of the School Board will not be required for school purposes (i.e., surplus property). Proceeds are intended to partially fund the payoff of the Qualified School Construction Bonds (QSCB) when they come due.

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Regional and Community Needs

Notwithstanding the direct needs of SPS, the requested amendment will achieve consistency with the Metro Plan and provide opportunities for development under the range of uses allowed by the LDR zoning. An additional benefit to the City from a policy standpoint is the potential for meeting its residential land needs inside its UGB. Oregon specifies that Springfield must fulfill State planning requirements by providing a 20-year supply of residential land.

Springfield has capacity for 9,021 dwelling units within its existing UGB and will need to provide approximately 5,920 dwelling units between 2010 and 2030 to accommodate growth during this 20-year planning period. Nearly 60 percent (3,552) of these dwelling units will be single family residential units. The proposed site can provide appropriate land for such housing, as it is within Springfield's existing UGB as previously noted. Specific characteristics of the site also demonstrate its suitability for such development. The feasibility of development becomes greater with little to no land development constraints (e.g., steep slopes, locally significant wetlands, or site contamination).

The Applicant's request for a Zoning Map Amendment is consistent with at least two (2) of the City's stated goals under which it is developing its comprehensive plan:

- *Promote compact, orderly, and efficient urban development by guiding future growth to planned redevelopment areas within the established portions of the city; and*
- *Balance the goals of accommodating growth and increasing average density within the city with the goals to stabilize and preserve the established character of sound, older neighborhoods.*

A Zoning Map Amendment for this site will allow Springfield to achieve higher densities closer to transportation corridors, where residents can access commercial services nearby. These services are accessible by modes of transportation that do not necessitate automobile use. Thus, approval of this request may allow Springfield to accommodate a range of housing choices that are affordable, environmentally sound, and equitable when all costs are accounted, for example:

- Infill housing and other uses allowed by LDR zoning may capitalize on existing infrastructure available to its future residents, without having to force the City and its residents to incur the short- and long-term costs of residential and infrastructure expansion (Ref. Statewide Planning Goals 11 Public Facilities and Services and 14 Urbanization);
- Not all Springfield residents can afford nor do all prefer automobile ownership; and
- Potential reductions in automobile trips and/or trip distances, compared to expanding at the periphery are likely to preserve natural areas and maintain air, land, and water quality (Ref. Statewide Planning Goals 3 through 6: Agricultural Lands; Forest Lands; Natural Resources, Scenic and Historic Areas, and Open Spaces; and Air, Water and Land Resources Quality).

Equally important, as described in the second goal, is preserving the established character of older neighborhoods. A request for a Low Density Residential zoning classification, if approved, will ultimately result in development that blends seamlessly with the existing, LDR-zoned neighborhood. Though a specific development proposal is outside the scope of this request, the intensity and character of development allowed under LDR zoning must

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comply with development standards and design regulations consistent with said zone. Therefore, projects anomalous in appearance and use are precluded from development approval by way of Springfield City Code.

2.4 Land Use Requirements

The subject parcel is designated Low Density Residential (LDR) by the Metro Plan and is zoned Public Land and Open Space (PLO) by the Springfield Development Code (SDC). The parcel is located in Southeast Springfield. Springfield is working to update its Refinement Plan (i.e., comprehensive plan). Accordingly, the site lies outside of Springfield's current Neighborhood Refinement Plan boundaries, which provide land development policies at greater specificity than the Zoning Map and Metro Plan.

Land Use/Transportation Connection
Upon approval, the proposed Zoning Map Amendment change will result in a zoning designation (LDR) that is consistent with the plan designation (LRD). Therefore, Traffic Impact Analysis (TIA) and corresponding traffic mitigation measures are not warranted and do not apply to the proposal. The Transportation Planning Rule (TPR) requires local governments to adopt an acknowledged Transportation System Plan (TSP). The TIA assesses whether the improvements in the adopted TSP will adequately serve additional traffic when a change in zoning occurs, even if existing conditions will not. If the analysis finds that adequate planned capacity in the TSP is lacking, then the City must balance the proposed land use that allows more traffic with the capacity of the transportation system. SDC 4.2-105(A)(4) outlines the measures Springfield applies when accounting for such impacts.

The Zoning Map Amendment request is consistent with the exceptions listed in Section 0060 of Oregon's TPR. These exceptions eliminate the requirement for a development proposal to conduct a TIA that would otherwise apply to the proposal, thereby streamlining the permitting process. The City may find that the Zoning Map Amendment does not significantly affect an existing or planned transportation facility if three requirements are met in Subsection 9 of TPR Section 0600. The proposed Zoning Map Amendment meets all three exceptions and corresponding requirements. The Zoning Map LDR designation is consistent with the Metro Plan LDR designation; it is consistent with the Urban Standards, Arterial Capacity Improvements, and Bikeway System projects identified in the acknowledged and adopted TSPs based on a review of the July 2002 TransPlan and the 2007 Regional Transportation Plan (RTP) (the Springfield TSP is currently in draft form); and the site is not subject to an urban growth boundary amendment at the time of this request.[1]

Land Use/Natural Features and Environmental Quality Connection
FEMA Floodplain Map 41039C1162F shows the subject parcel to be located entirely outside the 500-year floodplain.[2] The subject parcel lies outside the Drinking Water Protection Overlay District, all four (4) Time of Travel Zones, and City-designated Zones of Concentration boundaries as specified at SDC 3.3-200 and the Wellhead Protection Area Map

[1] http://www.oregon.gov/LCD/docs/rulemaking/2009-11/tpr/tpr_amendments-summary-text.pdf . Page 10.

[2] Applicable Code: Sections 3.3-400; 5.17-125(D).

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prepared by the City's Development & Public Works Technical Services Division and Springfield Utility Board (SUB).[3] The subject parcel contains no jurisdictional wetlands.

2.5 Summary of Request

As described above, this proposal is a request for a Type III, Quasi-Judicial, Zoning Map Amendment as specified at SDC 5.22-100. Findings demonstrating consistency with applicable SDC policies, approval criteria, and provisions are provided in Section 5 Approval Criteria. The attached materials and enclosed findings demonstrate compliance with all Zoning Map Amendment application submittal requirements and criteria listed at SDC Sections: 5.22-100 Zoning Map Amendments; and 5.4-100, Development Applications.

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[3] Springfield Development & Public Works Technical Services Division; Springfield Utility Board. (January 2013). *Wellhead Protection Areas: Time of Travel Zones (February 2008 Delineations) and Contaminant Source Inventory.*

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3.0 EXISTING CONDITIONS

3.1 Soils

The existing soils at the site include: Salem-Urban Land complex (57%); Oxley-Urban Land Complex (23%); and Coburg-Urban Land Complex (19%). The Coburg-Urban Land Complex covers the southwest corner of the site. Conversely, the Oxley-Urban Land Complex lies on the site's northeastern corner.

3.2 Urban Services

Lane Transit District's (LTD) bus route 11 runs less than a mile away along Main Street every half-hour, each day of the week. Also within a 1-mile distance are shopping and dining opportunities. Nearby parks and open space (within 1 mile or less) include Volunteer Park, Bluebelle Park, and Pride Park. Douglas Gardens Elementary School, Mt. Vernon Elementary School, McKenzie Montessori Institute, and Agnes Stewart Middle School are within 1 mile of the site. Maple Elementary School, Riverbend Elementary School, Thurston Middle School, and Thurston High School are less than 2.5 miles from the site.

3.3 Urban Facilities (Utilities and Infrastructure)

Future property owners will determine the precise locations of and connections to service lines and cables, extension of water and sewer service, and construction of access improvements as redevelopment occurs, commensurate with the scale of proposed development. A review of Springfield's current- and long-range planning documents, written and implemented to support existing and future development with infrastructure maintenance and improvements, includes the: *City of Springfield, OR Capital Improvement Program: A Community Reinvestment Plan* (CIP) (2013—2017 and 2014– 2018); *Wastewater Master Plan*; *City of Springfield Stormwater Facilities Master Plan* (2008); *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan* (PSFP) (2011 update), and several transportation plans. The current levels of operation of Springfield's publicly-provided infrastructure that serve the site are sufficient for the neighborhood surrounding the site and are therefore sufficient for the proposed zoning as described in detail under section 5.1 Zoning Map Amendment Criteria.

Stormwater
Stormwater facilities are present along the southern and western portions of the site. On or adjacent to the site are nine (9) stormwater basins, with the furthest basin provided just across Mt. Vernon Road. City-maintained PVC and conduit stormwater mains run along South 42nd Street and Mt. Vernon Road. South 42nd Street contains approximately 2,740 feet of stormwater mains and service lines that are 18 square feet in diameter. An 8-square foot line runs through Mt. Vernon Road for approximately 1,267 feet. The stormwater facilities on Mt. Vernon Road connect to lines that run southward under South 44th Street.

Wastewater
The City's *Wastewater Master Plan* shows an existing major ("main") wastewater system pipe approximately 590 feet away from the southernmost point of the site (Figure ES-1). The Main Street Trunk Sewer is just a half-mile away to support infill and residential redevelopment that may require service lines.

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Existing sanitary sewer mains are on-site and are immediately adjacent to the southern and western boundaries of the site. Connecting to Mt. Vernon Road, the on-site conduit facility is 70 feet in length. Along South 42nd Street adjacent to the site are two (2) connection points. One (1) point extends in a southerly direction, providing nearly 471 feet of available facilities, and the other extending northward for approximately 1,091 feet, until reaching Daisy Street. Along the entire frontage of the site, a main runs through Mt. Vernon Road for approximately 1,136 feet. This facility connects to South 42nd, 43rd, and 44th Streets.

Transportation

The roads surrounding the site are classified as Urban Local and Urban Minor Collector until Daisy Street and Jasper Road (Urban Major Collectors) serve as a connection to these roads to the north and to the south, respectively. South 42nd Street runs adjacent to the site's property line to the west in northerly and southerly directions. To the north is Booth Kelly Road, and to the south is Mt. Vernon Road. Main Street, just over a half-mile to the north, is easily accessible from these roads by vehicle. A continuous 5- to 10-foot sidewalk and bicycle lane run the entire length of South 42nd Street adjacent to the site and continue to Main Street, where a sheltered LTD bus stop is at the intersection of South 42nd Street and Main Street on the southeast corner.

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4.0 SUBMITTAL REQUIREMENTS

Described below are each of the required procedural and information requirements necessary for the submittal of a Zoning Map Amendment request. Findings of compliance with applicable policies, approval criteria, and provisions are provided in Section 5 Approval Criteria.

4.1 Zoning Map Amendment Submittal Requirements

.1 Application Fee- Refer to the Development Code Fee Schedule for the appropriate application and postage fee. A copy of the Fee Schedule is available at the Development Services Department.

The required filing fee of $5,821.90 is enclosed with the submittal.

.2 Deed - A copy of the deed to show ownership.

A copy of the Deed is included as Exhibit A.

.3 Vicinity Map – A map of the property and the surrounding vicinity which includes the existing zoning and plan designations. One copy must be reduced to 8 ½" by 11" which will be mailed as part of the required neighboring property notification packet.

The Vicinity Map for the request is provided as Exhibit B and is printed as 8.5" by 11".

.4 Findings - Before the Planning Commission can approve a Zone/Overlay District Change Request, there must be information submitted by the applicant which adequately supports the request. The Criteria the Planning Commission will consider in making their decision is listed below. If insufficient or unclear data is submitted by the applicant, there is a good change that the request will be denied or delayed. It is recommended that you hire a professional planner or land use attorney to prepare your findings.

Criteria of Approval (Quasi-Judicial)

SDC 12.030 requires that in reaching a decision on these actions, the Planning Commission or Hearings Official map approve, approve with conditions or deny a quasi-judicial Zoning Map amendment based upon approval criteria (a)-(c), below.

(a) Consistency with the Metro Plan policies and the Metro Plan Diagram;

(b) Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and

(c) The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.

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The preceding written narrative explains the request and includes information relevant to determining future action. Findings of compliance with applicable criteria and provisions are provided in Section 5.1 Approval Criteria.

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5.0 APPROVAL CRITERIA

This request involves a Zoning Map Amendment for one (1) tax lot within Springfield city limits that SPS has identified as surplus property. A request for a Zoning Map Amendment under Springfield Development Code (SDC) is subject to approval criteria beginning at SDC 5.22-115. Findings of compliance that establish the consistency of this request with the applicable approval criteria and provisions are provided below.

5.1 Zoning Map Amendment Criteria (SDC 5.22 -115)

The Applicant acknowledges the need for consistency with a variety of plans that are applicable to the City of Springfield and to the entire metropolitan area. The findings below address timing, appropriateness, and availability of services and accompany the Zoning Map Amendment Application form. As presented under SDC 5.22-115, criteria (A) and (B) are not criteria specifically listed as approval criteria; approval criteria begin at criterion (C). The request addresses criteria (A) and (B), as they are listed under the section entitled "Criteria." The findings under these criteria provide context for the specific approval criteria addressed under subsection (C).

A. Quasi-Judicial Zoning Map Amendments. The Planning Commission or Hearings Official may approve, approve with conditions or deny a Quasi-Judicial Zoning Map amendment based upon approval criteria C.1. through 3., below. The Planning Commission or Hearings Official shall make the final local decision on all Quasi-Judicial Zoning Map Amendments that do not include a Metro Plan diagram amendment.

Quasi-Judicial Zoning Map Amendments involve the application of existing policy to a specific factual setting, generally affecting a single or limited group of properties and may or may not include a Metro Plan diagram amendment. This request satisfies the description of a Quasi-Judicial process for Zoning Map Amendments, as the subject site is not proposed for subdivision and has Springfield Public Schools as its sole owner. The following narrative acknowledges all four (4) approval criteria but is only responsible for demonstrating findings consistent with criteria C.1 though C.3 (below) in its request for a Zoning Map Amendment from PLO to LDR. A Metro Plan diagram amendment determination is not submitted nor is it required; the existing *Metro Plan* designation is LDR.

B. Legislative Zoning Map Amendments and Quasi-judicial Zoning Map Amendments Raised to a Type IV Review. The Planning Commission or Hearings Official may make a recommendation to the City Council to approve, approve with conditions or deny Zoning Map Amendments and Metro Plan diagram amendments based upon approval criteria in Subsection C. 1. through 4., below. The City Council shall make the final local decision on all Zoning Map Amendments involving a Metro Plan diagram amendment.

A Metro Plan diagram amendment determination is not required, as the existing designation is LDR. Findings under criterion C.1 (criterion (C), subsection 1) discuss the compatibility of the parcel's existing LDR Metro Plan designation and the proposed Zoning Map Amendment change to LDR. Elevation to a Type IV review procedure is therefore unwarranted.

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C. Zoning Map Amendment Criteria of Approval:

1. Consistency with applicable Metro Plan policies and the Metro Plan diagram;

The Metro Plan Diagram is:

> *"... an arrangement of [goals, objectives, and recommendations found elsewhere in the Metro Plan, and of] existing, and to an even greater degree, projected land uses..." (Page 11-G-1).*
>
> *Further:*
>
> *"Used with the text [of the Metro Plan] and local plans and policies, they provide direction for decisions pertaining to appropriate reuse (redevelopment), urbanization of vacant parcels, and additional use of underdeveloped parcels..." (Pages 11-G-2 and 11-G-3, Residential Category).*

An inconsistency exists between the *Eugene-Springfield Metropolitan Area General Plan* (Metro Plan) and Springfield's zoning of the subject parcel. The Metro Plan Diagram (Policy Framework G) shows the underlying Metro Plan designation for all subject parcels as Low Density Residential (LDR). This inconsistency between Plan and Zone designations does not infer incompatibility, as Springfield's Zoning Map classifies the parcel as Public Land and Open Space (PLO). Uses allowed by PLO are considered "compatible" with LDR Plan designations only if they can demonstrate compliance with refinement plans, zoning ordinances, and other local controls for allowed uses in residential neighborhoods.[4] Taken literally, "compatible" does not mean "consistent."

> *Policy A.2: Residentially designated land within the UGB should be zoned consistent with the Metro Plan and applicable plans and policies; however, existing agricultural zoning may be continued within the area between the city limits and the UGB until rezoned for urban uses.*

Policy A.2, consistent with Oregon Statewide Planning Goals as required by State law, makes apparent that the Metro Plan is the overriding document when an inconsistency exists between a city's parcel-specific Zoning Map and the Metro Plan (in most instances).[5] The proposed Zoning Map Amendment requests rezoning of the subject parcels from PLO to LDR, consistent with a Metro Plan designation of LDR. Thus, this policy element of the Metro Plan is satisfied.

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[4] *Eugene-Springfield Metropolitan Area General Plan*, 2004 Update. Pages II-G-3 and III-C-1.

[5] OAR 660-015-0000(2). http://www.oregon.gov/LCD/docs/goals/goal2.pdf . Oregon Statewide Planning Goal 2: Land Use Planning.

Growth Management Influences the Provision of Publicly Provided Infrastructure
In recognition of Oregon Statewide Planning Goal 14,[6] the Plan's Metropolitan Goal: Growth Management, sets forth the provision to use urban, urbanizable, and rural land in an efficient manner. The Metro Plan also stipulates that future development "...encourage orderly and efficient conversion of land from rural to urban uses in response to urban needs, taking into account metropolitan and statewide goals."[7] In so doing, the Metro Plan confirms this proposal's consistency with said provisions; the proposed site location satisfies the following finding on page I-8 and the following statement on page II-C-1 of the Plan, as it is within Springfield's UGB:

> *Finding: Orderly metropolitan growth cannot be accomplished without coordination of public investments. Such coordination can be enhanced through use of the 'Public Facilities and Services Plan' and scheduling of priorities.*
>
> *Statement: To effectively control the potential for urban sprawl and scattered urbanization, compact growth and the urban growth boundary (UGB) are, and will remain, the primary growth management techniques for directing geographic patterns of urbanization in the community. In general, this means the filling in of vacant and underutilized lands, as well as redevelopment inside the UGB.*

The proposed site is already developed but is best-suited for redevelopment given the school's deteriorating conditions. Demolition and redevelopment on the same parcel satisfies not only the requirement for preventing haphazard expansion of the UGB but also demonstrates that development on this area will be a logical, efficient extension of urban services that already serve the site. This proposal therefore acknowledges Metro Plan *Finding 2*, items (a), (b) and (d):

> *Finding 2: Beneficial results of compact urban growth include:*
>
> a. *Use of most vacant leftover parcels where utilities assessed to abutting property owners are already in place.*
> b. *Protection of productive forest lands, agricultural lands, and open space from premature urban development.*
> d. *Decreased acreage of leapfrogged vacant land, thus resulting in more efficient and less costly provision and use of utilities, roads, and public services such as fire protection.*

Adequate public facilities and services are available to the site by way of its location, as the site is within Springfield city limits and is therefore within Springfield's UGB. Land within city limits is urbanizable by definition in the Statewide Planning Goals that embody the Oregon Administrative Rules. Goal 14 explains: "Land within [UGBs] shall be considered available for urban development consistent with plans for the provision of urban facilities

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[6] Implementing legislation: OAR 660-015-0000(14).

[7] LCOG. (2004). *Eugene-Springfield Metropolitan Area General Plan.* Page II-C-1.

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and services. Comprehensive plans [e.g., the Metro Plan and the *Springfield 2030 Refinement Plan*] and implementing measures shall manage the use and division of urbanizable land to maintain its potential for planned urban development until appropriate public facilities and services are available or planned."

Pages II-C-1 through II-C-8 of the Metro Plan set out the Growth Management goals, findings, and policies. Of the remaining policies, two (2) (presented below in *italics*) are relevant to the request:

> *Policy C.1: The UGB and sequential development shall continue to be implemented as an essential means to achieve compact urban growth. The provision of all urban services shall be concentrated inside the UGB.*
>
> *Policy C.17 (Page II-C-6): Eugene and Springfield and their respective utility branches, Eugene Water & Electric Board (EWEB) and Springfield Utility Board (SUB), shall be the water and electrical service providers within the UGB (similar to Policy G.9 of Page III-G-5).*

The proposed site is within Springfield city limits, and accordingly, Springfield's UGB. As previously noted, it is thus within an area that is planned for expansion and redevelopment, as the UGB defines the extent of urban building and service expansion over the planning period. Future development, if desired by future owners, will require minimal extension of services. SUB provides utility and water service within Springfield city limits. Lastly, *Policy C.1* (above) provides reason for the findings addressing this policy to connect well with the policies set forth in the Public Facilities and Services Element that are relevant to the request.

Pages III-G-1 through III-G-15 of the Metro Plan set forth the Plan's Public Facilities and Services Element. As stated on page III-G-1, "the policies in this element complement Metro Plan Chapter II-A, Fundamental Principles, and Chapter II-C, Growth Management." This request addresses Chapter II-C when explaining that all required development features will remain in the UGB in order to allow Springfield and the entire metropolitan area to develop a "timely, orderly, and efficient arrangement of public facilities and services..."[8] The following policies that do not specifically address governmental action are potentially relevant to the subject request. These two (2) policies in the Public Facilities and Services Element serve similar purposes and address the holistic intent of the Metro Plan:

> *Policy G.1: Extend the minimum level and full range of key urban facilities and services in an orderly and efficient manner consistent with the growth management policies in Chapter II-C, relevant policies in this chapter, and other Metro Plan policies.*
>
> *Policy G.2: Use the planned facilities maps of the Public Facilities and Services Plan to guide the general location of water, wastewater, stormwater, and electrical projects in the metropolitan area. Use local facility master plans, refinement plans, and ordinances as the guide for detailed planning and project implementation.*

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[8] Oregon Statewide Planning Goal 11: Public Facilities and Services. (ORS, 197.298)

The following plans guide the provision of urban services to the project area. They address *Policies G.1 and G.2* and are the basis for the Zoning Map Amendment request and any future improvements that are proposed by subsequent property owners:

- City of Springfield. *The City of Springfield, Oregon Capital Improvement Program: A Community Reinvestment Plan* (2013—2017);
- City of Springfield. *The City of Springfield, Oregon Capital Improvement Program: A Community Reinvestment Plan* (2014—2018);
- City of Springfield. *Stormwater Facilities Master Plan* (October 2008);
- Lane Council of Governments (LCOG). *TransPlan* (2002);
- Draft *Springfield TSP* (2013 update); and the:
- *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan* (2011 update).

This request conforms to all Metro Plan Factors that the Urban Growth Boundary section in the Metro Plan's Policy Framework G: Metro Plan Diagram specifies by way of compliance with the above stated Metro Plan policies (Pages II-G-12 through II-G-14). The Metro Plan Factors and corresponding "results," as stated on Page II-G-12, explain the intent of the UGB and the effects of this intent. Because the Factors and results of this section address development within the *entire* UGB (emphasis added), this request's conformance to the following Factors, and, accordingly, to these relevant Policies in sections III-C and III-G, is achieved by its location fully within the UGB.

- *Factor G.1: "Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;"*
- *Factor G.2: "Need for housing, employment opportunities, and livability;"*
- *Factor G.3: "Orderly and economic provision for public facilities and services;"*
- *Factor G.5: "Environmental, energy, economic, and social consequences;"* and
- *Factor G.6: "Retention of agricultural land..."*

Pages II-E-1 through II-E-2 establish for the need to allow for orderly Urban and Urbanizable Land. Page 11-E-1 provides steps so that such development may occur:

> *"The actual annexation and rezoning of the land (with accompanying public hearing processes, including Lane County Local Government Boundary Commission approval)."*
>
> *"Extension of public capital improvements (in accordance with programming and funding availability)."*

This request presents an opportunity for a change in zoning such that redevelopment will not result in leapfrogging land use patterns to areas with little to no potential for urban growth to expand to the site. Its appropriateness for infill development will maximize the efficiency of existing services, as it is within city limits and is near sites and major transportation corridors that already support the needs of the greater area, those of which required a substantial investment to provide adequate infrastructure to those uses (e.g., South 42nd Street). Moreover, existing and future single family housing in close proximity to the site may share the benefits of future development should development on the parcel require utility improvements or new connections to public infrastructure in the future, as low density residential land use designations lie adjacent to the entire site.

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Further measures to ensure the adequate provision of public services to the site will result from specific development proposals from future property owners. As previously noted, SPS intends to facilitate development of this surplus property though rezoning and disposing it to interested parties thereafter, at which point future owners will develop specific proposals for the site. Determining precise locations of future connection points to existing infrastructure and any additional infrastructure required to support a use allowed under LDR zoning are outside the scope of this request. It is expected that a site assessment of existing conditions (e.g., a public utility survey) that evaluates sanitary water, power, and storm sewer, sanitary sewer, and streets and traffic safety as required by other land use approvals (e.g., Site Plan Review) and as required by the building permit and inspection process will occur to inform an existing improvement and public utilities plan and/or a grading, paving, and utilities plan at the time development is proposed or as otherwise necessary.

In addition to the findings incorporated throughout the Zoning Map Amendment approval criteria, several urban services are also an indication that adequate facilities are available to the site. Lane Transit District's (LTD) bus route 11 runs along Main Street less than a mile away and approximately every half-hour during each day of the week. Nearby parks, open space, and schools (within 1 mile or less) include: Volunteer Park, Bluebelle Park, and Pride Park. Douglas Gardens Elementary School, Mt. Vernon Elementary School, McKenzie Montessori Institute, and Agnes Stewart Middle School are within 1 mile of the site. Maple Elementary School, Riverbend Elementary School, Thurston Middle School, and Thurston High School are less than 2.5 miles from the site.

Regarding emergency services, an Intergovernmental Agreement between Eugene and Springfield ensures the provision of fire and emergency medical services to the site. Police services continue to serve the site and surrounding area through the City of Springfield.

Growth Management and Land Supply Influence Urbanization
Urbanization accounts for more than acreage when determining how a local jurisdiction can provide adequate public facilities in a timely and cost-effective manner. Demographic trends, such as population projections, together with an accurate assessment of buildable acres in accordance with Springfield's land use policy also informs the extent of urbanization and the land use pattern that exists within its UGB.

> *Policy A.3: Provide an adequate supply of buildable residential land within the UGB for the 20-year planning period at the time of Periodic Review (Metro Plan, III-A-5).*

> *Policy A.4: Use Annexation, provision of adequate public facilities and services, rezoning, redevelopment and infill to meet the 20-year projected housing demand.*

Though directed at local governments, adequate public facilities and services are available to support this proposal according to the above stated policies. This request for residential zoning initiates rezoning of the subject site where redevelopment and infill will occur, commensurate with a portion of the housing required to meet the projected housing demand for the 20-year planning period.

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Lane County adopted coordinated population forecasts for the County and its incorporated cities in June 2009. The forecasts include figures for Springfield for 2010 and 2030.[9] In June 2011, the City of Springfield adopted an ordinance amending the 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.[10] The ordinance included the *Springfield Residential Land and Housing Needs Analysis* (RLHNA), adopted as a technical supplement to the Refinement Plan, which is an "analysis of land supply and housing demand prepared for the City of Springfield by ECONorthwest (ECO) 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."

ECO's RLHNA shows the coordinated population forecast for the Springfield city limit and the UGB for 2010 to 2030. The forecast for the population within the Springfield city limits is 74,814 persons for 2030—an increase of 15,923 persons over the 20-year planning period. The UGB forecast for 2030 is 81,608 persons—an increase of 14,577 persons during the same period.[11] The City of Springfield's *2030 Refinement Plan* and array of public facilities plans account for these studies by ECO; future services show support for accommodating future housing.[12]

According to the RLHNA, Springfield has a 378-acre surplus of Low Density Residential land, a 76-acre surplus of Medium Density Residential land, a 28-acre deficit of High Density Residential Land, and a 300-acre deficit of Parks and Open Space Land.[13] In regard to the Parks and Open Space deficit, the technical analysis states:

> *"The Parks and Open designation has a deficit of 300 acres. This need does not imply that the City should expand the UGB for parks and open space. The City has a surplus of buildable lands in the low and medium density residential plan designations that can provide land for future parks within those designations...* ***A portion of the parks and open space need can also be met on residentially designated land that has constraints and therefore is not counted as buildable acres*** *(e.g., ridgeline trail systems). Since no surplus of land designated for high density residential uses exists, the 21-acre high density residential plan designation deficit has been increased by (7)*

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[9] ECONorthwest. (2009). *Draft Springfield Residential Land and Housing Needs Analysis.* Map 3-3: Residential Land by Classification, City of Springfield, Oregon.

[10] City of Springfield. Ordinance 6268. June 11, 2011.

[11] *Ibid.* Table 5.1: Springfield Coordinated Population Forecast, Springfield UGB, 2010 to 2030. This table references the *Lane County Rural Comprehensive Plan,* 1984 (Amended in 2009), Table 1-1. Page 5.

[12] (a) City of Springfield. *The City of Springfield, Oregon Capital Improvement Program: A Community Reinvestment Plan; 2013-2017.*
(b) City of Springfield. (October 2008) *Stormwater Facilities Master Plan.*
(c) These studies are consistent with the Metro Plan's Policy Framework G: Metro Plan Diagram (page II-G-1) and with Policies A.35 and A.37 (Metro Plan, page III-A-13).

[13] ECONorthwest. (2011). *Springfield Residential Land and Housing Needs Analysis.* Table S-5 Reconciliation of land need and supply, Springfield UGB 2010.

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> *acres to provide for parkland immediately adjacent to the proposed high density residential district"*[14] (emphasis added).

As discussed above, the technical analysis identifies a deficit of land in the Parks and Open Space designation and includes an estimate of future land needs. The projected deficit of 357 acres in the RLHNA falls within the estimated surplus of buildable land remaining in the UGB for residential use in Springfield by 2030. To support both residential needs and needs for open space, Statewide Planning Goal 8 allows cities and park districts to acquire land for park uses outside of urban growth boundaries. Consistent with Statewide Planning Goal 8 is the following Metro Plan Finding, which supports the Metro Plan's goals for urbanization and efficient land development patterns:

> *While development and in-filling have decreased the amount of open space (and associated vegetation and wildlife habitat) within the urban service area, the compact urban growth form has protected open space on the urban fringe and in rural areas within the Plan Boundary (Finding 15, Goal 5 Open Space, Environmental Resources Element).*

The aforementioned plans and studies are periodic in nature and are thus in accordance with the following Oregon Administrative Rules when recognizing updates to plans and studies in order to address community needs as they change:

- OAR 660-024-0030: Population Forecasts (Stat. Auth.: ORS 197.040);
- OAR 660-024-0040: Land Need (Stat. Auth.: ORS 197.040); and
- OAR 660-025-0070: Need for Periodic Review (Stat. Auth.: ORS 197.040 & 197.633).

Willamalane Park and Recreation District (WPRD) manages many of Springfield's parks and open space areas. It maintains and operates 5 recreation facilities and 38 parks and open spaces that make up almost 1,000 acres. WPRD also offers hundreds of recreation programs to more than 60,000 patrons. WPRD is a special tax district, separate from the city of Springfield, with its own boundaries. Its service district boundary and planning area extend outside the Springfield UGB in some areas. However, the majority of future parkland is expected to come from areas within the UGB that are residentially designated land (not already PLO-zoned and used for educational purposes), a portion of which is land that has constraints and *therefore is not counted as buildable acres* (emphasis added).

Urbanization Influences Land Use and Transportation

The manner in which the Metro Plan is written allows the intent of policies in one chapter to help achieve goals and comply with policies in other chapters. Some policies, rather than being exclusive to their respective sections in the Metro Plan, are better read and analyzed in the context of how well they fit with policies in its other chapters. The expected outcomes of this proposal achieve an overall vision, that of which the Metro Plan disaggregates into separate topics including, but not limited to, land use and transportation. Thus, the findings below may be held against a set of Residential Land Use and Housing policies and Transportation policies that serve a similar purpose.

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[14] *Ibid.* Page v.

Pages III-A-1 through III-A-13 of the Metro Plan establish the Residential Land Use and Housing Element goals, findings, and policies. Of the remaining policies, two (2) (presented below in *italics*) are relevant to the subject request. Of the policies set forth in the Metro Plan's Transportation Element (Pages III-F-1 through III-F-14), one (1), presented below in *italics*, is relevant to the subject request. Taken together, these policies state:

> *Policy A.10: Promote higher residential density inside the UGB that utilizes existing infrastructure, improves the efficiency of public services and facilities, and conserves rural resource lands outside the UGB.*
>
> *Policy A.13: Increase overall residential density in the metropolitan area by creating more opportunities for effectively designed in-fill, redevelopment, and mixed use while considering impacts of increased residential density on historic, existing and future neighborhoods.*
>
> *Policy F.26: Provide for a pedestrian environment that is well integrated with adjacent land uses and is designed to enhance the safety, comfort, and convenience of walking.*

By proposing to accommodate a portion of Springfield's growing population on a developable infill site, this project simultaneously brings Springfield closer to achieving its housing, urbanization, transportation, and environmental objectives. The resulting land use pattern, also providing a transit-supportive land use pattern, will uphold the Metro Plan Diagram and text such that it will not "leapfrog" but instead result in a higher gross residential density that represents a logical network of urban services. This request exemplifies compact and efficient residential growth in appropriate locations to maximize the use of existing public facilities and services; to preserve outlying rural, agricultural, and natural resource land, and to protect air and water quality.[15] In addition, nearby dining venues, commercial and retail centers, and transit facilities are within walking distance of the site and serve residents' daily needs to support the local economy.[16]

Potential future development as a result of a Zoning Map Amendment is fitting for the area when also considering the level of activity and the scale of development as means to address intensity. Future development shall be well-integrated with the area, as future development will be subject to SDC Base Zone Development Standards within the LDR Zone. An LDR zone (as proposed) and LDR designation (existing) blend seamlessly with the surrounding properties. The proposed Zoning Map Amendment and future development will allow the neighborhood surrounding the site to preserve its character with the SDC provisions that inform the site development standards and building design. In contrast to other zones, LDR is not intended to generate the type of traffic and noise expected by industrially- or commercially- zoned parcels. Therefore, an approved Zoning Map Amendment will facilitate an appropriate transition of physical scale and use (intensity).

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[15] Lane Council of Governments (LCOG). (2004). *Eugene-Springfield Metropolitan Area General Plan.* Page III-A-7.

[16] *Ibid.* Pages III-F-2 and F-3, and Policy F.3.

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Land Use and Transportation Influence the Natural Environment
Pages III-C-1 through III-C-16 set out the policies pertaining to the Plan's Environmental Resources Element. Many of these policies are directed to local governments rather than to individual property owners or to the use of individual properties. The Plan's Riparian Corridors, Wetlands, and Wildlife Habitat ([Statewide Planning] Goal 5) section and Air, Water, and Land Resources Quality ([Statewide Planning] Goal 6) section apply to this proposal. Of the potentially relevant policies to the subject request within the Air, Water, and Land Resources Quality section, one (1) addresses considerations that the Applicant (and, accordingly, this proposal) undertook throughout the application process:

> *Policy G.15: Consider wellhead protection areas and surface water supplies when planning stormwater facilities.*
>
> *Policy G.16: Manage or enhance waterways and open stormwater systems to reduce water quality impacts from runoff and to improve stormwater conveyance.*

Noting the area's location outside of water and drainage protection areas, several factors demonstrate that potential future development facilitated by this Zoning Map Amendment request will protect vegetation, natural water features, and drainage systems to the maximum extent practicable: (1) the subject site is not located in a groundwater management area; and, (2) the subject site lies outside of the Drinking Water Protection Overlay District according to the Wellhead Protection Area Map prepared by the City and SUB.[17] Future development will be required to conform with SDC 4.4-105 and Specific Development Standards as specified in SDC 4.7-200, 4.7-203, and SDC 4.7-205; to manage stormwater and drainage in order to relieve demand on the City's piped drainage system; to alleviate future costs of treating the piped discharge; to promote water quality; to preserve groundwater and the vegetation and rivers it supports; and, to reduce peak storm flows.

This criterion is satisfied to the maximum extent practicable.

2. Consistency with applicable Refinement Plans, Plan District maps, Conceptual Development Plans and functional plans; and

Refinement Plans and Plan Districts
The site is not within an area subject to an adopted refinement plan. This element of this criterion does not apply. However, the site lies just south of the *East Main Refinement Plan*, whereby these refinement plan requirements extend to Booth Kelly Road. The compatibility of this request with the *East Main Refinement Plan* boundary, immediately adjacent to the site, is demonstrated by way of existing and proposed land designations. Consistent with this request for a Zoning Map Amendment from PLO to LDR, the southern portion of the *East Main Refinement Plan* is designated as LDR. The extent of the LDR designation runs at a substantial width for 750 to 1,000 feet north from the site, on average. The site also lies

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[17] Springfield Public Works Department, Technical Services Division. (September 2011). *Wellhead Protection Areas: Time of Travel Zones (February 2008 Delineations) and Contaminant Source Inventory.* Applicable Code: Section SDC 3.3-200.

outside the Glenwood Riverfront District and Booth-Kelly Mixed Use Plan District boundaries. These two Plan Districts are the only established Districts per SDC 3.4-100 Plan Districts.

Conceptual Development Plans and Functional Plans
Notwithstanding the above-stated requirements, conceptual development plans and functional plans reveal the appropriateness of an LDR-zoned parcel. The set of *adopted* (emphasis added) plans applicable to the site are the:

- *Eugene-Springfield Metropolitan Area Public Facilities Services Plan* (PSFP);
- Central Lane Metropolitan Planning Organization *Regional Transportation Plan* (RTP) (2007);
- Lane Council of Governments *Eugene-Springfield Transportation System Plan* (TransPlan) (2002); and the
- City of Springfield *2014-2018 Capital Improvement Program: A Community Reinvestment Plan.*

These plans are fundamental to the findings under the second criterion of approval, below. While considered refinement plans, they are also intended as system facilities plans that guide local and regional development in the Eugene-Springfield Metropolitan Area. Thus, the findings addressing the second criterion of approval are incorporated by reference herein as demonstration that: (1) this sub-criterion under the first criterion of approval is met; and (2) as partial demonstration that this first criterion of approval in its entirety is met.

The above findings together with the narrative and documentation submitted herewith demonstrate that this criterion has been met to the greatest extent possible.

3. **The property is presently provided with adequate public facilities, services and transportation networks to support the use, or these facilities, services and transportation networks are planned to be provided concurrently with the development of the property.**

Acknowledgement of pages III-G-1 through III-G-15 of the Metro Plan and page III-G-1, whereby: "The policies in this element complement Metro Plan Chapter II-A, Fundamental Principles, and Chapter II-C, Growth Management," demonstrates that all required development features will remain in the UGB in order to allow Springfield and the entire metropolitan area to develop a "timely, orderly, and efficient arrangement of public facilities and services..."[18]

As demonstrated herein in the above findings under the first criterion of approval, the proposed site is within Springfield city limits, and accordingly, Springfield's UGB. It is thus within an area that is planned for expansion and redevelopment, as the UGB defines the extent of urban building and service expansion over the planning period. Page eight (8) of the PSFP, a refinement plan that is a supporting element of and is internally consistent with

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[18] Oregon Statewide Planning Goal 11: Public Facilities and Services. (ORS 197.298.)

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the Metro Plan by identifying significant[19] facility projects that satisfy the policies established in the Metro Plan, states: "Consistent with the principle of compact urban growth prescribed in Chapter II, the policies in this element call for future urban water and wastewater services to be provided exclusively within the urban growth boundary. This policy direction is consistent with Statewide Planning Goal 11." Regulating new development on urban lands, the PSFP requires that it must be served by the minimum level of key urban services at the time development is completed. This requirement is thus consistent with Metro Plan Chapter II-A: Fundamental Principles and Chapter II-B Growth Management.

This request complements the Metro Plan's and Springfield's effort to coordinate their long-range planning approaches for the provision of needed facilities and services in the metropolitan area.[20] The Applicant maintains a focus on consistency with other plans, policies, and reports such as the PSFP, the Oregon Statewide Planning Goals,[21] and plans which specifically identify the area within which this development is proposed. Statewide Planning Goals 2, 11, 12, and 14 further address this criterion, and especially pertinent is Goal 14 when considering the provision of public facilities and services (Goal 11).

The Metro Plan's General Finding (1) on Page I-8 states:

> *"Orderly metropolitan growth cannot be accomplished without coordination of public investments. Such coordination can be enhanced through use of the 'Public Facilities and Services Plan' and scheduling of priorities."*

In recognition of Oregon Statewide Planning Goal 14,[22] the Metro Plan's Metropolitan Goal: Growth Management, sets forth the provision to use urban, urbanizable, and rural land in an efficient manner. The Metro Plan also stipulates that future development "...encourage orderly and efficient conversion of land from rural to urban uses in response to urban needs, taking into account metropolitan and statewide goals."[23] In so doing, the Metro Plan confirms this proposal's consistency with said provisions; the site's proposed location satisfies the following statement on Page II-C-1 of the Plan, as it is within Springfield's UGB:

> *"To effectively control the potential for urban sprawl and scattered urbanization, compact growth and the urban growth boundary (UGB) are, and will remain, the primary growth management techniques for directing geographic patterns of urbanization in the community. In general, this means the filling in of vacant and underutilized lands, as well as redevelopment inside the UGB."*

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[19] The PSFP does not identify transportation projects, which are covered in the TransPlan but instead identifies stormwater and wastewater projects, among others. The PSFP appropriately defines only those projects identified as "significant" on the basis of definitions set forth in the PSFP.

[20] Lane Council of Governments (LCOG). (2004). *Eugene-Springfield Metropolitan Area General Plan.* Page I-2, planning framework item (2). Page II-A-1, Fundamental Principle (2).

[21] *Ibid.* Page I-6. Goal 2: Land Use Planning, and Goal 14: Urbanization especially apply.

[22] Implementing legislation: OAR 660-015-0000(14).

[23] Lane Council of Governments (LCOG). (2004). *Eugene-Springfield Metropolitan Area General Plan.* Page II-C-1.

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Additionally, this proposal is consistent with the Plan's Factor G.5: Environmental, energy, economic, and social consequences[24] (see Page II-G-13 of the Metro Plan) and *Finding C.4*:

> *Finding C.4: "Periodic evaluation of land use needs compared to land supply provides a basis for orderly and non-excessive conversion of rural land to urbanizable land and provides a basis for public action to adjust the supply upward in response to the rate of consumption" (Metro Plan, Page II-C-2).*

While this proposal seeks to facilitate the redevelopment of an infill site rather than increase the supply of Springfield's buildable acres by developing outside the UGB or Springfield city limits, it addresses this Finding such that it helps *prevent* (emphasis added) outward expansion— the consumption and excessive conversion of rural land is unwarranted as found in the RLHNA.[25] This request is consistent with the RLHNA's finding that additional housing may already be accommodated within Springfield's existing UGB. Furthermore, the classification of the proposed site is vacant and undeveloped, which satisfies not only the requirement for preventing haphazard expansion of the UGB but also demonstrates that the compact development in this area will be a logical, efficient provision of urban services that currently exist within the city limits that are adjacent to this site.[26]

The potential connection points for future development to take advantage of, given the existing LDR uses surrounding the site, nearby commercial uses, and potential to integrate with the existing transportation network therefore satisfy the Metro Plan's Finding 2, items (a), (b) and (d):

> *Beneficial results of compact urban growth include:*
>
> *a. Use of most vacant leftover parcels where utilities assessed to abutting property owners are already in place.*
> *b. Protection of productive forest lands, agricultural lands, and open space from premature urban development.*
> *d. Decreased acreage of leapfrogged vacant land, thus resulting in more efficient and less costly provision and use of utilities, roads, and public services such as fire protection.*

The area encompassing the site is currently developed and is served by existing urban facilities and services. The minimum level of key urban facilities and services (interpreted as key urban services) are defined in the Metro Plan as including wastewater service, stormwater service, transportation, solid waste management, water service, fire and

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[24] Under Factor G.5, Page II-G-13 of the Metro Plan states: "The Metro Plan Diagram represents a balancing of all environmental, energy, economic, and social impacts, as addressed by LCDC goals and the Metro Plan text. For example, decidedly lower residential densities and a much larger land supply may result in lower land costs, but energy savings may very well be sacrificed through need for longer transportation routes and accompanying fuel consumption."

[25] *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan.* Finding 31. Page 19.

[26] Lane Council of Governments (LCOG). (2004). *Eugene-Springfield Metropolitan Area General Plan.* Finding 9, Page III-F-4, Transportation Element.

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emergency medical services, police protection, city-wide parks and recreation programs, electric service, land use controls, communication facilities, and public schools on a district-wide basis.[27] Sanitary sewer, stormwater, water utilities, and transportation facilities are available and can be extended in an orderly and efficient manner within a reasonable timeframe as needed, consistent with this criterion and consistent with the following findings of the PSFP:

> *Finding 1, Page 10: Urban expansion within the urban growth boundary is accomplished through infill, redevelopment, and annexation of territory that can be served with a minimum level of key urban services. This permits new development to use existing facilities and services, or those which can be easily extended, minimizing the public cost of extending urban facilities.*
>
> *Finding 5, Page 10: All urbanizable areas within the Eugene-Springfield urban growth boundary can be served with water, wastewater, stormwater, and electric service at the time those areas are developed.*

Transportation

Regarding transportation, the roads surrounding the site are classified as Urban Local and Urban Minor Collector until Daisy Street and Jasper Road (Urban Major Collectors) serve as a connection to these roads to the north and to the south, respectively. South 42nd Street runs adjacent to the site's property line to the west in northerly and southerly directions. To the north is Booth Kelly Road, and to the south is Mt. Vernon Road. Main Street, just over a half-mile to the north, is easily accessible from these roads by vehicle. Consistent with the project recommendations of the RTP, a continuous 5- to 10-foot sidewalk and bicycle lane run the entire length of South 42nd Street adjacent to the site and continue to Main Street, where a sheltered LTD bus stop is at the intersection of South 42nd Street and Main Street on the southeast corner.

The existing transportation facilities for automobiles are sufficient to handle the proposed re-zoning and subsequent development. The proposed rezoning requested by the Applicant, and uses allowed under LDR zoning, can be constructed while maintaining acceptable levels of service and safety on the surrounding transportation system. The RTP, TransPlan, Springfield TSP Existing Conditions and Deficiencies Report, and Springfield TSP (proposed) identify this site as not requiring roadway improvements to address capacity, operations, or surfacing concerns. The RTP identifies South 42nd Street at Daisy Street as potentially requiring "roadway system improvements," which the 2014—2018 CIP further explains as a low-priority project not yet requiring inclusion on a funding list.

Roadway Conditions: Surfacing

Figure 6 of the proposed Springfield TSP illustrates the results of the City's 2010 *Street Conditions Report*. Per the 2010 report, there are 31 arterial and collector street segments that are noted as having the highest priority for improved conditions with pavement overlays. This area is not considered a "high priority area;" thus there are little to no concerns with road surfaces around the site.

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[27] Lane Council of Governments (LCOG). (2004). *Eugene-Springfield Metropolitan Area General Plan*. Glossary, Page V-3.

Operations: Capacity and Safety
The proposed Springfield TSP required research to inform its recommendations. This research is presented in its Existing Conditions and Deficiencies Report. The report provides findings that explain a review of traffic volumes throughout Springfield to understand how traffic flows vary on weekday afternoons while school was in session. It found that schools may cause peak traffic volumes, especially at the end of the school day. Review of hourly traffic volume patterns at several locations throughout the city confirmed a higher level of activity during this time period. Because an educational use is currently on the site, any future uses permitted on an LDR zone will be less intense or will be proportional to the existing use.

The Oregon Highway Plan (OHP) considers capacity in addition to safety. The OHP requires a level of service (LOS) "D" for the intersection at South 42nd Street and Daisy Street, the closest intersection to this site that was within the scope of this study. The Existing Conditions and Deficiencies Report notes that per the TransPlan, the City and County view intersections as operating with acceptable standards if they maintain a LOS "D" or better. This intersection is controlled by stop signs. Although the intersection operates at a LOS "E," the movement operates well-below capacity so a traffic signal is not warranted. CH2M HILL's, Kittleson & Associates, and Alta Planning & Design's field observations did not reveal any queuing issues to suggest a need for immediate mitigation measures. The report also noted that there were no reported crashes from the year 2005 through the year 2009.

Therefore, the impacts to Springfield's transportation system and public facilities resulting from the proposed Zoning Map Amendment will not facilitate land use or levels of redevelopment that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility (OAR 660-012-0060(1)(c)(A)).

There are no building, stormwater, or wastewater concerns near the site that qualify for inclusion on the City's CIP project list with dedicated funding nor are there any identified on the partially funded project list, consistent with the 2002 TransPlan. This finding demonstrates that the vicinity surrounding the site requires minimal to no improvements to accommodate the proposed LDR zone.

Stormwater
Stormwater facilities are present along the southern and western portions of the site. On or adjacent to the site are nine (9) stormwater basins, with the furthest basin provided just across Mt. Vernon Road.

City-maintained PVC and conduit stormwater mains run along South 42nd Street and Mt. Vernon Road. South 42nd Street contains approximately 2,740 feet of stormwater mains and service lines that are 18 square feet in diameter. An 8-square foot line runs through Mt. Vernon Road for approximately 1,267 feet. The stormwater facilities on Mt. Vernon Road connect to lines that run southward under South 44th Street.

The City of Springfield Stormwater Facilities Master Plan identified the area surrounding the site (Area 9) as having potential drainage leaks when flooded (Figure 3-11). Springfield City staff determined this Area a higher-priority CIP area based on 2008 recommendations (Figure 5-1: Capital Improvement Priority Locations).

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However, the 18 locations identified as higher-priority were selected as such due to previously observed flooding and/or that significant development upstream was anticipated. These locations were again sorted based on discussions regarding future development. The result of this discussion led to a determination that the capacity existing in the area was adequate to support future development of low-intensity uses, such as those allowed under LDR (Page 5-4). Accordingly, the 2013—2017 and 2014—2018 CIPs identify no additional needs for system capacity improvements.

Wastewater
The 2013—2017 and 2014—2018 CIPs similarly identify no needs for wastewater facility improvements. The City's *Wastewater Master Plan* (Plan) shows an existing major ("main") wastewater system pipe approximately 590 feet away from the southernmost point of the site (Figure ES-1). The Main Street Trunk Sewer is just a half-mile away to support infill and residential development that may require service lines. Notwithstanding possible needs for facility expansion, the Plan shows upgrades to the existing system along South 41st Street from manhole 10034589 to manhole 10034519, approximately 714 feet of its distance at the time of the Plan's adoption.

Existing sanitary sewer mains are on-site and are immediately adjacent to the southern and western boundaries of the site. Connecting to Mt. Vernon Road, the on-site conduit facility is 70 feet in length. Along South 42nd Street adjacent to the site are two (2) connection points. One (1) point extends in a southerly direction, providing nearly 471 feet of available facilities, and the other extending northward for approximately 1,091 feet, until reaching Daisy Street. Along the entire frontage of the site, a main runs through Mt. Vernon Road for approximately 1,136 feet. This facility connects to South 42nd, 43rd, and 44th Streets.

Based on the findings above, this criterion is satisfied.

4. **Legislative Zoning Map amendments that involve a Metro Plan Diagram amendment shall:**

   a. **Meet the approval criteria specified in Section 5.14-100; and**
   b. **Comply with Oregon Administrative Rule (OAR) 660-012-0060, where applicable.**

This request for a Zoning Map Amendment is Quasi-Judicial in nature, as previously noted. This criterion does not apply.

5.2 Conclusion

Based on available information, supporting materials, and the findings in Section 5.1, the request is consistent with all applicable approval criteria and provisions.

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EXHIBITS

Date Received:

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EXHIBIT A
DEED

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[illegible]

[illegible] and State of Oregon, bounded and [illegible]

[illegible]

To Have and to Hold, the above described and granted premises unto the said School District [illegible] of Lane County, Oregon, [illegible] [illegible] *heirs and assigns* [illegible]

And [illegible]

above named do covenant *to and with the above named grantee* [illegible] *heirs and assigns that* they are *lawfully seized in fee simple of the above granted premises, that* [illegible] *granted premises are free from all incumbrances* [illegible]

and that they *will and* their *heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,* [illegible]

Witness our *hands and seals this* 11th *day of* July [illegible]

Executed in the Presence of

[illegible] — [illegible]

Roe Hunsaker — Ethel [illegible]

[illegible] — [illegible]

[illegible] — [illegible]

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EXHIBIT B
VICINITY MAP

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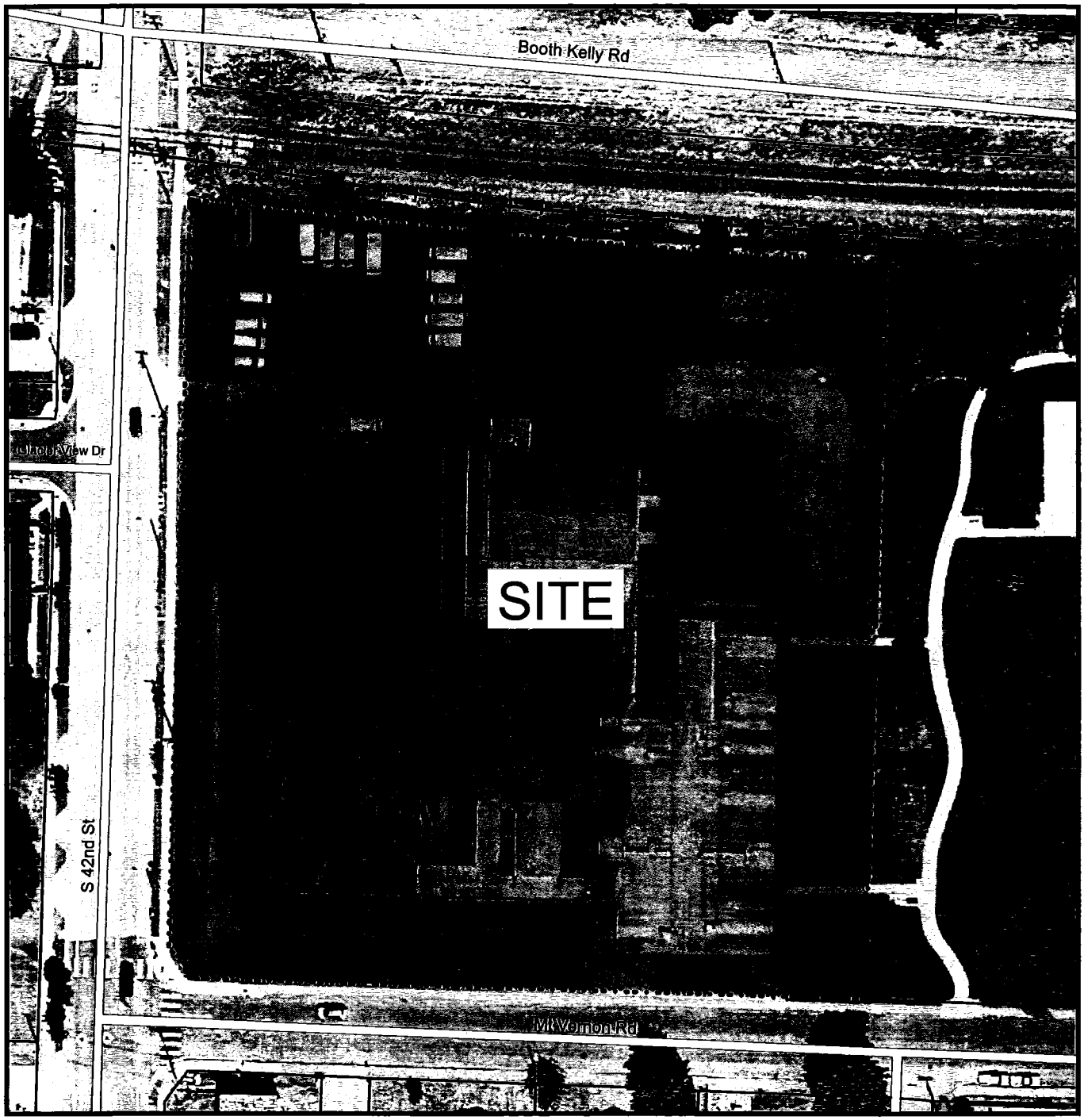

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Tax Lot 8300 (Assessor's Map 18-02-05-21)

- Existing Zoning: PLO (Public Land and Open Space)
- Proposed Zoning: LDR (Low Density Residential)
- Existing Plan Designation: LDR (Low Density Residential)

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0' 20' 40' 80'

Scale 1" = 40'-0"

NORTH

VICINITY MAP

10/15/2013

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BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD

ZONING MAP AMENDMENT **] STAFF RECOMMENDATION**
CASE NUMBER: TYP313-00006 **] TO THE PLANNING COMMISSION**

FINDINGS, CONCLUSION AND ORDER

NATURE OF THE APPLICATION

Springfield School District 19 requests a zoning map amendment from the classification Public Land and Open Space to the classification Low Density Residential for a 3.6 acre property located at 725 South 42nd Street. The property is identified as Assessor's Map No. 18-02-05-21 Tax Lot 8300.

1. The School District submitted a rezoning application and support materials on October 16, 2013. The application was submitted for review by the Springfield Planning Commission under Section 5.22-115 of the Springfield Development Code (SDC) which describes the criteria to be used in approving a zoning map amendment.

2. Timely and sufficient notice of the proposal and of the scheduled public hearing, pursuant to SDC Section 5.1-135 B has been provided.

3. On December 3, 2013, the Planning Commission conducted a public hearing to accept testimony and to hear comments on this proposal. A Staff Report and Recommendation together with the testimony and submittals of the persons testifying at the hearing have been entered in the public record and have been considered during this proceeding.

CONCLUSION AND RECOMMENDATION

On the basis of this record, the requested zoning map amendment proposal is found by staff to be consistent with the criteria of approval found in SDC Section 5.22-115 and is recommended to the Planning Commission for approval. This general finding is supported by the specific findings of fact and conclusion in the Staff Report and Recommendation that is attached hereto and incorporated by reference into this decision.

DECISION OF THE PLANNING COMMISSION

The Planning Commission is now ready to take action on this proposal based upon the above recommendation and the evidence and testimony already in the record as well as the evidence and testimony presented at this public hearing held in the matter of the zoning map amendment from Public Land and Open Space to Low Density Residential for the property at 725 South 42nd Street.

It is the DECISION of the Planning Commission of Springfield that Case Number TYP313-00006 (be approved) (be approved with conditions) (be denied) (no action be taken at this time).

This **DECISION** was presented to and approved by the Planning Commission on December 3, 2013.

AYES: _____
NOES: _____ ATTEST: _____
ABSENT: _____ Planning Commission
ABSTAIN: _____ Chairperson

MINUTES OF THE PUBLIC HEARING OF
THE SPRINGFIELD PLANNING COMMISSION
THE EUGENE PLANNING COMMISSION
THE LANE COUNTY PLANNING COMMISSION
TUESDAY, OCTOBER 15, 2013

The City of Springfield Planning Commission, the Eugene Planning Commission and the Lane County Planning Commission held a public hearing in the Library Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, October 15, 2013 at 6:28 p.m., with Commissioner Greg James, Commissioner William Randall and Commissioner Ryan Sisson presiding.

ATTENDANCE

Springfield Planning Commission

Present were Chair James and Vice Chair Bean, Commissioners Salladay, Moe, Vohs and Nelson. Also present were, Senior Planner Mark Metzger, City Attorney Mary Bridget Smith, Development Services/Public Works Director Len Goodwin, Management Specialist Brenda Jones and members of the staff.

Eugene Planning Commission

Present were Chair Randall, Commissioners Steven Baker (5:38), John Barofsky, Jon Belcher, Ron Duncan, John Jaworski and Jeff Mills. Also present were Alissa Hansen, Senior Planner, @@.

Lane County Planning Commission

Present were Chair Sisson, Commissioners Charles Conrad (5:46), Randall Hledik, Nancy Nichols, James Peterson, Dennis Sandow and Larry Thorp. Also present were Matt Laird, LMD Manager/Planning Director, Keir Miller, Senior Planner.

ABSENT

Springfield Planning Commission

Commissioner Kirschenmann.

Eugene Planning Commission

None.

Lane County Planning Commissioner:

None.

Springfield Chair Greg James, Eugene Chair William Randall and Lane County Chair Ryan Sisson convened the Meeting.

1. **Amendment to Chapter IV of the Eugene—Springfield Metropolitan Area General Plan (*Metro Plan)***

   The planning staffs and legal counsel for Eugene, Springfield and Lane County have prepared amendments to Chapter IV of the Metro Plan for the purpose of implementing ORS 197.304. The proposed amendments clarify each jurisdictions role in future Metro Plan amendments and amendments to related documents.

   Staff: Mark Metzger, Springfield Senior Planner

Keir Miller, Lane County Senior Planner
Alissa Hansen, Eugene Senior Planner

Mr. James invited people who wished to speak at the public hearing to complete a Request to Speak form. He added people who wished to speak about a topic not on tonight's agenda was welcome to speak. He asked Planning Commissioners to introduce themselves.

Mr. James opened the Springfield public hearing.

Mr. Randall opened the Eugene public hearing.

Mr. Sisson opened the Lane County public hearing.

Mr. James explained the staff presentation had been provided during the work session earlier this evening.

Mr. Metzger stated criteria of approval were found in each jurisdictions' development codes. The proposed amendment was consistent with relevant statewide planning goals, adopted by the Land Conservation and Development Commission (LCDC). Adoption of the proposed amendments would not @@ inconsistent. (Lots of overtalking, background noise….could not understand recording.)

Mr. James observed there was no one who wished to offer public testimony. He observed there were no questions of staff by Planning Commissioners.

In response to Mr. Sisson, Ms. Smith said the three Planning Commissions could deliberate together.

Mr. James asked if there were any Planning Commissioners who wished to hold the record open for written testimony or to continue hearing to another time.

Mr. Sandow requested that the record be kept open until November 4, 2013.

Mr. James stated the preference would be to keep the record open for one week, until October 22, 2013.

Mr. Metzger added the record was typically kept open for seven days.

In response to Ms. Bean, Ms. Smith said the public hearing could be closed and the record kept open, which would not require the bodies to meet to close the record.

Mr. Belcher opined staff would need time to respond to additional comments, thus it was not wise to leave it open until the date of the JEO meeting.

Ms. Smith added the Planning Commissioners would also need time to deliberate after the record closed.

Mr. Duncan asked if one Planning Commissioner could hold the records of all three Planning Commissions open.

Ms. Smith said each record could be closed independently of the others. However, staff recommended Planning Commissions kept their records in step, because the decision was based on the record, and if they opened and closed at different times, it became confusing and the information needed to be

consistent. While the three Planning Commissions were convened together, they were acting independently. She encouraged the Commissioners to keep their records together.

Mr. Metzger said for the purpose of Metro Plan amendments, there were specific public involvement procedures in each of the jurisdictions' codes required as far as notice and hearings, which had been followed. Additionally, Eugene and Springfield staff reached out to various stakeholders, including 1000 Friends of Oregon and others that may have been interested in the proposed amendment. None of the stakeholders had chosen to participate.

Mr. Miller said when a member of the public requested that the record be held open, Lane County was required to hold it open for seven days. He had never seen a member of the Planning Commission request that the record be kept open. He asked if this was something the Lane County Planning Commission should vote on.

Ms. Smith said Commissioner Sandow was asking as a commissioner, and the Lane County Planning Commission would need to vote on the issue and pass it as the Planning Commission.

Mr. Belcher asked if the record was held open, could the Planning Commissions deliberate tonight. Ms. Smith responded the Commissions could not deliberate tonight if the record was held open.

Ms. Nichols asked if there was a reason for not keeping the record open.

Mr. Goodwin said this was the beginning of series of actions which would ultimately culminate in the City of Springfield adopting the *Springfield 2030 Plan* and the City of Eugene adopting *Envision Eugene*, and possibly further changes to the Metro Plan. If this action did not occur on a timely basis, the adoption of the *Springfield 2030* and *Envision Eugene* could be a three jurisdiction process. If the change was in place before the adoption process for those plans occurs, *Envision Eugene* could be adopted by the City of Eugene and Lane County, and *Springfield 2030* could be adopted by the City of Springfield and Lane County. If the amendments were not adopted in a timely manner, the *Envision Eugene* and *Springfield 2030* processes, which have been in process for years, would be delayed further, until such time as the proposed action was in effect. Otherwise, all three jurisdictions would have to participate in both comprehensive plan changes.

Mr. Hledik stated if Mr. Sandow's concern was for the watershed councils, he was a member of the McKenzie Watershed Council, which was not meeting until November 14, 2013. He suggested the Planning Commission move on with the public hearing and deliberation tonight, and send notice to the McKenzie, Middle Fork and Long Tom Watershed Councils, advising them of the elected officials public hearing on November 4, 2013.

Mr. Sandow said the Commissioners' responsibilities were to check the facts and the documents before them. He appreciated learning that 1000 Friends of Oregon and others had been contacted, but that did not show up on the facts under Goal 1 of the report. The findings on Chapters 10, 11 and 12 were of great concern, and the facts needed to be modified, so that when this issue did move on, there was more effective evidence.

> Mr. Sandow moved that the factual evidence of meeting Goal 1 criteria, citizen involvement, be amended to show how widespread citizen involvement was adequate. There was no second to the motion.

Mr. Sisson asked Mr. Sandow if his motion was to extend the public hearing out to November 5, 2013.

Mr. Sandow moved that the Lane County Planning Commission public hearing record be kept open for seven days. Hearing no second, Mr. Sisson said the motion failed.

Mr. Thorp, seconded by Mr. Peterson, moved to close the Lane County Planning Commission record. The motion passed, with Commissioners Sisson, Conrad, Hledik, Nichols and Peterson voting in favor of the motion, and Commissioner Sandow voting against the motion.

Mr. Thorp, seconded by Mr. Peterson, moved to close the Lane County Planning Commission public hearing. The motion passed, with Commissioners Sisson, Conrad, Hledik, and Peterson voting in favor of the motion, and Commissioners Nichols and Sandow voting against the motion.

Ms. Bean, seconded by Mr. Moe, moved to close the Springfield Planning Commission record. The motion passed unanimously.

Ms. Bean, seconded by Mr. Moe, moved to close the Springfield Planning Commission public hearing. The motion passed unanimously.

Mr. Belcher, seconded by Mr. Barofsky, moved to close the Eugene Planning Commission record and public hearing. The motion passed unanimously.

Mr. Thorp suggested the three Planning Commissions deliberate independently. He believed the jurisdictions would be well served by deliberating as three independent Planning Commissions and making recommendations to their elected officials.

Ms. Bean concurred with Mr. Thorp's proposal.

Mr. Barofsky agreed with Mr. Thorp's proposal, but he also felt that the commissioners could put things on the table during the next ten minutes that each Planning Commission could take into consideration in Its independent deliberations.

Mr. Peterson he asked if the new language for Type II or Type III amendments in the conflict resolution area would allow for one of the other bodies to get involved if they so choose. He said with the proposed language, an aggrieved party was not allowed. He wanted staff to further investigate that because it was possible that Springfield might not be too happy with something Eugene and Lane County were cooking up, and Springfield might want to be able to say something about it. As he read the new language, Springfield would not be able to comment on the proposal.

Mr. Metzger said there had been a deliberate disengagement. He noted in the past, Springfield could come to the table and interfere with or involve itself in a decision that was basically between Eugene and Lane County. The intent with the proposed language was only in rare instances, would Springfield be able to do that.

Ms. Smith stated staff would take note of Mr. Peterson's comments to consider the potential for regional impact in the new language.

Mr. Belcher called for a point of order. He noted the commissioners had not decided on whether they would deliberate separately or together.

> Mr. Thorp, seconded by Mr. Conrad, moved that the Lane County Planning Commission deliberate independently.

While Mr. Conrad wanted to deliberate separately, he was interested to know what the other two commissions decided, so that the three commissions could work together to ensure the amended Chapter IV language was what everyone wanted it to be.

Ms. Smith said the role of the Planning Commissions tonight was to make recommendations to their elected officials

Mr. Peterson suggested each Planning Commission deliberate separately and provide minutes of their meetings to the other two Planning Commissions to keep them informed.

> The motion passed unanimously.7:0.

Mr. Miller emphasized the need for a recommendation by November 4, 2013. He said if the Planning Commissions deliberated separately, they would need to establish a separate meeting place immediately after this meeting, or a separate special meeting.

Mr. Sisson said the LCPC would meet immediately following this meeting to decide how to proceed.

> Mr. Belcher, seconded by Mr. Mills, moved that the Eugene Planning Commission deliberate separately. The motion passed 5:2, with Commissioners Randall, Baker, Belcher, Duncan and Mills voting in favor of the motion, and Commissioners Barofsky and Jaworski voting against the motion. (??????????????....very noisy…..hard to catch the vote.)

Ms. Hansen announced a room had been reserved for the Eugene Planning Commission to deliberate immediately following this meeting.

Mr. Randall adjourned the Eugene Planning Commission at 6:55 p.m.

Mr. Sisson adjourned the Lane County Planning Commission at 6:55 p.m.

Ms. Bean explained the Springfield Planning Commission had already deliberated. She asked if the Planning Commission was ready to make a motion, or if more deliberation was needed.

Ms. Smith said with the decision to deliberate separately, the three Planning Commissions would submit their recommendations to their elected officials, and the elected officials would make decisions. There would not be another time for the three Planning Commissions to meet jointly to hear what the other Planning Commissions were recommending to their elected officials.

Mr. James said the Springfield Planning Commission needed to decide whether it needed to deliberate further or take action. He noted each jurisdiction would take independent action, and the Springfield Planning Commission would take a recommendation to the Springfield City Council.

Mr. Vohs continued to be concerned with the conflict resolution piece, which he had raised at a prior meeting. The issue needed to be refined.

> Ms. Bean, seconded, by Ms. Sallady, moved that the Springfield Planning Commission recommend to the City Council that the City Council approve with the following specific recommendations: that they continue to keep some form of a timeline for the process in place; that they revisit the conflict resolution to include not only the Mayor and the Chair of the BCC, or a designee by the Mayor and Chair of the BCC; or, that they as a body, vote on who to send to resolve the conflict. The proposed amendments to Chapter IV of the Eugene-Springfield Metropolitan Area General Plan, file number TYPR11-00001. The motion passed unanimously, 6:0.

Mr. James adjourned the Springfield Planning Commission at 7:02 p.m.

MINUTES OF THE WORK SESSION MEETING OF
THE SPRINGFIELD PLANNING COMMISSION
THE EUGENE PLANNING COMMISSION
THE LANE COUNTY PLANNING COMMISSION
TUESDAY, OCTOBER 15, 2013

The City of Springfield Planning Commission, the Eugene Planning Commission and the Lane County Planning Commission met in a work session in the Library Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, October 15, 2013 at 5:30 p.m., with Commissioner Greg James, Commissioner William Randall and Commissioner Ryan Sissan presiding.

ATTENDANCE

Springfield Planning Commission

Present were Chair James and Vice Chair Bean, Commissioners Salladay, Moe, Vohs and Nelson. Also present were, Senior Planner Mark Metzger, City Attorney Mary Bridget Smith and Management Specialist Brenda Jones and members of the staff.

Eugene Planning Commission

Present were Chair Randall, Commissioners Steven Baker (5:38), John Barofsky, Jon Belcher, Ron Duncan, John Jaworski and Jeff Mills. Also present were Alissa Hansen, Senior Planner.

Lane County Planning Commission

Present were Chair Sisson, Commissioners Charles Conrad (5:46), Randall Hledik, Nancy Nichols, James Peterson, Dennis Sandow and Larry Thorp. Also present were Matt Laird, LMD Manager/Planning Director, and Keir Miller, Senior Planner.

ABSENT

Springfield Planning Commission

Commissioner Kirschenmann.

Eugene Planning Commission

None.

Lane County Planning Commissioner:

None.

Springfield Chair Greg James, Eugene Chair William Randall and Lane County Chair Ryan Sisson opened the Work Session

1. **Amendment to Chapter IV of the Eugene—Springfield Metropolitan Area General Plan (*Metro Plan)***

Springfield #	TYP411-0001	Staff: Mark Metzger
Lane County #	509-PA13-05171	Staff: Keir Miller
Eugene #	MA 13-2	Staff: Alissa Hansen

Mark Metzger said the goal of the Joint Planning Commission was to provide sufficient information to enable Commissioners to close the public hearing and deliberate and make a decision tonight. The Joint Elected Officials (JEO) were scheduled to take action on November 4, 2013 to act jointly on this topic.

Mr. Metzger provided a PowerPoint presentation entitled *Metro Plan Chapter IV Amendments.* Oregon Revised Statute (ORS) 197.304, House Bill (HB), 3337 established separate Urban Growth Boundaries (UGB) for Eugene and Springfield, and was the impetus for the *Springfield 2030 Plan* and the *Envision Eugene* planning initiatives. As the planning efforts were readied for adoption, amendments to Chapter IV were needed to clarify which governing bodies would participate in in decision making given the establishment of separate UGBs. The most significant changes to Chapter IV were:

- Three types of Metro Plan amendments were established" Type I which requires the participation of all three jurisdictions; Type II which requires the participation of the home city and Lane County; and Type III amendments which may be enacted by the home city alone. The current policy defines only two types of amendments: Types I and II. Under the amended Chapter IV, adoption of the *Springfield 2030 Plan* and other Springfield-specific amendments would be a type II decision approved with the participation of the City and Lane County.
- The proposed amendments remove references to Metro Plan amendments with "regional impact." Removal of the regional impact language does not change similar language found in Chapter IV of the Eugene-Springfield Metropolitan Area Public Facilities and Services (PFSP) which provides for multi-jurisdictional review of public facility projects which have a significant impact on water, stormwater, wastewater and electrical facilities serving more than one jurisdiction.
- When governing bodies do not reach consensus on a Metro Plan amendment, the current policy send the matter to the Metropolitan Policy Committee (MPC). The proposed amendments would send unresolved decision to the Chair of the Board of County Commissioners and one or both Mayors of Eugene and Springfield for resolution, depending on how many governing bodies were participating in the decision.

Mr. Metzger directed Commissioners to the table, Attachment 2, entitled *What are the proposed changes,* and explained the Current Metro Plan, Proposed Changes and Rationale for those changes, under the following Topics:

- Amendment Types: Process.
- Amendment Types: Decision Maker.
- Regional Impact.
- Conflict Resolution.
- Timelines.

Mr. James opened the floor to questions from Commissioners.

Mr. Mills expressed concern about elimination of all timeline requirements. He asserted there would continue to be a need to set expectations for the process. He noted the proposed changes which would involve fewer jurisdictions would make the process simpler. He added issues related to specific land use or specific jurisdictions could generate land use impact or an environmental impact that would be regulated by the Lane Regional Air Protection Agency (LRAPA). A significant land use change within a district or jurisdiction could have a land use impact on adjacent areas which could be in a different jurisdiction. He believed there needed to be an appeal mechanism to address a few exceptions that may occur over time. He supported providing autonomy for the cities, but he was concerned about pressures that may arise for more intensive use in the jurisdictions as the population grew.

Mr. Metzger acknowledged there were risks that went along with autonomy. When the jurisdictions separated and established a more autonomous relationship, they gave up some power over the other jurisdictions.

Mr. Conrad stated appeals to the Land Use Board of Appeals (LUBA) increased the amount of time. He suggested the jurisdictions would want a more formalized informal process before going through the appeals process. He thought it would make sense if Springfield wanted a Type III change, it would send an interest notice to Lane County and Eugene advising them of proposed changes, and provide an opportunity for other jurisdictions to notify Springfield if it had questions about or objections to the proposed changes.

Mr. Miller noted the informal process suggested by Mr. Conrad frequently occurred at the policy level.

Ms. Smith observed the discussion had entered deliberation and suggested the Planning Commissioners deliberate after the public hearing, time permitting.

Mr. Metzger agreed the Commissions should hold the public hearing, then close the public hearing and public record, and engage jointly in deliberations.

In response to Mr. Duncan, Ms. Smith said commissioners could ask clarifying questions and ask for legal opinions after the hearing and record were closed. She would be able to provide legal opinions and provide written material to commissioners.

Responding to Mr. Peterson, Mr. Sisson explained the Lane County Planning Commission could stop the work session, close the record, and deliberate later this evening or at another time, and make a recommendation to the Board of County Commissioners (BCC).

Mr. Sandow said the Lane County Planning Commission (LCPC) had spent time with the BCC discussing the LCPC's responsibilities as a citizen involvement committee. He found the scheduling of tonight's public hearing constituted Goal 1 violations. The scheduling of a JEO meeting on November 4, 2013 constituted citizen involvement, and the publishing of notice of a public hearing in the Register Guard constituted citizen involvement. He asserted the process had not provided for adequate citizen involvement, particularly related to the watershed councils. He asked the watershed councils be asked to weigh in on this issue. He had concerns about the politics of citizen involvement and as a citizen involvement committee member for Lane County, he requested that citizens be involved in a widespread effort, specifically notice to watershed councils and solicitation of their feedback.

Mr. James adjourned the Springfield Planning Commission work session and opened the joint public hearing of the Eugene, Springfield and Lane County Planning Commissions at 6:25 p.m.

M I N U T E S

Lane County Planning Commission
Lane County Delta Complex Goodson Room
3050 North Delta Highway—Eugene, Oregon

November 5, 2013
5:30 p.m.

PRESENT:
Lane County: Ryan Sisson, Chair; Charles Conrad (5:42 p.m.), Randall Hledik, Nancy Nichols, James Peterson (5:42 p.m.), Planning Commissioners; Matt Laird, Keir Miller, Lane County staff.;

City of Springfield: Greg James, Chair; Denise Bean Vice Chair; Commissioners Johnny Kirschenmann, Stacy Salladay, Steve Moe (6:18 p.m.), Tim Vohs and Nick Nelson, Planning Commissioners; Mark Metzger, Lauren King, City of Springfield staff.

ABSENT:
Lane County: Dennis Sandow, Larry Thorpe.

Mr. Sisson convened the Lane County Planning Commission (LCPC) at 5:39 p.m. He thanked the Springfield Planning Commission for joining the Lane County Planning Commission this evening. He noted Commissioners Hledik and Nichols were present, but a quorum was not yet in attendance. He noted consensus to defer approval of the July 16, August 6 and August 20, 2013 minutes until a quorum was present.

Mr. James convened the Springfield Planning Commission at 5:40 p.m.

Those present introduced themselves.

There was no one who wished to offer public comment.

A. WORK SESSION

1. Approval of Minutes: July 16, August 6 and August 20, 2013

Deferred to later in the meeting.

2. Lane County 509-PA13-05273—(PA 1307), Proposed major amendment to the Rural Comprehensive Plan (RCP) to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 Inventory of Significant Groundwater Resources

And

City of Springfield TYP4013-00008, proposing a major amendment to the Rural Comprehensive Plan (RCP) to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 Inventory of Significant Groundwater Resources.

Mr. Conrad and Mr. Peterson arrived at 5:42 p.m.

Mr. Sisson called for declarations of conflict of interest or *ex parte* contacts.

Mr. Hledik declared a potential conflict of interest. He stated his employer owned land in the subject area proposed for amendments and there was a potential for financial impact for his employer. However, he asserted he could remain impartial.

Mr. Miller provided the staff report. He offered a PowerPoint presentation entitled *Lane County Planning Commission and City of Springfield Planning Commission Joint Work Session and Public Hearing On a Proposed Amendment to the Lane County Rural Comprehensive Plan—November 5, 2013.*

Mr. Miller reviewed comments received from the public in response to several mailouts. Main themes included:

- Concerns about what the proposed amendments would mean for individual property owners whose properties had been identified as significant sites. He had advised people there would be a second public hearing process when regulatory changes were proposed.
- Concerns about how a future plan would affect individual wells and their water rights, and if regulations would require more expensive systems or setbacks for septic systems.
- Concern about how the adoption of this Goal 5 resource would impact any future UGB expansion designs by the City. This was not a determining criterion. There were questions about farm practices related to herbicide and pesticide use about which no proposals had yet been offered.
- Concern expressed about the equity issue, and why boundary would be imposed on the rural land owners when they did not receive water service from the City.

Mr. Sisson called for comments from the applicant.

Thom Lanfear identified himself as the representative for the City of Springfield, Springfield Utility Board (SUB) and Rainbow Water District. Under Oregon Administrative Rules (OAR) that applied to Oregon's Drinking Water Protection Program, the State Department of Human Serviced Public Health Division (PHD) was responsible for certifying ground water derived wellhead protection areas in the State. The delineation and certification of the wellhead protection area for Springfield's wells occurred in 1997, and recertification in occurred 1999 and 2008. There were two factors that were considered in the application. There was a delineation of the well head protection area certified by the State Public Health Division as this was the primary source of drinking water for a population greater than 10,000 people. It was clear that the Springfield population was greater than 10,000 people, and SUB the Rainbow Water District provided water for approximately 64,000 people. The delineated area within the UGB was adopted by Lane County in 2004 for implementation of the Springfield Drinking Water Protection Plan. The wellhead protection area outside of the UGB has not yet been adopted by Lane County as a significant drinking water resource. Inclusion of the Springfield wellhead protection area on the significant groundwater resource inventory in the Rural Comprehensive Plan (RCP) would satisfy the Goal 5 inventory requirement and provide the basis for future development of a Drinking Water Protection Plan outside of the UGB. The delineated area within the UGB was limited to the portion of the Springfield wellhead protection area outside the Eugene-Springfield Metropolitan Plan General Plan boundary (Metro Plan) and east of I-5. SUB would work with the City of Eugene on Eugene issues related to the drinking water protection area. The City of Eugene was engaged in the Envision Eugene process and would negotiate with Lane County related to future movements of the Metro Plan boundary west of I-5.

Mr. Lanfear stated the proposal to add policy language to the RCP would establish that there was a significant ground water inventory in Lane County, would direct how to get on the inventory, and would direct how the inventory would be used as a basis to adopt protection measures. There were two steps to the Goal 5 inventory process: inventory the resource; protect the resource. The purpose of the proposal before the Commissions was to adopt the maps used to delineate the wellhead protection area which was based on scientific analyses and did not suggest any protection measures at this time. The State had reviewed the analyses and certified them as acceptable studies.

Phil Brown identified himself as a hydrologist and consultant for SUB. He offered an overview of the water protection delineation process. He stated delineation of water protection areas was a required element of wellhead and drinking water protection programs, based on hydrogeological conditions and simulations of how groundwater moved from aquifers towards wells. The size of the wellhead protection area was dependent on the amount of pumping a well field did, the permeability of aquifer, whether it was confined or unconfined, and its proximity to surface water. The delineations could present an area of a few thousand feet or areas that reached for miles, depending on the conditions. The SUB delineations encompassed an area associated with a 99 year travel time, which was a tool used to simulate how rapidly ground water moved from an aquifer to a well, which was defined by the distance a particle of groundwater moved in 99 years. This enabled SUB to have sufficient time and warning in the event of an aquifer contamination to protect the drinking water. PHD recommended shorter distances within the wellhead protection areas. The Springfield delineation work was completed, as required by the State, by a registered geologist or engineering geologist. The State required different minimum standards for approaches for delineations depending on the size of the utility. For systems which served over 50,000 people, requirements for a numerical groundwater flow model was used by Springfield. The numerical models were able to simulate how flow fields were affected by aquifer boundaries, whether permeability of an aquifer changed by geological conditions. SUB used a sophisticated modeling platform developed by the United States Geological Survey (USGS) and was considered state of the art. The geological mapping for specific well fields looked aquifer characteristics that were used to construct the model used to represent specific conditions in the vicinity of the well fields. Additionally, the models could be calibrated to represent site specific conditions.

Amy Chinitz, Water Quality Protection Coordinator at SUB, shared information about the Goal 5 Groundwater Resources Policies and the addition of the Springfield Wellhead Protection Area to the Goal 5 inventory of Significant Groundwater Resources. She noted good technical analysis and review, as well as public involvement, would be part of the process for development of a Drinking Water Protection Plan outside of the UGB.

SUB would use Springfield, which had two decades of experience, as an example of a very good process, in developing its plan. She reviewed the Springfield process, which began with Springfield developing its drinking water protection plan in the late 1990's, which included developing the delineations for the wellhead protection areas and having those delineations certified by the State. After the delineation, Springfield identified and inventoried potential sources of groundwater contaminants. The delineated area was often referred to as sensitive because the consequences of a chemical spill were great in that area. The State Department of Environmental Quality (DEQ) offered guidance on what kinds of activities, facilities and land uses to look for, and the kinds of potential contaminants associated with each of those uses. Once the water protection delineation process was completed and potential contaminants were identified, the risk reduction strategies were developed. Springfield had a citizen task force made up of community members and representatives from agriculture, industry and commercial, which worked for four months, with assistance from a technical

advisory group, to develop ten strategies for managing potential sources of contamination. These strategies, which were the cornerstone of the Springfield Drinking Water Protection Plan, were adopted in 1999. In 2000, the City of Springfield adopted the implementing ordinance, the Drinking Water Protection Overlay, which sets standards for the management of hazardous materials within the 20 year time of travel (TOT) zone. Nine of the strategies identified in that plan identified an array of best management practices for drinking water protection.

Mr. Sisson opened the floor to questions from Commissioners.

Ms. Nichols asked if the spring to farm component meant that animal waste could not be limited.

Mr. Miller said the potential effects of those regulations had not been investigated.

Mr. Laird added confined animal feeding regulations was not generally handled by the Lane County planning program, but rather the Oregon Department of Agriculture or DEQ, depending on the size of operation.

Mr. Conrad asked if the wellhead amendments would always be Type II amendments, which would involve Lane County and the City of Springfield, if the Metro Plan amendments recently discussed by the LCPC were adopted, or if the wellhead amendments would become Type III amendments, over which Lane County would have no say.

Mr. Miller stated when the Drinking Water Protection Plan was adopted, the IGA language would be null and void, and only Lane County would deal with potential issues that could affect the aquifer outside the UGB. Aquifer protection outside the UGB would be subject to RCP requirements, and Type I, Type II, and Type III amendments would not be part of the process.

Mr. Laird said Type I requirements could apply if the City of Springfield annexed the entire area, expanding the Metro Plan Boundary, over a period of time.

In response to Mr. Hledik, Mark Metzger said there were drinking water protection measures in the Springfield Development Code that applied to uses within the five year TOT zone. There was also a set of protections within a two year TOT zone.

Mr. Miller reviewed a colored map in the PowerPoint presentation which illustrated the various TOT times.

Mark Metzger noted the drinking water protection prohibited new uses of a class of chemicals called Dense Nonaqueous Phase Liquid (DNAPLS). Additionally, storage of more than 20 gallons of a toxic substance required demonstration of secondary containment. He was not aware that any company had gone out of business in Springfield, nor that any corporation had chosen not to locate in Springfield, because of those protections in the sixteen years since the protection measures had been implemented.

Mr. Moe arrived at 6:18 p.m.

In response to Mr. Peterson, Mr. Miller said the proposal was strictly to recognize the delineated site on the Lane County inventory and it currently had no effect on septic regulations. SUB and the City of Springfield had not yet applied for their protection plan which would address farm practices related to herbicide and pesticide use. He concurred that when SUB and the City of Springfield had prepared their protection plans, the plans would come back to the LCPC for review.

Mark Metzger added the Oregon Department of Agriculture (ODA) exercised significant authority over farm practices and uses. While the City of Springfield was creating rules that would affect non-farm users outside the UGB, there were rules that would be the purview only of ODA, which would not be affected by rules adopted by Lane County. He added there were septic systems in the vicinity of SUB wells and he was not aware of protection measures to prevent their use or to require upgrading those septic systems. There were not many septic systems within the Springfield city limits, but there were some within the UGB because sewers were not currently available to residents who lived outside the city limits but within the UGB. About 10,000 residents in north Springfield north of Hayden Bridge Road.

In response to Mr. Peterson, Mark Metzger said the City required annexation before people connected to the sewer, but the City did not force annexation. The City did respond to emergencies. When septic systems failed, people would have to annex before connecting to the City's sewer system.

Ms. Nichols asked how the City would respond to if something not known to be toxic was discovered to cause health problems.

Ms. Chinitz explained the overlay regulated hazardous materials. SUB had worked to help develop the definition of hazardous materials. If something could be demonstrated to be a threat to groundwater, there was latitude in applying regulations.

Mr. Vohs inquired if SUB would be comfortable losing the protection of the IGA as the amendment process evolved.

Ms. Chinitz said SUB was comfortable with the IGA, which was between the City of Springfield and Lane County, as it was written, which allowed for co-adoption of the plan. The County and the City had worked together on the protection plan and SUB would work alongside as a partner.

Mark Metzger added the IGA said called for SUB and the City to actively work with County staff to create the protection plan.

Mr. Vohs understood the IGA was a key component which allowed the Metro Plan boundary change to occur.

Mr. Miller said the concept of the IGA was established through the public hearings to address SUB's concerns.

Mr. James asked if the IGA would be null and void when Lane County adopted the plan.

Mr. Miller said there was a provision in the IGA that stated the City was also a decision maker on any potential issues that affected groundwater. Adoption of the plan would mean that the City would be adopting the plan along with Lane County. Once the plan was in place, there was no need for the IGA and the City would no longer be a decision maker. The City would be noticed on any changes or actions related to the plan. SUB and the City's concerns would be addressed in the plan.

Mark Metzger stated the City of Springfield would come out ahead with the adoption of viable protection measures by Lane County that were promulgated by the City or SUB, and would offer protections the City did not currently have.

In response Mr. Hledik, Mark Metzger said the reason there were multiple times of travel illustrated on the map was because there were multiple wells in the well field and each well generated its own State capture zone.

Mr. Sisson understood the citizen task force developed the ten strategies that were adopted into the 1999 ordinance. He asked if that framework would be used for the future protection plan.

Ms. Chinitz said staff did not yet know what process would be needed. SUB would meet with the City to determine who the interested parties were, and develop a citizen involvement process. Springfield had set a precedent for having a collaborative process that provided opportunities for outreach and for stakeholders to provide input.

Mr. Sisson hoped tonight's meeting would provide an opportunity for members of the public to have a good understanding of what the public process would be as this project moved forward. He said the DEQ guideline for establishing wellhead protection plans talked about public outreach. He asked Ms. Chinitz if she anticipated the public process would follow the DEQ guidelines in each wellhead protection report related to notification and involvement of the public.

Ms. Chinitz said the public notification process would be for the entire area.

In response to Mr. Sisson, Mr. Miller said the notification process was a Lane County process. A couple of thousand dollars had been spent on printing and mailing for this amendment process.

Mr. Sisson opined it was important for the public to know the cost of providing outreach to affected residents.

Mr. Conrad asked what the benefit was to the County for adopting the proposed amendments. He said it appeared to be an altruistic gesture on the part of the County to take in the wellheads and help SUB and the City of Springfield.

Mr. Miller said the Goal 5 process required compliance with State law. The County needed to identify its groundwater resources. Under periodic review, jurisdictions periodically reviewed and updated their planning documents to be in conformance with State law. The rules changed several years ago, and counties were not required to undertake periodic review as frequently as the cities.However, compliance with the rules could be triggered anytime the County wanted to work on Goal 5 resource policies on the Comp Plan. The current process allowed the County to catch up on some outdated inventory work. Additionally, the Board of County Commissioners (BCC) recognized the need to review policies. Wise planning recognized the need to provide a potable source of drinking water on the long range planning horizon for the urban areas in the county that were the base of economic stability, job growth, and housing.

Mr. Laird stated Lane County worked with its metro partners in Eugene and Springfield. The amendment before the Planning Commissions was part of a negotiated agreement with the Metro Plan boundary adjustment. The agreement helped the County be more efficient by administering codes ending at the UGB as required by statute. The City gave up decision making in the UGB area and the County agreed to help the City develop wellhead protections because there currently was no wellhead protection in place. It was beneficial for both jurisdictions to continue to work together.

Mark Metzger said when the plan was brought together in 1999, Lane Council of Governments (LCOG) coordinated development of the plan with the County and the Cities of Springfield and

Eugene. When the plan was completed, Springfield adopted the plan, with the understanding that Eugene and the County would eventually adopt the plan, but that did not happen. He noted the Springfield Drinking Water Protection Plan and the protection plans of two other jurisdictions were listed on the PHD website as model programs for the rest of the State. It was perceived as being a good plan on a statewide basis.

In response to Mr. Hledik, Mr. Miller said the findings in the agenda packet were not final. He agreed to check to determine consistency with Goal 1.

1. Approval of Minutes: July 16, August 6 and August 20, 2013

Mr. Conrad, seconded by Mr. Peterson, moved for approval of the July 16, 2013 minutes as submitted. The motion passed unanimously, 5:0.

Mr. Peterson, seconded by Ms. Nichols, moved for approval of the August 6 and August 20, 2013 minutes as submitted. The motion passed unanimously, 5:0.

Mr. Sisson adjourned the Work Session at 6:55 p.m.

PUBLIC HEARING

1. Lane County 509-PA13-05273—(PA 1307) —Proposed major amendment to the Rural Comprehensive Plan (RCP) to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 Inventory of Significant Groundwater Resources.

And

City of Springfield TYP4013-00008, proposing a major amendment to the Rural Comprehensive Plan (RCP) to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 Inventory of Significant Groundwater Resources.

Mr. Sisson convened the Lane County Planning Commission at 7:11 p.m.

Mr. James convened the Springfield Planning Commission at 7:11 p.m.

Those present introduced themselves.

Mr. Sisson explained today's public hearing was legislative, related to application 509-PA13-05273, a proposed major amendment to the RCP to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 Inventory of Significant Groundwater Resources. Following the staff report, the Planning Commissions would hear public testimony, close or extend the public hearing and the public record. The Planning Commissions could deliberate on any issues and possibly recommend to elected officials denial or approval of the proposed major amendment to the RCP this evening.

Mr. Miller offered a brief staff report. He said the agent for the applicant would provide background on the proposal. He noted because of an IGA, in addition to the Lane County Planning Commission and the BCC, the Springfield Planning Commission and the Springfield City Council could be decision makers on the application.

Mr. Miller said the SUB and the City of Springfield had applied with Lane County to amend the RCP, asking the County to recognize on the Goal 5 Inventory of Significant Resources the delineated Wellhead Protection Areas that were outside the UGB of Springfield. Lane County was required to identify significant resources and implement protecting measures in accordance with Statewide Planning Goal 5. The focus of tonight's public hearing was on identifying significant resources. The applicant had requested addition of two new policies to the RCP. The first policy would reference the Springfield Wellhead Protection Area Map" map as part of the Goal 5 inventory. The second policy would memorialize language whereby the City and the County would work together on amendments that affected the groundwater area. The applicant had addressed all of the relevant criteria for the application. The criteria came out of Lane Code and the Statewide rules and planning goals. The findings from the applicant were in the staff report included in the agenda packet.

Mr. Miller said staff recommended that the application be approved. It met the criteria, would help accomplish the County's requirement to address the Goal 5 inventory and add the sites to the Goal 5 inventory.

Mr. Miller iterated this component contained no regulatory elements, and simply recognized the delineated areas. The City of Springfield would address future regulations and future actions to protect the groundwater resource in the next phase of the process.

Mark Metzger stated he concurred with the Lane County assessment of the proposal's compliance with criteria. He invited the applicant's consultant to offer comments.

Mr. Sisson opened the public hearing for the LCPC. He invited members of the public to approach him to offer suggestions on how to improve the public process after the conclusion of the public hearing.

Mr. Hledik declared a potential conflict of interest. He stated his employer owned land in the subject area proposed for amendments and there was a potential for financial impact for his employer. However, he asserted he could remain impartial.

Mr. James opened the public hearing for the City of Springfield.

Tom Lanfear said the application before the Planning Commissions was an attempt to address Statewide Planning Goal 5. Lane County was required to conform to all statewide planning goals and Goal 5 was established as a citatory to protect the inventory of natural resources. Groundwater resources were one of the natural resources that needed to be identified and protected. The State had established strict Oregon Administrative Rules (OAR) that governed how ground water resources were significant and should be on the inventory. The OAR required that the wellhead protection area be delineated and certified by the PHD and that the wellhead protection area be a primary source of drinking water for a service population of greater than 10,000 people. The wellhead protection area had been delineated, certified and recertified twice by the State. SUB was the primary source of drinking water for the 64,000 residents of Springfield. Based on this data, the wellhead protection area qualified as a significant groundwater resource in Lane County. Lane County did not currently have a significant inventory of groundwater resources and this represented the first item on the list.

Mr. Lanfear said the proposal focused only on land east of I-5. This was a companion process to the movement of the Metro Plan boundary on the east side of I-5 that was undertaken by Lane County and City of Springfield. There would be future amendments with the City of Eugene as they went through their Envision Eugene process with Lane County on the Metro Plan boundary .The Goal 5 rule specified that significant groundwater resources were to be identified and protected. This proposal identified the resource. A companion step would follow later to develop protection measures. When the protection measures were developed, they would be brought back to the Lane County and Springfield Planning Commissions for review prior to adoption by the Springfield City Council and the BCC. There would be opportunities for Lane County citizens to participate in development of the protection measures as well as a formal adoption process by the governing bodies to hear citizen comments and concerns. The first policy set up the framework for inclusion on the inventory of significant resources in Lane County and how the inventory would be adopted by the BCC, as well as how protection measures would be adopted. The second policy identified the IGA between Lane County and the City of Springfield, identifying the City as a decision maker in certain application types, which would inform applicants on the application process.

Mr. Sisson closed the Lane County Planning Commission public hearing.

Mr. James closed the Springfield Planning Commission public hearing.

Mr. James asked if the Springfield Planning Commission could take action tonight given that the meeting was not taking place in Springfield.

Lauren King, representing the Springfield City Attorney's office, stated the Springfield Planning Commission could take action to make a recommendation to the City Council tonight.

Mr. Sisson proposed two commissions deliberate together. He was impressed that County staff had reached out to over 850 property owners in Lane County.

Mr. James said there had been an extensive process for gathering public testimony.

> Ms. Nichols, seconded by Mr. Peterson, moved to close the public hearing and the public record for the Lane County Planning Commission. The motion passed unanimously, 5:0.
>
> Mr. Kirschenmann, seconded by Mr. Vohs, , moved to close the public hearing and the public record for the Springfield Planning Commission. The motion passed unanimously, 6:0.

Mr. Sisson opened the floor for deliberations by the Lane County Planning Commission.

Mr. Peterson said this process had been going on for a long time and it was time to do something about it. The Planning Commission should send it on to the BCC.

> Mr. Hledik, seconded by Ms. Nichols, moved that the Lane County Planning Commission forward a recommendation to the Board of County Commissioners that Ordinance PA-1307 be adopted to implement the proposed Rural Comprehensive Plan amendments. The motion passed unanimously, 5:0.

Mr. Kirschenmann said the applicable criteria had been met very well. He appreciated the issue as a whole, since 64,000 people used 90 percent of the water from the wells. It was an important issue. Lane County and the City of Springfield worked well together on the issue.

> Mr. Kirschenmann, seconded by Mr. Moe, moved that the Springfield Planning Commission recommend TYP4013-00008, proposing a major amendment to the Rural Comprehensive Plan (RCP) to revise the Goal 5 Groundwater Resources Policies and add the Springfield Wellhead Protection Area to the Goal 5 Inventory of Significant Groundwater Resources. The motion passed unanimously, 6:0.

Mr. Sisson adjourned the Lane County Planning Commission meeting at 7:34 p.m.

Mr. James adjourned the Springfield Planning Commission meeting at 7:34 p.m.

(Recorded by Linda Henry)