



# Planning Commission Agenda

Development and Public Works Director,  
Anette Spickard, 541-726-3697  
Current Development Manager:  
Greg Mott 541-726-3774  
Management Specialist:  
Brenda Jones 541.726.3610

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541.726.3610  
Online at [www.springfield-or.gov](http://www.springfield-or.gov)

## Planning Commissioners:

Tim Vohs, Chair  
Nick Nelson, Vice Chair  
Steve Moe  
Greg James  
Sean Dunn  
Michael Koivula  
Andrew Landen

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## JOINT HEARING OF THE SPRINGFIELD PLANNING COMMISSION AND SPRINGFIELD HEARINGS OFFICIAL

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 541.726.3610.

**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.

**May 5, 2015**

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**7:00 p.m. Joint Regular Session  
Council Chambers**

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CONVENE AND CALL TO ORDER THE JOINT REGULAR SESSION OF THE SPRINGFIELD PLANNING  
COMMISSION AND SPRINGFIELD HEARINGS OFFICIAL

BY – CHAIR, SPRINGFIELD PLANNING COMMISSION

BY – SPRINGFIELD HEARINGS OFFICIAL

ROLL CALL: Chair Vohs \_\_\_\_\_, Vice Chair Nelson \_\_\_\_\_, Moe\_\_\_\_, James \_\_\_\_\_, Dunn \_\_\_\_\_,  
Koivula \_\_\_\_\_, Landen \_\_\_\_\_.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, staff or applicant; by consensus

BUSINESS FROM THE AUDIENCE

Testimony is limited to 3 minutes; testimony may not discuss or otherwise address public hearings  
appearing on this Joint Regular Session Agenda

APPROVE MINUTES:

- Approve Work Session Minutes from April 21, 2015

PUBLIC HEARING(S)

**QUASI-JUDICIAL JOINT PUBLIC HEARING –**

**1. Establishing the Willamette River Greenway Setback Line in Glenwood –**

**Proposal to adopt a “Greenway Setback Line” for properties in Glenwood where this line has yet to be established.**

**The Planning Commission is requested to approve, approve with conditions or amendment, or deny the proposed location of the Greenway Setback as it applies to the following property located inside the Springfield City Limits:**

**Oregon Department of Transportation Right of Way (Springfield Bridges)**

**The Hearings Official is requested to approve, approve with conditions or amendment, or deny the proposed location of the Greenway Setback as it applies to the following properties located outside the city limits but within Springfield’s Urban Growth Boundary:**

**Assessor’s Map and Tax Lot Nos.**

**17-03-34-310 TL 1000, TL 1100**

**17-03-34-320 TL 0100, TL 0101, TL 0400**

**17-03-34-410 TL 0700, TL 0800**

**17-03-34-420 TL 0100, TL 1500, TL 1600, TL 2400, TL 2500, TL 2600, TL 2700, TL 2802**

**17-03-34-440 TL 0100, TL 0102, TL 0200**

**18-03-02-200 TL 2900**

**Union Pacific Railroad Bridge Right of Way**

**Staff: Mark Metzger**

**60 Minutes**

**CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION**

- Staff explanation of quasi-judicial hearing process (ORS 197.763): City Attorney
- Chair opens the public hearing
- Hearings Official opens the public hearing
- Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Hearings Official declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Staff report
- Testimony from the applicant
- Testimony in support of the application
- Testimony opposed to the application
- Testimony neither in support of nor opposed to the application
- Summation by staff
- Rebuttal from the applicant
- Planning Commission, followed by Hearings Official: Consideration of request for continuation of public hearing, extension of written record, or both

- Planning Commission, followed by Hearings Official: Close or continue public hearing (by motion); close or extend written record (continuance or extension by motion)
- Planning Commission discussion; possible questions to staff or public
- Hearings Official possible questions to staff or public
- If no continuance, Planning Commission motion to approve, approve with conditions or amendments, or deny the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record
- Hearings Official declares estimated date of published decision; adjourns participation in the joint hearing
- Final Order signed by Chair incorporating findings and reasoning to support the decision

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

- Upcoming Planning Commission meetings, committee assignments, appointments or other business

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DIRECTOR

ADJOURN REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

City of Springfield  
Work Session Meeting

MINUTES OF THE WORK SESSION MEETING OF  
THE SPRINGFIELD PLANNING COMMISSION HELD  
TUESDAY, April 21, 2015

The City of Springfield Planning Commission met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, April 21, 2015 at 6:00 p.m., with Commissioner James presiding.

ATTENDANCE

Present were Chair Vohs and Vice Chair Nelson, Commissioners Greg James, Michael Koivula, Sean Dunn, and Andrew Landen. Also present were Current Development Manager Greg Mott, Assistant City Attorney Lauren King and Management Support Specialist Brenda Jones and members of the staff.

ABSENT

**Steve Moe- Unexcused**

**1. Establishing the Willamette Greenway Setback Line in Glenwood-**

Senior Planner Mark Metzger started with a PowerPoint presentation regarding the Willamette Greenway Setback.

Statewide Planning Goal 15—Willamette Greenway, requires local governments to incorporate Greenway objectives into comprehensive plans and implementing ordinances.

Part of this responsibility includes the delineation of a “Greenway Setback Line” that establishes an uninterrupted line paralleling the river within which only water-related or water-dependent uses are allowed. The Planning Commission and Hearings Official have both approved delineations of the Greenway Setback Line for various private and public properties with Willamette River frontage. On May 5th, the City of Springfield, in collaboration with several property owners in Glenwood, will propose a Greenway Setback line for all remaining properties in Glenwood that do not have an established setback line.

On September 8, 2014, the Springfield City Council directed staff to work with property owners to complete the Greenway Setback line for the entire Glenwood Riverfront in advance of development. The City hired Schirmer/Satre Group to assist with the fieldwork and analysis required to recommend a Greenway Setback line for those remaining properties that do not have established setbacks.

Beginning in January, staff sent letters and made personal contacts with owners, encouraging their participation in the setback delineation project. In addition to two mailings, staff conducted an open, drop-in meeting with interested owners to discuss the Greenway Setback and how it might affect their property.

All of the affected properties south and west of the Springfield bridges are outside the city limits and therefore the responsibility of the Hearings Official. The area beneath the bridges were annexed in 2005 and therefore the setback is the responsibility of the planning commission.

Mark explained to the Commission what a Hearings Official is and their relationship with Springfield.

Attachment 1 provides an overview of the Greenway Goal; Attachment 2 contains a series of maps showing the proposed Greenway Setback Line for Glenwood.

*PowerPoint Presentation:*

- *The City of Springfield proposes to establish the “Willamette River Greenway Setback Line” on all properties in the Glenwood area where the setback has not already been established. The matter will be considered by the Planning Commission in a joint public hearing with the Springfield Hearings Official on May 5, 2015.*
- *The purposed of this presentation is to review Springfield’s responsibilities with respect to Statewide Planning Goal 15- Willamette River Greenway. This material will be a review for some Commissioners, but will be a useful primer for new Commission members.*
- *The properties to be considered on May 5, 2015 are located primarily outside of the city limits. One lot, located beneath the Springfield bridges near the entrance to Springfield’s downtown, is within the city limits and is within the Commission’s jurisdiction. The Greenway Setback for properties outside of the city limits will be determined by the Hearings Official.*
- *Mark presented a map showing properties without established greenway setbacks.*
- *As the commission views this presentation, the following terms will be important:*
  - *Willamette River Greenway Boundary*
  - *Willamette River Greenway Setback*
  - *75-foot Water Quality/Natural Resources Development Setback.*
- *These terms are easily confused but are important to distinguish as the Commission prepares for the hearing on May 5 2015 The Planning commission will approve the location for the Greenway Setback at the meeting.*

***Establishment of the Greenway Program***

- *The Willamette River Greenway Program, established by the 1967 Oregon Legislature, is a cooperative state and local government effort to maintain and enhance the scenic, recreational, historic, natural and agricultural qualities of the Willamette River and its adjacent lands.*
- *In 1972, the Legislature passed the Willamette River Greenway Act, which established ties to the comprehensive state land use law (Oregon Senate Bill 100) that passed that same year.*
- *In 1975, the Oregon Department of Land Conservation and Development included the Willamette River Greenway as one of nineteen standards for statewide planning, requiring that public access, native vegetation, and scenic views be considered when planning new developments.*

***Local Implementation of Goal 15 – Willamette River Greenway***

- *Statewide Planning Goal 15 requires local governments to establish a Greenway Boundary within their jurisdiction. Generally, the Greenway Boundary is set 150-feet from the river, and expands to include public lands.*
- *Local governments are also charged with determining allowed uses within the Greenway Boundary and to identify potential acquisition areas for public use and conservation.*
- *Local jurisdictions retain the primary responsibility for implementation of the Willamette River Greenway Goal.*
- *The Metro Plan, Springfield’s comprehensive plan, contains a section called, the Willamette River Greenway, River Corridors, and Waterways Elements. This section includes policies for implementation of Goal 15.*
- *The Greenway Boundary within the Eugene-Springfield area was approved by the state in September 1982. The Metro Plan also established planned land uses along the river within the Boundary.*
- *Within Glenwood, the Greenway Boundary is set about 150-feet inland from the ordinary low water mark of the river. Across the river from Glenwood, the Greenway Boundary expands to include Alton Baker Park, Island Park and further up-stream, Dorris Ranch, Mt. Pisgah, and Clearwater Park.*

- *Mark presented a map showing the Willamette River Greenway Boundary within Springfield's Planning Jurisdiction.*

***The Metro Plan allows for a variety of uses within the Greenway Boundary***

- *"Land along the Greenway in private ownership is in a variety of uses, some of which appear to provide greater opportunity than others for public access and enjoyment. Residential uses along the Greenway can provide the residents with access to the river area. Certain commercial uses, such as restaurants, can allow customers visual enjoyment of the Greenway."*

*"Other uses, such as the many industrial uses, would appear to provide little if any opportunity for access or enjoyment of the Greenway. This is evidenced by much of the existing industrial development along the Willamette River in the Glenwood area."*

Commissioner Landen asked, Glenwood you have some Industrial that comes close, will this potentially cause the owners to move that back some or since it's low water mark its 150' from way out there. Mark responded that the Greenway Setback does not require retroactive action. The Greenway Boundary takes in a lot of industrial land and existing industrial uses. State Law never intended for the Greenway Boundary to require everyone to tear down what they are doing and move away.

If the establishing the Greenway Setback Line required retroactive removal of development, you would have a very different waterfront in Portland. If you think about the new construction and development along the Portland waterfront, and more locally, think about the EWEB Administrative Office that sits on the riverfront, beautiful new building; these were built after the establishment of the Greenway program. The Greenway Setback is not intended to prevent all development near the river. It regulates it and makes sure that cities are managing the kind of development that can approach the river and how close that development may come to the river's edge.

Mark added that once that line is established then no new development apart from water related or water dependent would be on the riverside of that setback line. Mark wants to make sure the Commission knows that he is talking about the Greenway Boundary and the idea that the Cities manage land-uses of all kinds within that 150-foot boundary. When we talk about the setback line, that line is going to be a lot closer to the river than the Greenway Boundary.

***Springfield's Greenway Policies in the Springfield Development Code (SDC)***

- *SDC 3.3-300- establishes the Willamette Greenway (WG) Overlay District to protect and preserve natural scenic, historic and recreational qualities of lands along the Willamette River. This overlay district applies within the Willamette Greenway area [as defined by the Greenway Boundary].*
- *Uses allowed in the WG Overlay District are the same as those in the underlying zoning districts. SDC 3.3-320. Zoning along the river in Glenwood is a mix of residential, commercial and employment uses as laid out in the Glenwood Riverfront Plan.*
- *SDC 3.3-325 sets standards for establishing the Greenway Setback Line. The Greenway Setback Line determines how close urban development can approach the river. The location of the setback is based on a variety of criteria.*

***Greenway Setback Line SDC 3.3-325***

- *A Greenway Setback Line is established to protect, maintain, preserve and enhance the natural, scenic, historical and recreational qualities of the Willamette Greenway.*
- *Only water-dependent or water-related uses are permitted between the Willamette River and the Greenway Setback line. Prior land use decisions have recognized riverfront multi-use paths as water related- water dependent uses.*

- *Establishment of this Setback Line may occur with or without a request for development approval, but any request for development approval on land without an established Setback Line shall be accompanied by an application for establishment of the Greenway Setback Line.*

***SDC 3.3-325 Standards for establishing the Greenway Setback***

*The Development Code states that the location of the Greenway Setback Line shall be determined consistent with the following standards derived from Statewide Planning Goal 15:*

- A. *Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.*
- B. *Adequate public access to the river shall be provided.*
- C. *Significant fish and wildlife habitats shall be protected.*
- D. *Identified scenic qualities and view-points shall be preserved.*
- E. *The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for, to the maximum extent practicable.*
- F. *The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.*
- G. *The location of known aggregate deposits shall be considered.*
- H. *Developments shall be directed away from the river to the greatest possible degree; provide, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.*

***Balancing the standards used establish the Greenway Setback***

- *Terms that require flexibility:*
  - *“maximum extent practicable”*  
*While not defined in Goal 15, staff understands the term to require a balancing of factors so that each of the identified Willamette Greenway criteria is met to the greatest extent possible without precluding the planned use.*
  - *“land committed to urban uses”*  
*Goal 15 defines this to mean “those lands upon which the economic, developmental and locational factors have, when considered together, made the use of the property for other than urban purposes inappropriate.”*

***Other Ordinances Protecting the Willamette River Corridor***

- *There are other setbacks and protections on the Willamette that will overlap and may supersede the Greenway Setback Line.*
- *SDC 4.3-115 – Water Quality Protection*  
*Along all watercourses shown on the Water Quality Limited Watercourse (WQLW) Map with average annual stream for greater than 1,000 cubic feet per second (CFS), the riparian are boundary shall be 75 feet landward from the top of the bank.*
- *SDC 4.3-117 – Natural Resources Protection Areas*  
*The Willamette River (WA/WB) is a water quality limited watercourse and is protected by a 75-foot development setback.*
- *The Greenway Boundary defines a 150-wide corridor along the river which also takes in public lands. The Boundary delineates the “side-boards” within special Greenway standards are applied.*
- *The Greenway Setback Line is a development setback from the river. The line is not a fixed distance. The line is established through a balancing of economic, social and environmental objectives. Only water-related, water dependent uses are allowed between the setback line and the river.*

- *The Water Quality / Natural Resource Setbacks are existing 75-foot setbacks along the Willamette that define how close development can come to the river. These setbacks are not related to the Willamette Greenway Boundary or Greenway Setback Line and in fact, overlap them.*

Mark also added that a reasonable question would be, “Why do we adopt two different setbacks?” It is a reasonable question, but the law requires us to stay focused on the criteria that we have. The recommended line is 20-30 feet in some places; at one location its about 190’ from top of bank. If you look at the maps on the wall, you will see that the line is drawn very close to the river’s edge and very close to the existing vegetation along the river.

A 75-foot setback is already part of our development code that responds to the Federal Clean Water Act. We also adopted a Riparian Protection Measure that is part of our Statewide Planning Goal 5 responsibility. The 75-foot setback overlays the Greenway Setback, we will not go into detail regarding the 75-foot setback, we are focused on drawing the Greenway Setback line in accord with the criteria.

The Greenway Boundary, the 150-foot wide sideboard inside that we have the Greenway Setback line, which will be close to the river, taking in largely the vegetative fringe that is along the river when you look at the aerial map. The green strip along the river, you want to protect what is there, but we also need to consider the development that is there. The water quality setbacks at 75-foot, those are three different things; staff is focused on the Greenway Setback.

Mark used a slide showing a fragment of the Wildish property to illustrate the difference between the Greenway Boundary, the 75-foot setback, and then the Greenway Setback. The Greenway Boundary is set 150-feet from the river in Glenwood. Across the river, the Greenway Boundary follows the river but expands beyond 150-feet to take in Dorris Ranch. The slide illustrates how the Greenway Boundary, the 75-foot setback and the Greenway setback interact with each other at the Wildish site.

The Planning Commission will be deciding on the Greenway Setback Line. In Glenwood it will start at the I-5 Bridges at the dotted line, the recommended setback line, the black dot are places where Satres staff and our City Surveyors went out and actually established monuments to locate that line and survey the line

Staff was unable to connect with Mr. Skillern and his property. Where staff did not have permission to go on-site, they worked from aerial photos to recommend a setback line. The line generally follows the vegetation through these properties. While the surveyors did not go on these properties, the aerial photos helped establish the line.

Myrmo and Sons gave permission to go on their property, the proposed setback at that location cuts behind existing manufacturing buildings on this site, while protecting the vegetated fringe along the river the setback comes close to the river.

Again, following the vegetated fringe along the river, we have a large manufacture home park that is next to Roaring Rapids, the line gets fairly close to the river and does not have much vegetation. The minimum setback line from top of bank anywhere is going to be 10-feet. For the most part the setback is 20-30 feet because of the width of the vegetation.

On the map, Mark pointed out a house where the owner built pipe organs for many years. They have a large area of vegetation in front of the home; there is a depression in the landscape, which provided a natural place to draw the line. At this location, the setback line is further inland from the river than in other places.

Mark wants the Commissioners to note that the line for most part follows the vegetation. Mark points out a property that comes around 190-feet off the river with a small wetland located on the property. When Mr. Meiering was walking the site, he knew enough to draw the line to take in the wetland, because development would not be allowed in that particular area.

The last two slides of the PowerPoint presentation shows where the Wildish line was drawn, Wildish gave permission for staff to go back onto their property to survey the line that was approved by the Planning Commission one year ago.

The Planning Commissions job will be to establish a setback beneath the bridges. It may seem like a small thing, but nonetheless it is something that needs to happen. The Commission has authority to approve property within the city limits, the Hearings Official does not.

Mark asked if any of the Commissioners had questions regarding what they will be doing at the May 5, 2015 hearing.

Commissioner Nelson noted that there was a very small setback behind the mobile home park. He asked if the owner wants to redevelop that property, would that be an opportunity to adjust that line further back. Mark answered that once the line is set, there are no provisions in the law to redraw the setback. There is still an overlapping 75-foot setback that will provide ample protection along the river. The other thing is that in Glenwood, we have adopted the Glenwood Refinement Plan. The Plan provides vision for future development Glenwood. It sets not only the setbacks, but also establishes where streets and building will go. The Plan includes a linear park along the riverfront, just as reflected in the Willamalane Plan. It is going to be beyond my lifetime, but there will be a time 30-40 years when Glenwood will be a very special place. It just takes time.

The framework we set in the form of land-use plans do not cause development to occur. Plans guide development. Staff has tried not to be so prescriptive with our rules that we discourage people, but being prescriptive enough to make sure that if you invested your money, you know there will not be something ugly and incompatible next to you. Land-use planning is not just for the citizens of Springfield we are planning for property owners and protecting development investments. It is hard sometimes because we have to tell people, "... no you cannot do what you want to do because it is not consistent with that plan", but again, the plan is something we all have had a chance to talk about.

Commissioner James asked if individual property owners, before they can develop, would need to go through this process anyway if they chose to develop. Staff also indicated that the City Council directed staff to establish the setback; this is a precursor of course to development along that stretch of the river. What is the potential economic benefit to those property owners along that stretch? Mark gave an example of a landowner who paid to have the setback independently established. Commissioner James understands that this is a hard number to assess; it is just like an SDC Credit or other things the City does to help invigorate development and move things forward. Mark responded that he would never hazard a guess as to what the value of the land or development would be. He did say that much of this effort has been funded from the Glenwood Urban Renewal District where increases in property value through this Urban Renewal program have helped fund projects that are intended to help stage and promote new development in the future. One of the primary purposes of establishing the Urban Renewal District is to take something that is old or worn-out and provide the incentives necessary to jump start new development. In this case paying for the establishment of this line is a small investment compared to the benefit or potential benefit and when we talk about land values. For example Oldham Crane, has one of the most expensive parking lots in the metropolitan area. That said the Oldham family has had this crane business in Glenwood for many years. Their site is valuable to them and they are not interested in selling out quick and moving. There will be a tipping point in the future where adjacent or nearby development will cause their property value to go up. At some point, they will realize they can sell their property, move their crane business to a different location and come out ahead. We hope that by doing the right thing, we can see property values increase and see that change over time.

Commissioner Landen opined, with few exceptions, the State's 75-foot riparian boundary is going to be the more restrictive. We do this because we need too, but it is not going to be the City getting in the way of development. It is the more restrictive 75-foot riparian setback. If the property owner wants to do something, the 75-foot setback restriction will get in the way before we do. Mark responded that its part of the balance that staff has been talking about. We want to protect the riverfront for all those values, scenic

and natural, that we talked about. There is a legitimate concern about habitat for salmon, the river is probably 400-feet wide in Glenwood, by preserving the riverfront bank 75-feet from top-of-bank you are creating an environment that is conducive to the insects and bugs and everything else that end up landing on the river. The City relies on biologist and other people to help us establish the minimum setback for development that will allow streams to be healthy the 75-foot is what was recommended.

The 75-foot setback is called the “Safe Harbor Setback” by the state. The Safe Harbor Setback is something that was discussed among a number of State Agencies and then recommended to Cities. The City’s purpose in setting Greenway Setback is different, and has different criteria, than the 75-foot setback. It is hard not to say, “Why don’t we draw it at 75-feet...” We actually did that as part of the Glenwood Refinement Plan and the Court said that we could not do that, so we are doing what we are supposed to do by using the criteria that are intended for establishing the Willamette River Greenway Setback Line, not for other things.

### ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Minutes Recorder – Brenda Jones

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Tim Vohs  
Planning Commission Chair

Attest:

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Brenda Jones  
Management Support Specialist

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**AGENDA ITEM SUMMARY**

**Meeting Date:** 4/21/2015  
**Meeting Type:** Regular Meeting  
**Staff Contact/Dept.:** Mark Metzger/DPW  
**Staff Phone No:** 541-726-3775  
**Estimated Time:** 60 Minutes  
**Council Goals:** Mandate

**SPRINGFIELD  
PLANNING COMMISSION**

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**ITEM TITLE:** ESTABLISHING THE WILLAMETTE RIVER GREENWAY SETBACK LINE IN GLENWOOD

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**ACTION REQUESTED:** Conduct a joint public hearing with the Springfield Hearings Official to consider a proposal to adopt a “Greenway Setback Line” for properties in Glenwood where this line has yet to be established. The Planning Commission is requested to approve, approve with conditions or amendments, or deny the proposed location for the setback as it applies to the location of the setback within the annexed ODOT right-of-way located beneath the Springfield bridges. The Hearings Official shall determine the setback for those properties which are outside of the city limits but within Springfield’s Urban Growth Boundary.

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**ISSUE STATEMENT:** Statewide Planning Goal 15—Willamette Greenway, requires local governments to incorporate Greenway objectives into comprehensive plans and implementing ordinances. Part of this responsibility includes the delineation of a “Greenway Setback Line” that establishes an uninterrupted line paralleling the river within which only water-related or water-dependent uses are allowed. The Planning Commission and Hearings Official have both approved delineations of the Greenway Setback Line for various private and public properties with Willamette River frontage. The City of Springfield, in collaboration with several property owners in Glenwood, are proposing a Greenway Setback line for all remaining properties in Glenwood that do not have an established setback line.

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**ATTACHMENTS:**

1. Staff Report and Recommendation
2. Application and Supporting Exhibits A-G. Exhibit G is a series of aerial photographs showing the proposed setback line.
3. 2004 Salix Report on the Establishment of the Willamette River Greenway Setback Line in Glenwood.
4. Draft Minutes from April 21, 2015 Work Session

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**DISCUSSION:** On September 8, 2014 the Springfield City Council directed staff to work with property owners to complete the Greenway Setback line for the entire Glenwood Riverfront in advance of development. The City hired Schirmer-Satre Group to conduct the field work and analysis required to recommend a Greenway Setback line for those remaining properties that do not have established setbacks. Schirmer-Satre was also commissioned to prepare an application on behalf of the City to establish the setback line for these properties.

The City proposes to draw the Willamette River Greenway Setback Line at the upland extent of the riparian vegetation (Riparian Edge), or ten feet from top-of-bank, whichever is greater. Where the existing riparian vegetation is present, the proposed setback (from top-of-bank) averages 20 to 30 feet. In one small area, however, the setback is approximately 190 feet due to the presence of a small wetland (Tax Lot 18-03-02-20 TL2900). Elsewhere, where the riparian vegetation is scarce or absent, the setback line ranges between 10 and 20 feet from top-of-bank. Exhibit G to the application contains a series of aerial photographs showing the proposed setback line.

Attachment 1 is the Staff Report and Recommendation which compares the proposed Greenway setback to the applicable criteria for establishing the setback found in SDC 3.3-325. Attachment 2 is the application prepared by Schirmer-Satre Group on behalf of the City which is the applicant. Attachment 3 is the 2004 Salix Report on Establishment of the Willamette River Greenway Setback Line in Glenwood. The Salix Report provides a second opinion on the proposed location of the Willamette River Greenway Setback Line in Glenwood.

It is the conclusion of staff that the proposed Glenwood Willamette River Greenway Setback Line is consistent with the criteria for establishment found in SDC 3.3-325. Staff recommends approval of the proposed line as submitted.

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Type III Willamette Greenway Setback Determination,  
 Without Development  
 Staff Report and Recommendation



**Project Name:** Glenwood Willamette River Greenway Setback

**Proposed Action:** To establish the Willamette River Greenway Setback in Glenwood for properties without a delineated setback. The City proposes to draw the Willamette River Greenway Setback Line at the upland extent of the riparian vegetation (Riparian Edge), or ten feet from top-of-bank, whichever is greater. Exhibit G of Attachment 2, the City’s application, shows the recommended setback line for the subject properties. Exhibit G is composed of 6 survey maps overlaying an aerial photograph showing the proposed line with respect to existing development and the river. The proposed setback follows the upland extent of the natural riparian vegetation.

**File No.:** TYP315-00002

**Applicant:** City of Springfield

**Applicant’s Representative:** Richard Satre, Schirmer -Satre Group

**Date of Application:** April 9, 2015

**Date of Hearing:** May 5, 2015

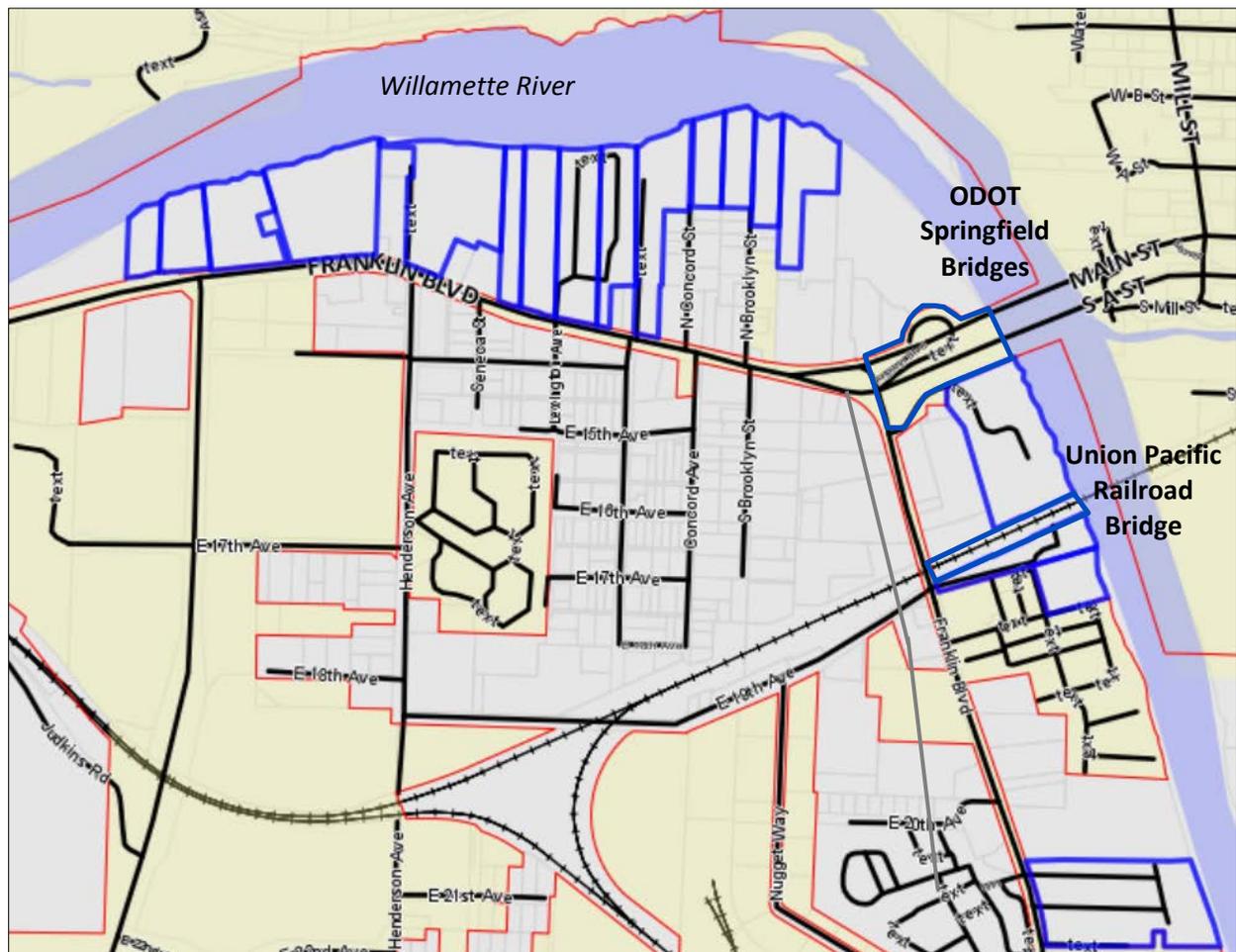
**Subject Properties:** The affected properties include nineteen (19), mostly developed parcels. Sixteen parcels totalling 51.28 acres are developed. Three parcels totalling 5.56 acres are vacant. In addition, there are two lots comprised of right-of-way beneath the ODOT Springfield Bridges and the Union Pacific Railroad Bridge. These two total 6.50 acres. With the exception of the ODOT Bridge right-of-way, the properties are located outside of the Springfield City Limits.

Table 1 shows those properties that are annexed and not annexed. The Springfield Planning Commission has the authority to approve the Greenway Setback Line for properties that have been annexed. The Springfield Hearings Official has the authority to approve the setback for properties that have not been annexed.

Table 1. Subject Properties				
Map Lot Number	Acres	Glenwood Refinement Plan/Zoning	Vacant/Developed	Annexed?
170334310 TL1000	5.28	OFFICE MU	DEVELOPED	NO
170334310 TL1100	2.87	OFFICE MU	DEVELOPED	NO
170334320 TL0101	1.82	OFFICE MU	DEVELOPED	NO
170334320 TL0400	2.47	OFFICE MU	DEVELOPED	NO
170334410 TL0700	2.71	COMMERCIAL MU	VACANT	NO
170334410 TL0800	1.51	COMMERCIAL MU	DEVELOPED	NO
170334420 TL0100	1.49	RESIDENTIAL MU	VACANT	NO
170334420 TL1500	1.36	RESIDENTIAL MU	VACANT	NO
170334420 TL1600	3.64	RESIDENTIAL MU	DEVELOPED	NO

Map Lot Number	Acres	Glenwood Refinement Plan/Zoning	Vacant/Developed	Annexed?
170334420 TL2400	2.79	RESIDENTIAL MU	DEVELOPED	NO
170334420 TL2500	3.55	RESIDENTIAL MU	DEVELOPED	NO
170334420 TL2600	2.84	RESIDENTIAL MU	DEVELOPED	NO
170334420 TL2700	1.60	RESIDENTIAL MU	DEVELOPED	NO
170334420 TL2802	5.34	OFFICE MU/ RES MU	DEVELOPED	NO
170334440 TL0100	5.98	EMPLOYMENT MU	DEVELOPED	NO
170334440 TL0102	1.89	EMPLOYMENT MU	DEVELOPED	NO
170334440 TL0200	1.57	EMPLOYMENT MU	DEVELOPED	NO
180302200 TL2900	7.04	EMPLOYMENT MU	DEVELOPED	NO
170334320 TL0100	1.09	OFFICE MU	DEVELOPED	NO
UNION PACIFIC RAILROAD BRIDGE ROW	1.76		VACANT	NO
ODOT SPRINGFIELD BRIDGES ROW	4.74		VACANT	YES

**Figure 1. Proposed Glenwood Willamette Greenway Setback Line Subject Properties**



Annexed
  Unincorporated
  Subject Properties

## I. Executive Summary

The City proposes to delineate the Willamette River Greenway Setback Line in Glenwood for properties which have yet to establish one. This application is intended to establish the setback within the boundaries of the subject properties prior to new development. No development is proposed with this application. The applicable standards which apply to the alignment of the Greenway Setback Line for the subject properties focus on allowing appropriate recreational access, minimalization of vandalism and trespass, protection and enhancement of the riparian fringe and protection of significant fish and wildlife habitat.

The subject sites are mostly developed. What riparian fringe that exists along the river is very narrow. Where the existing riparian vegetation is present, the proposed setback (from top of bank) averages 20 to 30 feet. In one small area, however, the setback is approximately 190 feet due to the presence of a small wetland (Tax Lot 18-03-02-20 TL2900). Elsewhere, where the riparian vegetation is scarce or absent, the setback line ranges between 10 and 20 feet from top-of-bank. The proposal includes a minimum width for the Greenway Setback Line of ten feet. This will provide an opportunity to enhance the natural vegetative fringe along the river in those areas where vegetation is currently lacking or nonexistent. This minimum setback distance is consistent with previous Greenway Setback determinations.

The City employed Schirmer-Satre Group to develop a recommended setback delineation. Brian Meiering, Environmental Specialist for Schirmer-Satre, is a professional wildlife biologist with 17 years experience. Brian completed the Greenway Setback analysis and report for the Wildish application that was approved by the Springfield Planning Commission and Hearings Official in April, 2014.

Meiering walked each site where property owner permission could be obtained, to evaluate the resource values for each site and to recommend a setback location. City survey staff worked together with Schirmer Satre staff to establish monuments delineating the location of the recommended setback. Schirmer Satre staff found that the subject properties generally have minimal habitat value, particularly for supporting listed species known to be found within a two mile radius. Meiering paid specific attention to the potential presence of the Western Pond Turtle and habitat, concluding that the subject properties are not optimal turtle habitat.

City Survey staff mapped the recommended setback line. Crews set survey monuments on those properties whose owners granted access. On those few properties where access could not be obtained, Meiering used aerial photography as a basis for the recommended line. Survey staff used Meiering's work as a basis for showing the line on the maps showing the proposed setback (Attachment 2, Exhibit G).

The proposed Greenway Setback line provides minimal protection to the existing narrow band of vegetation along the river. The line acknowledges the existing development, and the future vision for the Glenwood Riverfront as reflected in the adopted Glenwood Refinement Plan. That said, the established development setback of 75-feet for riparian protection and enhancement that will not be altered or negated by the proposed greenway setback line.

In 2004, the City contracted with Salix Associates, an environmental consultancy, to conduct an analysis of the Glenwood riverfront using the standards found in SDC Section 3.3-325 for establishing the

Greenway Setback Line (Attachment 3). The Salix report produced a descriptive inventory of the flora and fauna along the riverfront and included a series of aerial photos with a recommended Greenway Boundary drawn in. The City's proposed Willamette Greenway Setback Line is consistent with the setback recommended by Salix Associates.

The proposed setback is found by staff to be consistent with the standards for establishing the setback found in SDC 3.3-325, with the exception of a small line segment located at the Riverside Mobile Home Park (Tax Lot 18-03-02-20 TL2900). Staff recommends amending the setback line at that location to remove a suspected wetland and follow the riparian fringe along the river. The site, if it is confirmed to be a wetland, will come under the protection of SDS 4.3-117, Springfield's wetland protection standards (See Finding #38 and Figures 8 and 9).

## II. Site Context:

The subject property is comprised of one area of public right-of-way (that area associated with the two Springfield Bridges as they cross the Willamette River from Glenwood to Downtown Springfield), one property owned by Union Pacific Rail Road (UPRR) where its rail line crosses the Willamette River between Glenwood and Springfield, and nineteen (19) tax lots with fifteen (15) different owners. In one instance, the same owner owned three of the subject tax lots, in three instances, the same owner owned two of the subject tax lots, while in two instances the same tax lot had two different owners.

An inventory of the subject property, including map and lot number, tax lot size, plan designation and zoning, ownership and whether permission to access the property is documented in Attachment 2, Exhibit A<sup>1</sup>. Collectively, the property documented in Exhibit A is the Subject Property.

Each Subject Property parcel (the right-of-way, UPRR parcel and the 19 tax lots) fronts the Willamette River and is located between Franklin Blvd and the Willamette River in the northern portion of the Glenwood neighborhood and between McVay Blvd and the Willamette River in the southern portion of the Glenwood neighborhood. (Of these, the former is referred to as the Franklin Riverfront and the latter is referred to as the McVay Riverfront in the Glenwood Refinement Plan.)

Plan designations and zoning districts of the tax lots is also codified in the adopted Glenwood Refinement Plan. These are Office Mixed-Use, Residential Mixed-Use, Commercial Mixed-Use and Employment Mixed-Use<sup>2</sup>.

Riverfront areas, plan designations and zoning districts aren't applicable to Greenway Setback Line criteria, but understanding the land use framework can help visualize the setback line and its effect on current and future developments and uses and vice-versa.

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<sup>1</sup> An inventory of property along the Glenwood Riverfront which already has an established Greenway Setback Line is documented in the Attachment 2, Exhibit B. The properties in Exhibit B are not part of this application's request to establish a Greenway Setback Line but are included for reference.

<sup>2</sup> Whereas the tax lots have a plan designation and zoning district, right-of-way and railroad property does not.

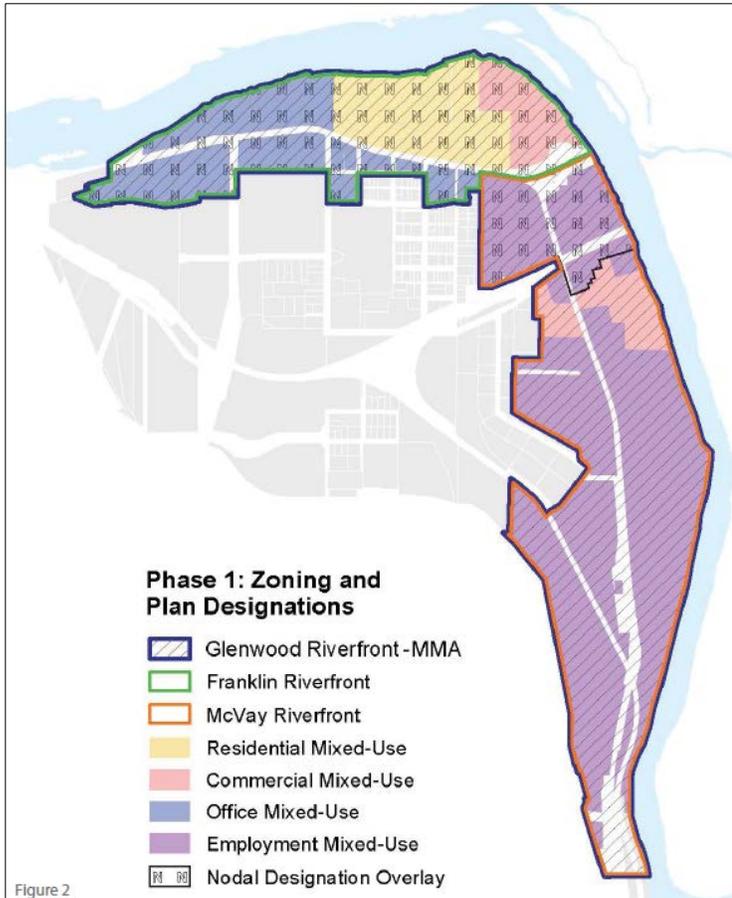


Figure 2

Figure 2. Plan Designations and Zoning Districts Glenwood Refinement Plan April 2014



Figure 3. It is common for existing development to extend to the top-of-bank.

The current physical condition of the Subject Property is quite variable. Individual tax lots range from fully developed to essentially undeveloped with most of the development being long-standing and of an industrial nature. The river's edge in particular is of a similar nature. It is common for development to approach very near to the top of bank. Even where the tax lot is 'undeveloped', it is rare that some level of site disturbance has not previously occurred.

Along the river's edge, the area near the top of bank, the physical condition varies greatly (See Figure 4 below). From mown lawn (photo 1), to industrial fencing (2 and 3), to backyard overlooks (4), to cleared and once used for something (5), to simply cleared (6), the vegetated fringe is sometimes there, sometimes not and nearly never of a natural condition.

Figure 4. Photos 1-6 below illustrate conditions along the river's edge in the subject area



### III. Procedural Criteria:

Section 3.3-315 of the Springfield Development Code (SDC) states that development proposals within the Willamette Greenway Boundary shall be reviewed as a Discretionary Use procedure. SDC Section 5.9-115 states that Discretionary Uses are to be processed as a Type III review procedure that comes before the Planning Commission for sites within the city limits or the Lane County Hearings Official for those sites outside of the city limits but within the Springfield Urban Growth Boundary (UGB).

Type III processing steps are described in 5.1-135 and 5.9-115. The following processing steps are required:

1. The Director must determine that the application is complete.
2. Newspaper notice must be provided and mailed notice to property owners and occupants within 300 feet of the project area.
3. The Director shall distribute the application to the Development Review Committee or the Historical Commission for comments, where applicable.
4. Notice shall be given to the Oregon Department of Transportation by forwarding a copy of the application by certified mail, return receipt requested. Notice of final City action shall also be provided to the Oregon Department of Transportation.

### **Procedural Findings and Conclusion**

**Finding #1.** The applicant is the City of Springfield. Staff determined that the application materials submitted by Schirmer -Satre were complete on April 16, 2014.

**Finding #2.** Table 1 shows that the ODOT right-of-way beneath the Springfield Bridges is the only subject property that has been annexed. The Springfield Planning Commission shall approve the setback for the annexed property. The Springfield Hearings Official shall approve the setback for the remaining subject sites.

**Finding #3.** Published notice of the hearing appeared in the Register Guard on Monday April 13, 2015. The published notice complied with the content requirements for Type III public hearings listed in SDC Section 5.2-115 (B).

**Finding #4.** No development is proposed by this action. The Development Review Committee provides comments related to site development and the provision of services for a particular development. The Director concluded that a Development Review Committee meeting was not warranted. The project area does not fall within the Springfield Historical District and as such the proposal does not warrant Design Review Committee review.

**Finding #5.** Mailed notice was sent to affected property owners and occupants within 300-feet of the project on April 15, 2015, as attested by affidavit. The mailing allowed more than the required 20-day notice and complied with the content requirements for Type III public hearings listed in SDC Section 5.2-115 (A). Two phone calls were received by staff from residents of the Riverside Mobile Home Park, asking for clarification about the Greenway Setback Line. No opinions were expressed by the residents during the calls.

**Finding #6.** In completing the on-site analysis for locating the proposed Greenway setback, the City sought permission from property owners before entering their property. This permission letter was sent to owners on January 13, 2015. Attachment 2, Exhibit s D and E to the application are copies of the Property Owner Letter and the Property Owner Access Permission Letter.

**Finding #7.** A meeting of interested property owners was held at Roaring Rapids Pizza on January 29, 2015, to discuss the setback line and its implications for their properties. One-on-one meetings and phone calls were also used to discuss the setback line with owners.

**Finding #8.** Notice of the proposed setback line was forwarded to David Warren at the Oregon Department of Transportation on April 17, 2015, as required by SDC 5.1-135.

### **Conclusion**

The procedural requirements detailed in SDC Section 5.9-115, SDC Section 5.2-115 (A) and (B) and SDC 5.1-135 have been followed.

### **IV. Review Criteria and Findings:**

No development is proposed as part of this application to establish the Greenway Setback Line. The standards for establishing the Greenway Setback Line and are found in SDC Section 3.3-325. These standards are shown below.

### **Willamette Greenway Setback Standards (SDC 3.3-325)**

*“...The location of the Greenway Setback Line shall be determined consistent with the following standards derived from Section C.3 of the Willamette River Greenway Goal 15:*

- A. Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.*
- B. Adequate public access to the river shall be provided.*
- C. Significant fish and wildlife habitats shall be protected.*
- D. Identified scenic qualities and view-points shall be preserved.*
- E. The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for, to the maximum extent practicable.*
- F. The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.*
- G. The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying zoning district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.*
- H. Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.”*

**“A. Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.”**

**Applicant’s Statement:**

*“The applicable functional plan for recreation in this area is the Willamalane Park and Recreation Comprehensive Plan. It was adopted by the Willamalane Board of Directors on Oct. 10, 2012 and was subsequently adopted as an element of the Metro Area General Plan by Springfield (Ord. No. 6303 (Nov., 4, 2013) and Lane County (Ord. No. PA 1302 (Oct. 5, 2013)).*

*The portion of the Willamalane Plan most relevant to the current proposal deals with the creation of a riverfront linear park. The Highlights and Improvements section, Chapter 3, provides:*

*Actions 4.13 and 4.14, Glenwood Riverfront Linear Park A and B: As the Glenwood area is redeveloped, Willamalane has an opportunity to work with public and private partners to develop a riverfront linear park and multiuse path, and expand the popular Willamette River path system. Section A (Action 4.13) would travel from the Viaduct Path underneath the I-5 bridge, east to the Springfield Bridge; Section B (Action 4.14) would travel from the Springfield Bridge south to Seavey Loop Road.*

*The proposed linear park will include multiuse paths, picnic areas, and river overlooks, and will be a significant regional recreation and river overlooks, and will be a significant regional recreation and alternative transportation resource. The park will also expand recreation opportunities for Glenwood area residents, who currently have limited access to close-to-home parks.*

*In addition, the Strategies and Actions section, Chapter 4, includes a map showing a planned multi-use path along the riverfront of the subject properties, Map 2 Proposed Park and Recreation Projects. That map includes four symbols over the subject property with the numbers 4.13, 4.14, 4.15 and 4.24. These numbers correspond to planned actions, as described in tables.*

*Action 4.13 is described in the table as: Glenwood Riverfront Linear Park A. Work with partners to develop a riverfront linear park and multiuse path from I-5 to the Springfield Bridge, consistent with the Glenwood Refinement Plan.*

*4.14 is described as: Glenwood Riverfront Linear Park B. Work with partners to develop a riverfront linear park and multiuse path from the Springfield Bridge to Seavey Loop Road.*

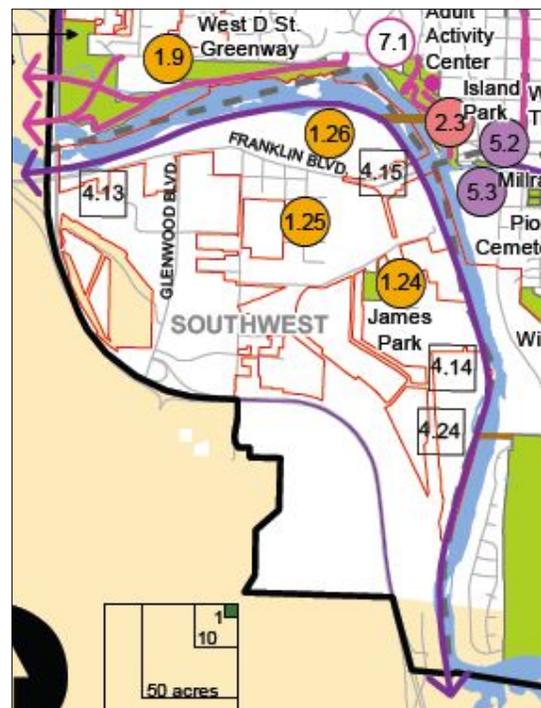


Figure 5. Excerpt Map 2 Proposed Park and Recreation Projects Willamalane Park and Recreation Comprehensive Plan, 10/14

4.15 is described as: *Glenwood to Island Park (Bridge)*. Work with the city to explore the feasibility of a bicycle/pedestrian bridge from South Bank Path A to Island Park, per the Downtown District Urban Design Plan.

4.24 is described as: *Glenwood to Dorris Ranch (Bridge)*. Work with partners to explore the feasibility of developing a bicycle and pedestrian bridge across the Willamette River, connecting the Glenwood Riverfront Linear Park B to Dorris Ranch and the Middle Fork Path.

Additional functional and refinement plans also reference the multi-use trail along the south bank of the Willamette River. *TransPlan (July 2002)* identifies a South Bank Trail to run from I-5 to the Springfield Bridge, but not any farther upstream. The 2014 *Glenwood Refinement Plan*, at page 76, states Develop a multi-use path along the Willamette River in Glenwood from I-5 to the southern tip of Springfield's Urban Growth Boundary so that the multi-use path strengthens physical and visual connections to the river, and supports recreational uses and bicycle/pedestrian commuters along the riverfront.

These plans, and their projects, the linear park, the bridges, the off-street path, do not reference the Willamette Greenway Overlay District or a Greenway setback line. There is however a correlation as both are referring to the linear edge of the adjacent Willamette River. The city has not yet obtained any property rights for the linear park or pathway. This will likely be negotiated in the context of specific property annexation and/or development or re-development. As establishment of a Greenway setback is a necessary first step for development approval, approval of this application will bring the city one step closer towards being in a position to implement these policies from the Willamalane plan.

As stated, the public access rights will need to be obtained through purchase or voluntary donation, as part of future annexation proceeding or as part of a subsequent development review process. In a similar application for a Willamette Greenway Setback determination for a property elsewhere located along the Glenwood riverfront, the Hearings Official noted "The best time to provide for the bike path is when development is proposed for the subject property." There is some flexibility in the ultimate location of the path, as the *Glenwood Refinement Plan* states that the path diagram is a conceptual alignment (*Glenwood Refinement Plan*, page 54). Because the subject property will still be within the Willamette Greenway Overlay District after the Willamette Greenway Setback Line is established, development proposals for property will be subject to Discretionary Use procedures (SDC 5.9-100) and/or Master Plans (SDC 5.13-100) or Site Plan Review (SDC 5.17-100). Those procedures will ensure the city has ample opportunity to secure the public rights for a riverfront linear park and pathway in the context of a redevelopment application.

Elsewhere, the *Springfield Development Code*, in addressing the protection of water quality (SDC 4.3-115.A.1) establishes a 75-foot development setback from the top-of-bank for the Willamette River. This development setback allows for construction of multi-use paths and some stormwater treatment facilities within the setback boundary. The subject property is subject to this setback. It should be noted that the 75-foot setback was established to accomplish water quality and resource protection goals. The Greenway Setback Line is different from this water quality/resource setback. The Greenway Setback is intended to accomplish broader goals including recreation and access.

Establishment of the Willamette Greenway Setback line at the upland extent of the riparian vegetation as proposed in this application would not interfere with establishment of the multi-use path planned for

location on the subject property. The narrow corridor required for the path should not negatively impact development of the subject property.

The recreational needs of the Springfield area and for Glenwood in particular have been planned or provided for. That portion of the recreational plan that affects the subject property will not be affected by the proposed delineation of the Greenway Setback Line.

Lastly, this approval criterion directs the city to consider and minimize the possibility that public recreation might disturb adjacent property. Currently, there is some public recreation that occurs on the river (rafting, fishing). Establishing the Greenway Setback line will not change the existing situation in regard to public recreation on and adjacent to the subject property.

Given this, this criterion (SDC 3.3-325.A) is met.”

**Staff Findings:**

**Finding #9.** The 2014 Glenwood Refinement Plan designates all of the Glenwood Riverfront as one of four types of mixed-use development. These designations include Office Mixed Use, Commercial Mixed Use, Residential Mixed Use and Employment Mixed Use. The implementing zoning conforms to these same mixed use designations. The planned use of the Glenwood riverfront is for employment uses and not recreational use.

**Finding #10.** The Willamalane Park and Recreation District provides park services for the City of Springfield. This includes park planning and development. The 2012 Willamalane Park and Recreation Plan lists current and planned park facilities for the Springfield area.

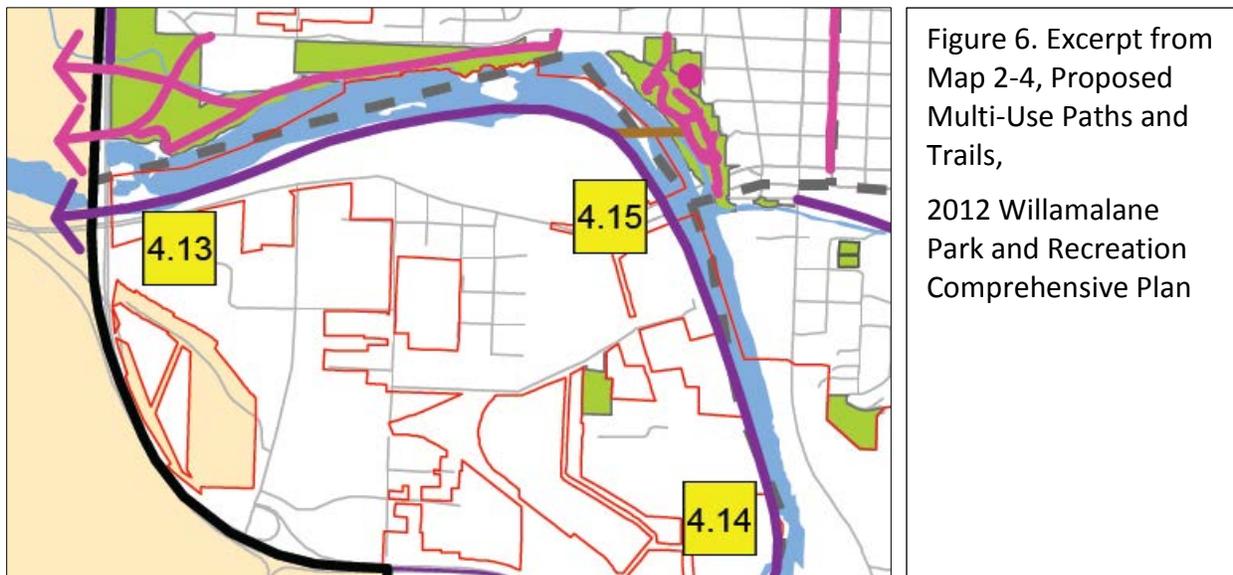


Figure 6. Excerpt from Map 2-4, Proposed Multi-Use Paths and Trails, 2012 Willamalane Park and Recreation Comprehensive Plan

**Finding #11.** The 2012 Willamalane Park and Recreation Comprehensive Plan (Willamalane Comprehensive Plan) indicates that no community or regional parks are planned within the subject area. The Plan calls for three neighborhood parks to be developed in the Glenwood area. Projects 1.24, 1.25 and 1.26 are neighborhood parks planned for residential areas in Glenwood. Each of these will be located outside of the subject area as shown on Map 2-1 of the Willamalane Plan.

**Finding #12.** The 2012 Willamalane Comprehensive Plan calls for the development of the Glenwood Riverfront Linear Park (Projects 4.13, 4.14) and the associated Glenwood to Island Park Bridge (Project 4.15).

**Finding #13.** The Willamalane Plan explains that linear parks and trails are intended to preserve open space and provide opportunities for trail-oriented activities, such as walking, running, bicycling, skating, etc. Typically, linear parks are developed within a 20-foot easement or dedicated right-of-way that is secured through negotiation with property owners. The Willamalane Plan indicates that facility design will be “sensitive to issues such as privacy, security, and property rights when planning and developing linear parks and pathways” (Strategies A.53 and A.54 Willamalane Comprehensive Plan, page 45).

**Finding #14.** The 2014 Glenwood Refinement Plan devotes a section to “Riverfront Multi-Use Path (pg. 76). The objective of the Glenwood Plan with respect to the Riverfront path is to “Develop a multi-use path along the Willamette River in Glenwood from I-5 to the southern tip of Springfield’s Urban Growth Boundary so that the multi-use path strengthens physical and visual connections to the river, and supports recreational uses and bicycle/pedestrian commuters along the riverfront.”

**Finding #15.** SDC Section 4.3-115 (A.)(1.) states, “Along all watercourses shown on the WQLW Map with average annual stream flow greater than 1,000 cubic feet per second (CFS), the riparian area boundary shall be 75 feet landward from the top of the bank. Existing native vegetative ground cover and trees shall be preserved, conserved, and maintained between the ordinary low water line and the top of bank and 75 feet landward from the top of bank.” The standard effectively establishes a 75-foot development setback from the top-of-bank for the Willamette River. This development setback allows for construction of multi-use paths and some stormwater treatment facilities within the setback boundary. The applicant’s properties are subject to this setback.

It should be noted that the 75-foot setback was established to accomplish water quality and resource protection goals. The Greenway Setback Line is different from this water quality/resource setback. The Greenway Setback is intended to accomplish broader goals including recreation and access.

**Finding #16.** Applicants with riverfront property seeking annexation to the City have been required to dedicate a strip land for the Glenwood Riverfront Linear Park (Project 4.14). As a result segments of riverfront land have been set aside for linear park and multi-use path. Similar negotiations to acquire land for the path will likely accompany any future annexation.

**Finding #17.** Establishment of the Willamette Greenway Setback line “at the upland extent of the riparian vegetation (Riparian Edge), or ten feet 10’ from top of bank, which ever is greater,” as proposed by the City would not interfere with establishment of the multi-use path planned for location on the subject properties. The narrow corridor required for the path should not negatively impact development of the subject properties.

**Conclusion:** Willamalane has planned for parks of various types to serve the Glenwood area. The subject properties are planned for development of residential, commercial, and employment mixed uses and not specifically for parks. That said, the planned multi-use path is planned for placement along the Willamette River which impacts the applicant’s properties. The applicant has already dedicated land for

path across the majority of its properties. The recreational needs of the Springfield area and for Glenwood in particular have been planned or provided for. That portion of the recreational plan that affects the subject properties will not be affected by the proposed delineation of the Greenway Setback Line.

The location of the Greenway Setback Line proposed by the applicant is consistent with this standard.

**“B. Adequate public access to the river shall be provided.”**

**Applicant’s Statement:**

*“Currently, the subject property is predominantly in private ownership and developed. Public access is not granted to or across the subject property. As the [1999] Glenwood Refinement Plan notes, the Greenway Goal protects existing uses. Consequently, the existing level of public access to the river is consistent with the Goal and this standard. The question of what type of public access is “adequate” in this particular setting is answered in part by long-range planning documents, such as the Metro Plan, the Glenwood Refinement Plan, and the Willamalane Plan. As noted above, several refinement plans indicate that a public multi-use path is planned to eventually run along this bank of the Willamette River. The precise location of this path has not been established, nor have all of the necessary easements been acquired for it. The steep bank and swift current in this area will present challenges for direct public access to the river.*

*As discussed above, establishment of the proposed Willamette Greenway Setback Line is a necessary prerequisite for future redevelopment. The application process for future development will provide an opportunity to ensure that public access to the river is either maintained or increased from the status quo, consistent with the Metro Plan and applicable parks and transportation plans.*

*As such, this criterion (SDC 3.3-325.B) is met.”*

**Staff Findings:**

**Finding #18.** Existing development limits public access to the Willamette. The Greenway Setback Line itself, as proposed, will not increase public access to the river. The proposed setback, in conjunction with the Glenwood Refinement Plan and the Willamalane Comprehensive Plan will afford more opportunities to access the river as development occurs in the future. As mentioned in Finding #13, at the time of annexation, the City is requiring owners to dedicate a 20-foot wide easement within the established 75-foot riparian setback along the river for the construction of a multi-use path. The path will provide visual access to the river for cyclists and pedestrians. It is likely that as future streets and businesses are developed in the area, pedestrian connections from these developments will link to the path.

**Finding #19.** The public currently has direct access to the river at Island Park and along the Middle Fork Path. In addition, there are boat launches at the eastern most end of Island Park, and at D Street, near where Island Park meets Alton Baker Park.

**Finding #20.** The established plan designations for the subject properties intend the subject properties to be developed for residential, commercial and employment mixed uses. Public recreation

is not the primary use. The multi-use path envisioned by the Willamalane Comprehensive Plan will provide an appropriate level of river access consistent with the adopted plan designations for the area.

**Conclusion:** The proposed Greenway Setback Boundary is consistent with this standard.

**“C. Significant fish and wildlife habitats shall be protected.”**

**Applicant’s Statement:**

*The [1999] Glenwood Refinement Plan [page 39] recognizes that there are no significant fish or wildlife habitat areas identified within the Glenwood portion of the Willamette River Greenway. This conclusion is confirmed in the Glenwood Riverfront Natural Resources Inventory (Attachment 2, Exhibit F), which explains:*

*Current records obtained from Oregon Biodiversity Information Center (ORBIC) show no rare species known on the subject property, with the exception of fish species within the Willamette River itself. In addition, the Inventory concludes that the subject property is poor habitat for all the species listed. This Inventory concluded:*

*Dominance of site disturbance on the subject property (clearing, filling, paving, buildings) has led to dense non-native, and sometimes invasive, vegetation and a narrow riparian fringe with steep banks. The velocity of waters and steep, linear nature of the banks along these lots is not conducive for listed species.*

*Whereas there is a dominance of highly disturbed urban alteration to the property, the Inventory did observe a somewhat different set of habitat and physical conditions in a few areas (such as on Lot 17-03-34-44/00100) but found these areas to be similarly lacking in overall habitat values, with the exception of a riparian edge that is proposed to be included in the Greenway setback. The Inventory explains: While Lot 17-03-34-44/00100 may exhibit characteristics of fair habitat for listed species, the lack of documented evidence of species use, lack of ponding water, cleared area and extent of invasive vegetation, velocity of the river, isolated nature of the lot and surrounding urban uses negate this habitat value beyond the proposed setback.*

*The riparian fringe along the river’s edge (between the top of bank/riparian vegetation and the river) is expected to provide benefits such as refuge for different life stages of fish during high water and allow some cooling value during the hotter months which also benefits different life stages of listed fish, including salmonids. The proposed location of the Greenway Setback would retain these values.*

*The proposed setback area would conserve all of the existing riparian vegetation. Because this proposal protects all of the riparian vegetation on the subject property, it affords the greatest degree of protection for fish and wildlife habitat, even though that habitat is not considered significant.*

*Given this, this criterion (SDC 3.3-325.C) is met.”*

## Staff Findings:

**Finding #21.** The 1999 Glenwood Refinement Plan was replaced by the 2014 Glenwood Refinement Plan. In the context of the Greenway area, the 1999 Glenwood Plan stated “No significant or wildlife habitat areas have been identified to date.” The 2014 Glenwood Plan makes no specific assessment of significant fish and wildlife habitat in Glenwood, but does describe a broad vision for future riverfront vegetative restoration within the 75-foot development setback adopted by the City in 2004 in response to the Federal Clean Water Act. The proposed Greenway Setback does not conflict with this proposed restoration per se, however, the larger 75-foot setback will have the effect of keeping future development further from the Willamette than that proposed by the Glenwood Greenway Setback Line.

**Finding #22.** The subject properties are heavily disturbed. Present use of the land on the majority of the sites has degraded the habitat value of the site. There is a narrow vegetated fringe adjacent to the river. The proposed Greenway Setback Line protects that existing fringe. The photos in Figures 3 and 4 illustrate the minimal habitat value and narrow vegetated fringe found on the subject sites.

**Finding #23.** In 2002, The Willamette River was included on Springfield’s Map of Water Quality Limited Watercourses as part of Springfield’s response to the Federal Clean Water Act. In addition, in 2005, the Springfield Natural Resources Study listed the Willamette River as a “locally significant” riparian corridor under Statewide Planning Goal 5. A program for protecting the Willamette River was developed as part of Springfield’s response to the Federal Clean Water Act, and to Goal 5. The adopted protections include a 75-foot development setback from the top-of-bank.<sup>3</sup>

**Finding #24.** The applicant cites records obtained from Oregon Biodiversity Information Center (ORBIC) which show no rare species are known to inhabit the subject lots, with the exception of fish species within the adjacent Willamette River. ORBIC is an authoritative resource, but the data provided does not affirm categorically that there are no sensitive or threatened species inhabiting the subject sites. The database captures reported occurrences of various species.

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<sup>3</sup> Springfield Development Code Section 4.3-115 A (1).



**Finding #25.** Table 2 (Attachment 2, Exhibit F) is from the Glenwood Riverfront Natural Resources Inventory lists the species known to occur within two miles of the subject site. The information was part of the ORBIC data provided by the applicant.

**Finding #26.** The City hired Schirmer -Satre Group used a qualified staff biologist<sup>4</sup> to conduct on-site habitat assessments where property owners had given permission. The on-site assessment, coupled with the report provided by ORBIC lends confidence to the analysis and conclusions drawn by the consultant.

**Table 2. Rare Species of Fish and Wildlife Known to Occur Within 2 Miles of the Study Area.**

Common Name	Scientific Name	Category	Federal Status	State Status	Habitat Requirements
Bull trout (Willamette SMU)	Salvelinus confluentus	Vertebrate Animal	LT	SC	Clean and cold water. Connectivity and complexity (USFWS 2010 [online])

<sup>4</sup> The site analysis was conducted by Brian Meiering of Schirmer Satre Group. He is a professional wildlife biologist with 15 years' experience working for the Oregon Department of Fish and Wildlife, the Bureau of Land Management and the US Forest Service. His experience includes both fisheries and wildlife management. He is qualified to evaluate regulatory compliance regarding aquatic and terrestrial environments.

Chinook salmon (Upper Willamette River ESU, spring run)	Oncorhynchus tshawytscha	Vertebrate Animal	LT	SC	Variable due to multiple life stage requirements. Use large river systems to access appropriate spawning. Necessitate access from sea to spawning areas.
Oregon chub	Oregonichthys crameri	Vertebrate Animal	LT	SC	Slow moving, relatively warmer water in off channel habitat (Bangs, 2013)
Painted turtle	Chrysemys picta	Vertebrate Animal		SC	Slow moving aquatic habitats with basking areas. Nesting typically on sparsely vegetated areas.
Purple martin	Progne subis	Vertebrate Animal	SOC	SC	Open areas, more often near water in colonies
Townsend's big-eared bat	Corynorhinus townsendii	Vertebrate Animal	SOC	SC	Roosts in caves, cliffs, under bridges
Western pond turtle	Actinemys marmorata	Vertebrate Animal	SOC	SC	Slow moving aquatic habitats. Nesting with basking areas typically on sparsely vegetated south and flat facing slopes. Soils for nesting can be compact.

LE: Endangered, LT: Listed Threatened, SC: Sensitive Critical, SOC: Species of Concern. Oregon Biodiversity Information Center, December 2013

**Table 3. Schirmer -Satre On-Site Habitat Evaluation**

Map Lot Number	Acres	Glenwood Refinement Plan/Zoning	On-Site?
1703343101000	5.28	OFFICE MU	YES
1703343101100	2.87	OFFICE MU	NO
1703343200101	1.82	OFFICE MU	NO
1703343200400	2.47	OFFICE MU	YES
1703344100700	2.71	COMMERCIAL MU	YES
1703344100800	1.51	COMMERCIAL MU	YES
1703344200100	1.49	RESIDENTIAL MU	YES
1703344201500	1.36	RESIDENTIAL MU	YES
1703344201600	3.64	RESIDENTIAL MU	YES
1703344202400	2.79	RESIDENTIAL MU	NO
1703344202500	3.55	RESIDENTIAL MU	NO
1703344202600	2.84	RESIDENTIAL MU	YES
1703344202700	1.60	RESIDENTIAL MU	YES
1703344202802	5.34	OFFICE MU/ RES MU	YES
1703344400100	5.98	EMPLOYMENT MU	YES
1703344400102	1.89	EMPLOYMENT MU	YES
1803022002900	7.04	EMPLOYMENT MU	YES
UNION PACIFIC RAILROAD BRIDGE ROW	1.76		YES
ODOT SPRINGFIELD BRIDGES ROW	4.74		YES

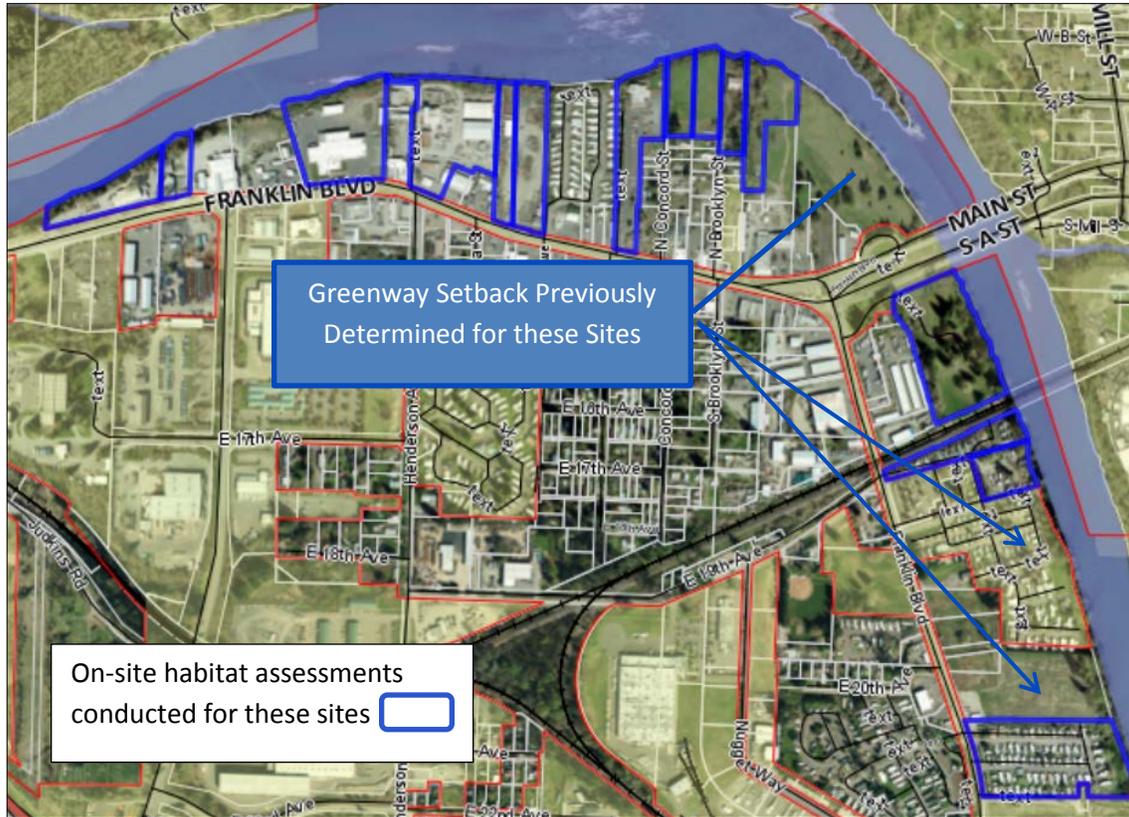


Figure 7. Aerial photo showing where Schirmer-Satre staff conducted on-site habitat assessments.

**Finding #27.** Section 4.2.1 of Attachment 2, Exhibit F—The Glenwood Natural Resources Inventory states: “There are no known records of rare species occurring within the Study Area with the exception of species within the Willamette River itself. There are also no known rare species surveys which have been performed on the Study Area. During planning efforts related to development, surveys for rare species may be required in order to comply with State and Federal law. These laws include, but are not limited to the Endangered Species Act of 1973 (ESA) and the Oregon Endangered Species Act (1987). The requirements of these laws are typically triggered by development actions requiring a Local, State or Federal permit.

A rare species list was obtained from the Oregon Biodiversity Information Center (ORBIC, 2013) and cross-checked against lists maintained by the State of Oregon, United States Fish and Wildlife Service and the National Marine Fisheries Service. The species on these lists were narrowed by the scope of this project (fish and wildlife) and a constrained physical range. Given their specific documented life history needs, this list of species was evaluated for likelihood to occur within the Study Area based on the four habitat types described. Although habitat is a strong precursor to species using an area, there are always instances where species will use atypical habitat or refrain from using habitat judged as highly suitable. Records of actual occurrence, and therefore seasonally appropriate wildlife surveys, are the most suitable means to evaluate wildlife use of an area.

**Finding #28.** The Glenwood Natural Resources Inventory is consistent with the findings of Mike Shippey and Chad Hoffman of Coyote Creek Ecological Services, in Eugene. Shippey and Hoffman

prepared a similar report<sup>5</sup> for the purpose of establishing the Greenway Setback for Shamrock Village, a 10 acre property located off of McVay Hwy. in 2102 (File No. TYP312-00003).

**Finding #29.** In 2004, the City of Springfield commissioned Salix Associates, an environmental consultancy, to recommend a Greenway Setback Line for the Glenwood riverfront (Attachment 3). When completed, the recommended setback was not adopted, but not for lack of the report's credibility. Political considerations left the report on the shelf.

The 2004 Salix Associates report<sup>6</sup> addressed the standards for establishing the Greenway Setback in Glenwood. In doing so, the report included a series of aerial photographs showing their recommended Greenway Setback alignment hand-drawn on the photos. The Salix report (page 4) states, *"We have made a draft delineation of our best interpretation of the location of the GSL [Greenway Setback Line] within the study area, based on Springfield's Development Code guidelines. It is included here as Attachment C [of the Salix Report], Photos 1-21."*

Photos 1-15 of the Salix report pertain to the subject properties. Attachment 3 includes photos 1-16 for reference. The recommended boundaries for the Greenway Setback Line closely follow the riparian fringe along the river, similar to the line proposed by the applicant.

In addition to being an attachment to this report, the 2004 Salix Report was included as Appendix E to the 2009 Glenwood Refinement Plan Update Project's "Existing Conditions Report." The Glenwood Refinement Update Project is a supplemental study that formed a foundation for the 2014 Glenwood Refinement Plan.

**Finding #30.** The Springfield Natural Resources Study (Updated 2011) is Springfield's acknowledged Goal 5 inventory and protection program. Site WA/WB (Willamette River) provides a general description of the natural functions and values of the river. With respect to protecting the Willamette River within Springfield's planning jurisdiction, the following policy was adopted: *"Limit conflicting uses and employ low impact development practices when developing within 150 feet of the resource site. The Willamette River (WA/WB) is a water quality limited watercourse and is protected by a 75-foot development setback and site plan review standards described in SDC Section 4.3-115. No additional setbacks are necessary. The documented presence of a state and federally listed species requires coordination with the Oregon Department of Fish and Wildlife and appropriate federal agencies to determine what (if any) additional measures may be needed."* (Springfield Natural Resources Study, page 297)

The prescribed protection allows for development employing "low impact development" practices within 150-feet of the river. These practices are built into the stormwater best management practices that are part of the Springfield Development Code and the Engineering Design Standards and Procedures Manual. Protection of state and federal listed species that are listed will be coordinated with ODFW if and when occurrences of these species are confirmed within the subject property.

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<sup>5</sup> Site Inventory of Natural Resources, Shamrock Village Mobile Home Park, Coyote Ecological Services, August 2008, page 7.

<sup>6</sup> Report on Establishment of a Draft Willamette River Greenway Setback Line on the South and West Sides of the Willamette River, Glenwood (Springfield), Oregon; Salix Associates, November 23, 2004.

The standards for establishing the Greenway Setback are different than those used to establish the 75-foot development setback for Goal 5. The proposed setback line will not alter the existing 75-foot protection.

**Conclusion:** The subject properties are largely developed. There is a narrow vegetative fringe along the Willamette which will be protected by the proposed alignment of the Greenway Setback Line. ORBIC and other authoritative natural resource databases have indicated that there are few state or federally listed terrestrial species known to live within a 2-mile radius of the site. A more careful ground survey and report by Brian Meiring of Schirmer -Satre confirmed that there is little habitat on the properties which would support the species identified in the ORBIC report.

The proposed setback line is generally consistent with the setback line recommended by Salix Associates in their 2004 report (Attachment 3). Photos #1-#16 of the Salix report show a setback line that closely hugs the vegetative fringe that can be seen in the photo. The City proposes to draw the setback line “at the upland extent of the riparian vegetation (Riparian Edge), or ten feet from top-of-bank, whichever is greater.” Such an alignment for the Setback line is consistent with the Salix recommendation.

The proposed Greenway Setback Line does not alter or negate other existing protections for the Glenwood riverfront. The proposed setback does not negate the habitat enhancement that will be required as development occurs. The proposed Greenway Setback is consistent with this standard in its protection of existing fish and wildlife habitat.

**“D. Identified scenic qualities and view-points shall be preserved.”**

***Applicant’s Statement:*** *The [1999] Glenwood Refinement Plan, at page 39, recognizes that there are no identified scenic qualities or viewpoints within the Glenwood portion of the Willamette River Greenway. Although there are no identified scenic qualities or view-points on the subject property, the existing riparian edge has the potential to assist in providing visual identification and definition to the river and riparian system as well as providing limited filtered views of the river from the property. The proposed Greenway Setback Line will effectively protect the potential for scenic qualities and view-points along the river from future development, as would an easement for the proposed riverfront linear park and multiuse path.*

*Importantly, the proposed Greenway Setback Line provides opportunity for a continuous vegetative buffer between the path and the river. This will protect scenic qualities associated with views from the river as well as protect the scenic qualities and viewpoints of the river corridor itself.*

*As such, this criterion (SDC 3.3-325.D) is met.*

**Staff Findings:**

**Finding #31.** The 1999 Glenwood Refinement Plan was replaced by the 2014 Glenwood Refinement Plan. The 2009 Glenwood Refinement Plan Update Project’s “Existing Conditions Report” is a supplemental study conducted to provide a basis for the 2014 Glenwood Refinement Plan. The Existing Conditions Report quoted the 1999 Glenwood Plan in the finding made concerning scenic qualities and viewpoints. “The current GRP states that there are no identified scenic qualities or viewpoints within the Glenwood portion of the [Willamette]Greenway (GRP p. 39)<sup>7</sup>.”

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<sup>7</sup> Glenwood Refinement Plan Update Project, Existing Conditions Report, pg. 67.

The 2014 Glenwood Plan itself makes no comments on the existing scenic qualities or viewpoints in Glenwood, but does describe a vision for riverfront restoration within the 75-foot development setback adopted by the City in 2004 in response to the Federal Clean Water Act. The proposed Greenway Setback Line does not conflict with the vision proposed by the Glen wood Refinement Plan.

**Finding #32.** OAR 660-023-0230—Scenic Views and Sites, defines “scenic views and sites” as “lands that are valued for their aesthetic appearance.” The rule goes on to state that “Local governments are not required to amend their comprehensive plans in order to identify scenic views and sites.”

**Finding #33.** Springfield does not have an inventory of scenic views or sites. Scenic qualities are inherently associated with the Willamette River corridor, even in the Glenwood corridor. The proposed Greenway Setback Line will effectively protect scenic qualities and view-points along the river from future development, as will the permanent easement for the proposed Willamalane multi-use path. The proposed Greenway Setback Line provides for a continuous vegetative buffer between the path and the river, in order to protect scenic qualities associated with views from the river as well as to protect the scenic qualities and viewpoints within the river corridor itself.

**Conclusion:** The proposed Greenway Setback is consistent with this standard.

**“E. The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for, to the maximum extent practicable.”**

**Applicant’s Statement:** Illegal trespass, camping and vandalism are problems that occur on both sides of the Willamette River through the Glenwood area. The establishment of the proposed Greenway Setback Line is not likely to exacerbate the problem since the setback width is relatively narrow and the property is highly developed, fenced and observed. Camping, vandalism and trespass are more likely to occur in locations that are secluded. An overly broad Greenway setback line could support undesirable activity by providing a large area that is isolated from public view and access.

Future development of the subject property will likely reduce unwanted activity.

The proposed Greenway Setback Line will protect the vegetated fringe along the river without inviting unwanted trespass or other illegal activities which may occur in secluded areas.

This criterion (SDC 3.3-325.E) is met.

**Staff Findings:**

**Finding #34.** Illegal trespass (camping) and vandalism are problems that occur on both sides of the Willamette River through the Glenwood area. This is particularly true of undeveloped areas along the river, including public parks and private property. The establishment of the proposed Greenway Setback Line is not likely to exacerbate the problem since the setback width is relatively narrow. Camping, vandalism and trespass are more likely to occur in locations that are secluded. An overly broad Greenway setback line could support undesirable activity by providing a large area that is isolated from public view and access.

**Conclusion:** The proposed Greenway Setback Line will protect the vegetated fringe along the river without inviting unwanted trespass or other illegal activities which may occur in secluded areas. This standard is met.

**“F. The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.”**

**Applicant’s Statement:** *“This standard uses the term “natural vegetative fringe along the river,” which the Glenwood Riverfront Natural resources Inventory (Exhibit G) refers to as the “riparian edge,” characterized by the presence of riparian vegetation such as cottonwood and willow species. The Inventory describes representative sections of the riparian edge as:*

*The area directly adjacent to the Willamette River dominated by riparian vegetation. Dominant vegetation within the riparian edge include Populus balsamifera, Fraxinus latifolia, Salix spp., Alnus rhombifolia, Cornus sericea, Acer macrophyllum, Robinia pseudoacacia, Spirea douglasii and Carex obnupta.*

*The riparian edge, in particular the area between top of bank and the river, is the most significant fish and wildlife habitat type. It provides the most significant scenic qualities and has been mapped to encompass the remaining vegetative fringe within subject property.*

*The enclosed Greenway Setback Line Survey maps locate the proposed setback line. This line follows the upland extent of the natural riparian vegetation.*

*Where the existing riparian vegetation is present, the setback (from top of bank) averages 20 to 30 feet. In one small area, however, the setback is approximately 190 feet due to the presence of a small wetland (Tax Lot 18030220-02900). Elsewhere, where the riparian vegetation is scarce or absent, the setback line ranges between 10 and 20 feet from top of bank. Additionally, the proposal includes a minimum width for the Greenway Setback Line of ten feet. This will provide an opportunity to enhance the natural vegetative fringe along the river in those areas where vegetation is currently lacking or nonexistent. This minimum setback distance is consistent with previous Greenway Setback determinations.*

*The proposed Willamette Greenway Setback Line will provide for the protection and enhancement of the natural vegetative fringe along the river.*

*Given this, this criterion (SDC 3.3-325.F) is met.*

**Staff Findings:**

**Finding #35.** The phrase “maximum extent practicable” in this standard is not defined in the Springfield Development Code or in the Oregon Administrative Rules for Goal 15, the Willamette River Greenway. Text drawn from Oregon Statewide Planning Goal 15 (F.3.b.) implies the term is intended to require a balancing of factors so that each of the identified Willamette Greenway criteria is met to the greatest extent possible without precluding the use approved under the applicable Comprehensive Plan designation and zoning. Planning Goal 15, Section F provides direction for implementing the Greenway Program. Section (F.3.b.) states:

*“b. The review of intensification, changes of use and developments as authorized by the Comprehensive Plan and zoning ordinance to insure their compatibility with the Greenway statutes and to insure that the **best possible appearance**, landscaping and public access are provided. Such review shall include the following findings, that to the **greatest possible degree**:*

*(1) The intensification, change of use or development will provide the **maximum possible landscaped area**, open space or vegetation between the activity and the river;*

*(2) Necessary public access will be provided to and along the river by appropriate legal means;”*

**Finding #36.** The City proposes to draw the setback line at the upland extent of the riparian vegetation (Riparian Edge) ten feet from top-of-bank, whichever is greater. This is a minimal setback, however it does incorporate and protect the relatively narrow vegetated fringe that exists on the subject properties. This approach and minimum setback distance is consistent with previous Greenway Setback determinations (File No. TYP314-00001, TYP312-00003).

The proposed setback follows the upland extent of the natural riparian vegetation. Where the existing riparian vegetation is present, the setback (from top-of-bank) averages 20 to 30 feet. In one small area, however, the setback is proposed to follow the outline of a suspected wetland to a distance of about 190 feet (Tax Lot 18-03-02-20 TL2900).

**Finding #37.** Staff concurs with the location of the proposed Greenway Setback for the annexed site beneath the Springfield Bridges. This site is subject to the approval of the Springfield Planning Commission.

**Finding #38.** Staff also concurs with location of the proposed setback for the remaining subject properties outside of the City Limits (which are the purview of the Springfield Hearings Official), with one exception.

SDC Section 4.3-117 provided protection for significant wetlands. When wetlands are suspected, the City contacts the Oregon Department of State Lands to obtain a wetland delineation for the suspected site. If the site is determined to be a wetland, the site shall be protected under the wetland regulations found in Section 4.3-117. The criteria for establishing the Greenway Setback Line are not intended to apply to wetland protection per se, when locating the line. **Staff recommends that the proposed Glenwood Greenway Setback Line at the Riverside Mobile Home Park (Tax Lot 18-03-02-20 TL2900) be adjusted to follow the natural vegetative fringe and not include the wetland and use the City’s wetland protection provisions to investigate and if needed, protect the suspected wetland (See Figures 8 and 9 below).**

**Finding #39.** Section 6.110 of the Springfield Development Code defines “top-of-bank” as follows: *For a given watercourse, the top of bank is the same as the “bankfull stage.” The “bankfull stage” is defined as “the stage or elevation at which water overflows the natural banks of streams or other waters of the State and begins to inundate the upland.”*

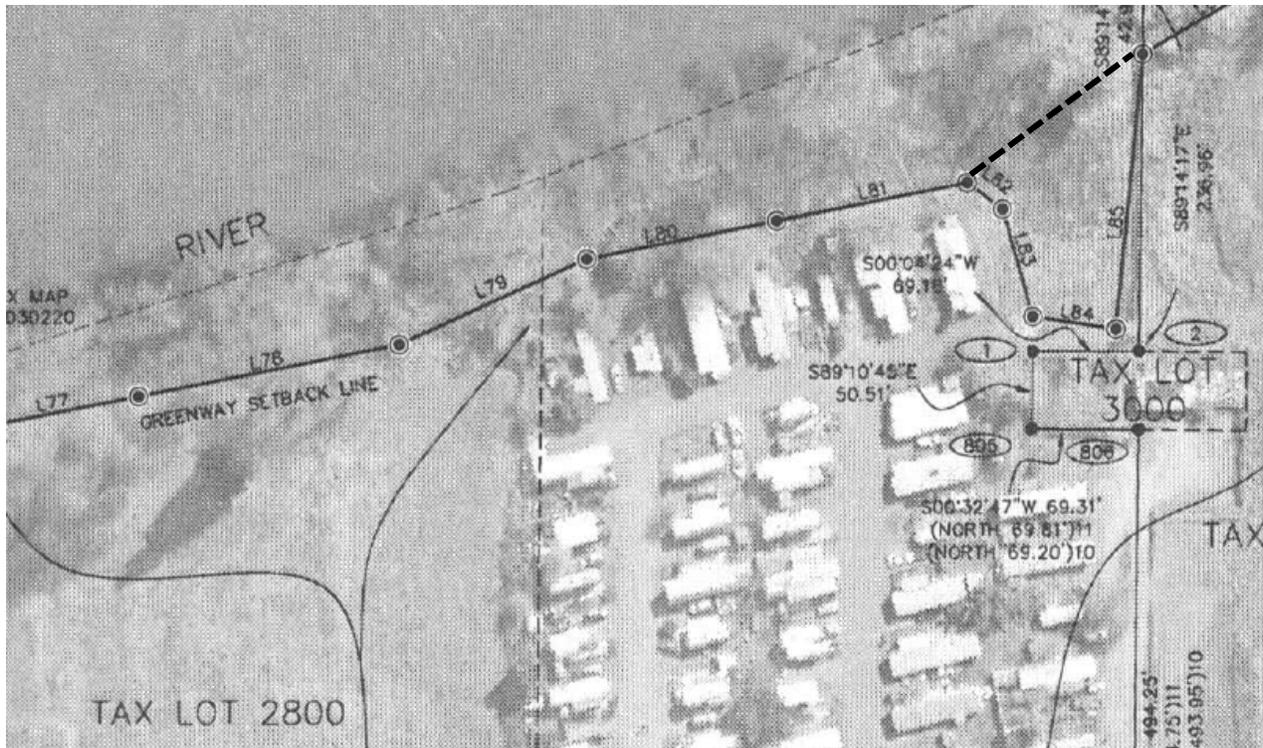


Figure 8. Proposed adjustment of the Greenway Setback Line



Figure 9. The mown area above would be removed by the staff suggested change to the setback line as on Tax Lot 18-03-02-20 TL2900. The riparian vegetation in the background would remain within the setback line.

**Finding #40.** The proposed Greenway Setback Line will protect the existing vegetated fringe along the river. Current development and past disturbance on the subject properties have created conditions

within the interior of the site which provide little habitat. Outside of the setback, the land is largely developed or is vacant with compacted fill and gravel. What vegetation that exists in the interior areas is mostly non-native grasses and forbs.

**Finding #41.** No new development is proposed as part of this application. Future development will provide opportunities to enhance the habitat within the proposed greenway setback and within the required 75-foot riparian setback established by SDC Section 4.3-115 (A) (1). Current best practices for stormwater pretreatment make use of vegetated swales and other natural facilities to remove sediments and contaminants before stormwater is released to receiving streams and rivers. These natural treatment facilities can be built into the landscape within the 75-foot setback, creating enhanced habitat and making for a more aesthetically pleasing landscape.

**Conclusion:** The proposed Greenway Setback Line, **as adjusted**, is consistent with this standard.

**“G. The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying zoning district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.”**

***Applicant’s Statement:*** *“The subject properties do not include any acknowledged aggregate resources. The property is designated for urban development. Mining is not a permitted use within the property’s designations of office, residential, commercial and employment mixed-use. Establishment of the proposed greenway setback line does not affect any aggregate resources or resource extraction activity.*

*This criterion (SDC 3.3-325.G) is met.”*

**Staff Findings:**

**Finding #42.** The proposed Greenway Setback Line does not affect any properties currently in use for quarry or mine operations. Areas of Glenwood have been mined in the past for its aggregate resources and have been reclaimed. The site is designated for residential, commercial and employment mixed uses by the 2014 Glenwood Refinement Plan. No future mining is likely to be allowed in this urban setting.

**Conclusion:** This standard is met.

**“H. Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.”**

***Applicant’s Statement:*** *“There is no development proposed with this application; therefore the criterion is not presently applicable. Even after the Greenway Setback line is established, the subject property will still be subject to the Willamette Greenway Overlay District development standards, which, as noted above, invoke the Discretionary Use standards under SDC 5.9-120, the Master Plan standards under SDC 5.13-100 and the Site Plan Review standards under SDC 5.17-100, as well as the SDC 3.3-325 standards invoked above for any change or intensification of use, or construction that has a significant visual*

*impact. When development is ultimately proposed for the subject property, these procedures will ensure this standard is met.*

*To the degree that it applies, this criterion (SDC 3.3-325.H) is met.”*

**Staff Finding:**

**Finding #43.** No development is proposed as part of this application. Future development will be guided by the Greenway Setback Line and by the established 75-foot riparian setback found in the Springfield Development Code (SDC 4.3-115 and 4.3-117)

**Conclusion:** This criterion does not apply.

**V. Conclusion and Recommendation**

The City proposes to “draw the setback line at the upland extent of the riparian vegetation (Riparian Edge), or ten feet from top-of-bank, whichever is greater. This application is intended to establish the Willamette Greenway Setback Line within the boundaries of the subject property prior to development. The applicable standards which apply to the alignment of the setback line for the subject properties focus on appropriate recreational access, minimalization of vandalism and trespass, protection and enhancement of the riparian fringe and protection of significant fish and wildlife habitat.

The subject properties are mostly developed or vacant and disturbed, with compacted gravel and soils that support non-native grasses and forbs. What riparian fringe that exists along the river is very narrow. The width of the protecting the riparian vegetation ranges between 20 and 190 feet with a 10-foot minimum setback from top-of-bank. The proposed setback line protects the existing vegetation, but does little to enhance the existing vegetation as required by SDC 3.3-325 (F). The Glenwood Refinement Plan and the Metro Plan each have policies calling for enhancement of the vegetated fringe along the river at the time of development.

The City contracted with a consultant firm, Shirmer/ Satre Group to prepare the analysis and report supporting the City’s application. Briam Meiering, the Wildlife Biologist for Schirmer-Satre is a qualified wildlife and fisheries biologist. He conducted an on-site habitat assessment for the properties to develop a natural resources inventory and report for the subject properties. The biologist’s report found that the site has minimal habitat value, particularly for supporting listed species known to be found within a two mile radius. The report made specific findings regarding the presence of the pond turtle and habitat supportive of the turtle, concluding that the subject properties are not viable turtle habitat.

In 2004, the City contracted with Salix Associates (Attachment 3), an environmental consultancy, to conduct an analysis of the Glenwood riverfront using the standards found in SDC Section 3.3-325 for establishing the Greenway Setback Line. The Salix report produced a descriptive inventory of the flora and fauna along the riverfront and included a series of aerial photos with a recommended Greenway Setback Line drawn in. Aerial Photos 1-15 from the Salix Study address the subject properties (Attachment 3). The applicant’s proposed Willamette Greenway Setback Line is consistent with the setback recommended by Salix. The proposed setback is found by staff to be consistent with the standards for establishing the setback.

The proposed Glenwood Greenway Setback Line (Attachment 2, Exhibit G) provides minimal protection to the existing narrow band of vegetation along the river. The established development setback of 75-feet for riparian protection and enhancement that will not be altered or negated by the proposed greenway setback line. The setback proposal is consistent with the alignment recommended by Salix Associates in their 2004 report to the City.

Based on the analysis prepared by Satre/Schirmer in preparing the City's application and the findings contained therein, staff concludes the proposed Glenwood Willamette River Greenway Setback Line is consistent with the criteria for establishing the setback line found in SDC 3.3-325, with the exception of a portion of the line segment on Tax Lot 18-03-02-20 TL2900. The location of the proposed setback line is shown in Exhibit G. The recommended change to Exhibit G is shown in Figure 8 and is discussed in Finding #38.



April 15, 2015

## CITY OF SPRINGFIELD

225 Fifth Street, Springfield, OR 97477

# Willamette Greenway Overlay District Development Establishment of Greenway Setback Line without Development For the Glenwood Riverfront

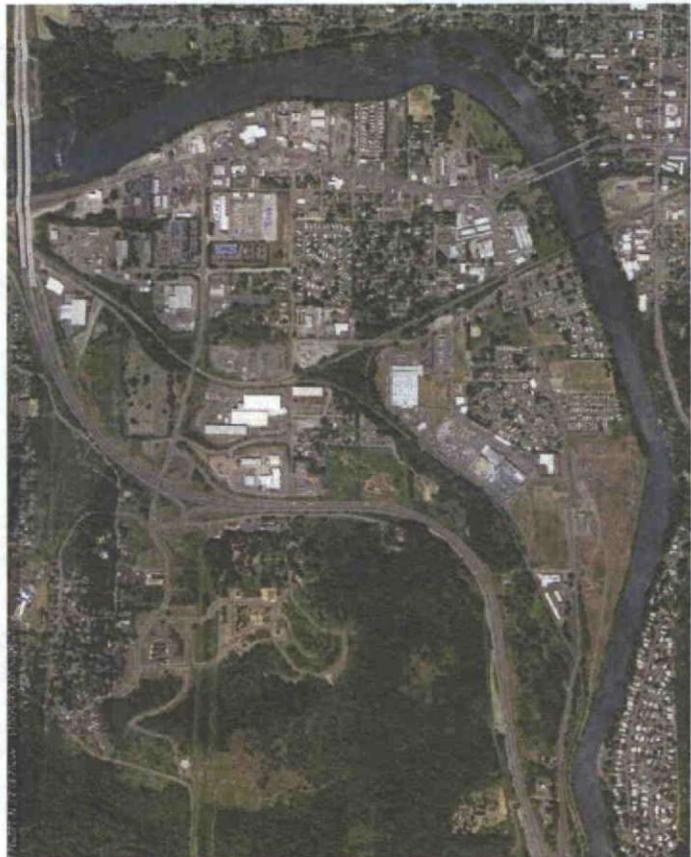
## WRITTEN STATEMENT

In accordance with Willamette Greenway Overlay District requirements (SDC 3.3-305-3.3-330), this application shall demonstrate compliance with the criterion of approval specified in SDC 3.3-325. This written statement describes the proposal and demonstrates that the proposal complies with the criteria contained in SDC 3.3-325.

### I. LAND USE REQUEST

This land use request is for approval of the establishment of a Greenway Setback Line in Glenwood for the entire length of the Glenwood neighborhood's frontage with the Willamette River where there is not an already-established Greenway Setback Line.

As establishment of a Greenway Setback Line along Willamette River frontage is a required precursor to development where the Greenway Overlay District is applicable, approval of this application will assist with overall long-range planning for the Glenwood Riverfront as well as satisfy the requirement to establish the Greenway Setback Line for individual parcels.



Glenwood Neighborhood  
Springfield, Oregon  
GoogleEarth, 2014

### II. THE SITE AND EXISTING CONDITIONS

#### A. Subject Property

The subject property is comprised of one area of public right-of-way (that area associated with the two Springfield Bridges as they cross the Willamette River from Glenwood to Downtown Springfield), one property owned by Union Pacific Rail Road (UPRR) where it's rail line crosses the Willamette River between



Glenwood and Springfield, and nineteen (19) tax lots with fifteen (15) different owners. In one instance, the same owner owned three of the subject tax lots, in three instances, the same owner owned two of the subject tax lots, while in two instances the same tax lot had two different owners.

An inventory of the subject property, including map and lot number, tax lot size, plan designation and zoning, ownership and whether permission to access the property is documented in the attached Exhibit A<sup>1</sup>. Collectively, the property documented in Exhibit A is the Subject Property.

Each Subject Property parcel (the right-of-way, UPRR parcel and the 19 tax lots) fronts the Willamette River and is located between Franklin Blvd and the Willamette River in the northern portion of the Glenwood neighborhood and between McVay Blvd and the Willamette River in the southern portion of the Glenwood neighborhood. (Of these, the former is referred to as the Franklin Riverfront and the latter is referred to as the McVay Riverfront in the Glenwood Refinement Plan.)

Plan designations and zoning districts of the tax lots is also codified in the adopted Glenwood Refinement Plan. These are Office Mixed-Use, Residential Mixed-Use, Commercial Mixed-Use and Employment Mixed-Use<sup>2</sup>.

Riverfront areas, plan designations and zoning districts aren't applicable to Greenway Setback Line criteria, but understanding the land use framework can help visualize the setback line and its effect on current and future developments and uses. And vice-versa.

Collectively, the Subject Property consists of approximately 63.34 acres, with 56.84 acres within the 19 tax lots, 4.74 acres in the Springfield Bridge Right-of-Way and 1.76 acres with the UPRR parcel.

The current physical condition of the Subject Property is quite variable. Individual tax lots range from fully developed to essentially undeveloped with most of the development being long-standing and of an industrial nature. The river's edge in particular is of a similar nature. A common occurrence is one of development right up to, or vary near to, the top of bank. Even where the tax lot is 'undeveloped', it is rare that some level of site disturbance has not previously occurred.

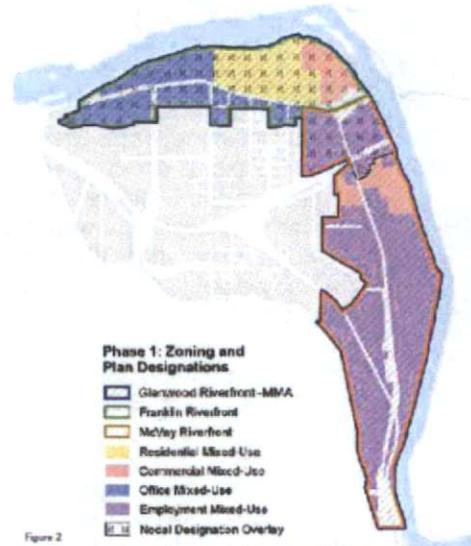


Figure 2  
Plan Designations and Zoning Districts  
Glenwood Refinement Plan  
April 2014



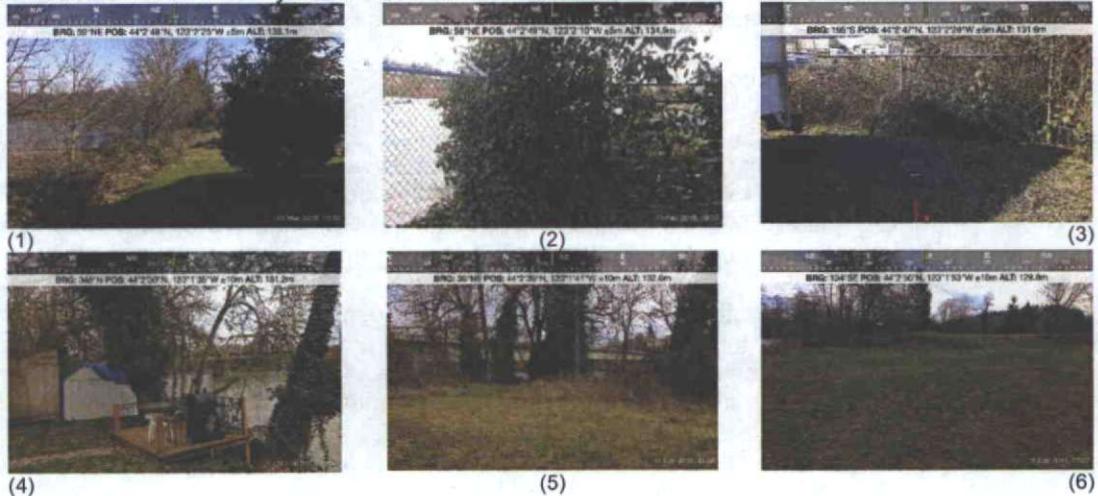
<sup>1</sup> An inventory of property along the Glenwood Riverfront which already has an established Greenway Setback Line is documented in the attached Exhibit B. The properties in Exhibit B are not part of this application's request to establish a Greenway Setback Line but are included for reference. Whereas the tax lots have a plan designation and zoning district, right-of-way and railroad property does not.

Date Received

APR 17 2015

Original Submittal            *hm*

Along the river's edge, the area near the top of bank, the physical condition varies greatly. From mown lawn (photo 1), to industrial fencing (2 and 3), to backyard overlooks (4), to cleared and once used for something (5), to simply cleared (6), the vegetated fringe is sometimes there, sometimes not and nearly never of a natural condition.



**B. Jurisdictional Status**

All of the Subject Property is within Springfield's Urban Growth Boundary. However, none of the tax lots in the Subject Area are within the Springfield City Limits. The only portion of the Subject Property that is inside the city limits is the right-of-way associated with the Springfield Bridge crossing the Willamette River from Glenwood to Downtown Springfield. Given this, the Public hearing associated with this application will be a joint hearing with the Springfield Hearings official considering the request as it applies to the property outside the city limits and the Springfield Planning Commission considering the request as it applies to the area inside the city limits.

**C. Property Owner Involvement**

**1. Access Permission**

An inventory of affected tax lots, including ownership and contact information, was generated (all tax lots fronting the Willamette River through Glenwood which did not already have an approved Greenway Setback Line (see Exhibit A). From this, an informational letter was generated and sent to each property owner (see Exhibit C). The letter informed property owners of the project and included a request for permission to access their property to conduct necessary field work and to allow city surveyors to survey the setback line.

Utilizing the Access Permission Form (see Exhibit D) which was included with the letter, permission was received to access 14 of the 19 tax lots. Utilizing that, the project's environmental specialist established a schedule and, along with the city surveyor, conducted the field work.

Where permission was not granted, various data sources were utilized to determine the setback line location, including visual observation from adjoining property, high resolution aerial photos and GIS data.

**2. Property Owner Meeting(s)**

The informational letter included notice of an upcoming informational meeting and invited property owners to attend. The meeting was held at noon on a weekday at Roaring Rapids

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Pizza. The time and location, as the pizza parlor is right there in the neighborhood, was selected with the objective of making it convenient to attend. At the meeting, city staff made a presentation and staff and the consultant answered questions.

In addition to the property owner meeting, city staff reached out to property owners via telephone and individual meetings when requested.

D. Identifying and Locating the Setback Line  
1. Environmental Analysis and Field Work

Current and historic information was collected from a number of sources. Information was obtained from natural resource data bases as well as from field investigations. Data bases included organizations, such as the Oregon Biodiversity Information Center (ORBIC), for vegetation references, and state departments, such as the Oregon Department of Geology and Mineral Industries (DOGAMI) for mapping information.

Field investigations followed the collection and analysis of data base and mapping information. Initial tax lot maps of the subject property area, with airphoto, river-associated data, such as topography, soils and top of bank features were generated. The river's edge was then traversed, making observations, marking positions and noting conditions.

The results of this work was then compiled into a detailed report, *Glenwood Riverfront Natural Resources Inventory* (see Exhibit G).

2. Surveying the Setback Line

The City of Springfield Surveyor's office and crew followed behind the environmental staff field work and surveyed the location of flagged points established by the environmental crew. The resulting line was then documented on a set of Greenway Setback Line Survey Maps (see exhibit I).

III. WILLAMETTE GREENWAY OVERLAY DISTRICT DEVELOPMENT – ESTABLISHMENT OF GREENWAY SETBACK LINE WITHOUT DEVELOPMENT – APPROVAL CRITERIA AND FINDINGS

This section is presented in the same order of applicable requirements found in Section 3.3-325, Greenway Setback, of the Springfield Development Code. Applicable sections of the Code are in ***bold italics***, followed by proposed findings of fact in normal text.

***A Greenway Setback Line is established to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette Greenway. Only water-dependent or water-related uses are permitted between the Willamette River and the Greenway Setback Line. The Greenway Overlay District shall substitute temporarily as the Greenway Setback Line for all properties within this Overlay District that do not have an established Setback Line. Establishment of this Setback Line may occur with or without a request for development approval, but any request for development approval on land without an established Setback Line shall be accompanied by an application for establishment of the Greenway Setback Line. The location of the Greenway Setback Line shall be determined consistent with the following standards derived from Section C.3 of the Willamette River Greenway Goal 15:***

***A. Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.***

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The applicable functional plan for recreation in this area is the Willamalane Park and Recreation Comprehensive Plan. It was adopted by the Willamalane Board of Directors on Oct. 10, 2012 and was subsequently adopted as an element of the Metro Area General Plan by Springfield (Ord. No. 6303 (Nov., 4, 2013) and Lane County (Ord. No. PA 1302 (Oct. 5, 2013)).

The portion of the Willamalane Plan most relevant to the current proposal deals with the creation of a riverfront linear park. The Highlights and Improvements section, Chapter 3, provides:

- Actions 4.13 and 4.14, Glenwood Riverfront Linear Park A and B: As the Glenwood area is redeveloped, Willamalane has an opportunity to work with public and private partners to develop a riverfront linear park and multiuse path, and expand the popular Willamette River path system. Section A (Action 4.13) would travel from the Viaduct Path underneath the I-5 bridge, east to the Springfield Bridge; Section B (Action 4.14) would travel from the Springfield Bridge south to Seavey Loop Road.

The proposed linear park will include multiuse paths, picnic areas, and river overlooks, and will be a significant regional recreation and river overlooks, and will be a significant regional recreation and alternative transportation resource. The park will also expand recreation opportunities for Glenwood area residents, who currently have limited access to close-to-home parks.

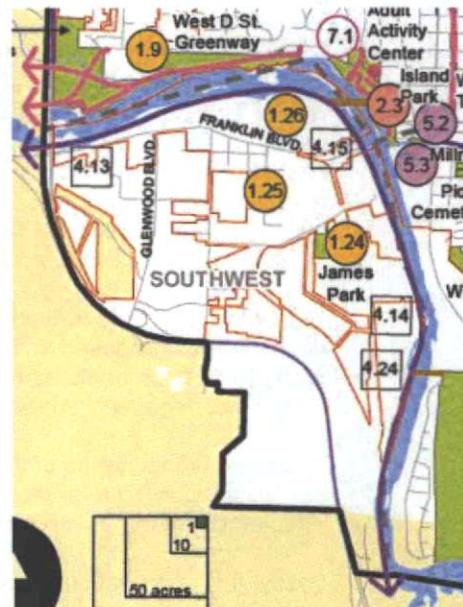
In addition, the Strategies and Actions section, Chapter 4, includes a map showing a planned multi-use path along the riverfront of the subject properties, Map 2 Proposed Park and Recreation Projects. That map includes four symbols over the subject property with the numbers 4.13, 4.14, 4.15 and 4.24. These numbers correspond to planned actions, as described in tables.

Action 4.13 is described in the table as:  
Glenwood Riverfront Linear Park A. Work with partners to develop a riverfront linear park and multiuse path from I-5 to the Springfield Bridge, consistent with the Glenwood Refinement Plan.

4.14 is described as: Glenwood Riverfront Linear Park B. Work with partners to develop a riverfront linear park and multiuse path from the Springfield Bridge to Seavey Loop Road.

4.15 is described as: Glenwood to Island Park (Bridge). Work with the city to explore the feasibility of a bicycle/pedestrian bridge from South Bank Path A to Island Park, per the Downtown District Urban Design Plan.

4.24 is described as: Glenwood to Dorris Ranch (Bridge). Work with partners to explore the feasibility of developing a bicycle and pedestrian bridge across the Willamette River, connecting the Glenwood Riverfront Linear Park B to Dorris Ranch and the Middle Fork Path.



Excerpt  
Map 2 Proposed Park and Recreation Projects  
Willamalane Park and Recreation Comprehensive Plan  
October 2012

Additional functional and refinement plans also reference the multi-use trail along the south bank of the Willamette River. TransPlan (July 2002) identifies a South Bank Trail to run from I-5 to the

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Springfield Bridge, but not any farther upstream. The Glenwood Refinement Plan shows, at page 53, a "Proposed Off-Street Path" as a continuation of the path shown in the TransPlan.

These plans, and their projects, the linear park, the bridges, the off-street path, do not reference the Willamette Greenway Overlay District or a Greenway setback line. There is however a correlation as both are referring to the linear edge of the adjacent Willamette River. The city has not yet obtained any property rights for the linear park or pathway. This will likely be negotiated in the context is specific property annexation and/or development or re-development. As establishment of a Greenway setback is a necessary first step for development approval, approval of this application will bring the city one step closer towards being in a position to implement these policies from the Willamalane plan.

As stated, the public access rights will need to be obtained through purchase or voluntary donation, as part of future annexation proceeding or as part of a subsequent development review process. In a similar application for a Willamette Greenway Setback determination for a property elsewhere located along the Glenwood riverfront, the Hearings Official noted "The best time to provide for the bike path is when development is proposed for the subject property." There is some flexibility in the ultimate location of the path, as the Glenwood Refinement Plan states that the path diagram is a conceptual alignment (Glenwood Refinement Plan, page 54). Because the subject property will still be within the Willamette Greenway Overlay District after the Willamette Greenway Setback Line is established, development proposals for property will be subject to Discretionary Use procedures (SDC 5.9-100) and/or Master Plans (SDC 5.13-100) or Site Plan Review (SDC 5.17-100). Those procedures will ensure the city has ample opportunity to secure the public rights for a riverfront linear park and pathway in the context of a redevelopment application.

Elsewhere, the Springfield Development Code, in addressing the protection of water quality (SDC 4.3-115.A.1) establishes a 75-foot development setback from the top-of-bank for the Willamette River. This development setback allows for construction of multi-use paths and some stormwater treatment facilities within the setback boundary. The subject property is subject to this setback. It should be noted that the 75-foot setback was established to accomplish water quality and resource protection goals. The Greenway Setback Line is different from this water quality/resource setback. The Greenway Setback is intended to accomplish broader goals including recreation and access.

Establishment of the Willamette Greenway Setback line at the upland extent of the riparian vegetation as proposed in this application would not interfere with establishment of the multi-use path planned for location on the subject property. The narrow corridor required for the path should not negatively impact development of the subject property.

The recreational needs of the Springfield area and for Glenwood in particular have been planned or provided for. That portion of the recreational plan that affects the subject property will not be affected by the proposed delineation of the Greenway Setback Line.

Lastly, this approval criterion directs the city to consider and minimize the possibility that public recreation might disturb adjacent property. Currently, there is some public recreation that occurs on the river (rafting, fishing). Establishing the Greenway Setback line will not change the existing situation in regard to public recreation on and adjacent to the subject property.

Given this, this criterion (SDC 3.3-325.A) is met.

**B. Adequate public access to the river shall be provided.**

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Currently, the subject property is predominantly in private ownership and developed. Public access is not granted to or across the subject property. As the Glenwood Refinement Plan notes, the Greenway Goal protects existing uses. Consequently, the existing level of public access to the river is consistent with the Goal and this standard. The question of what type of public access is "adequate" in this particular setting is answered in part by long-range planning documents, such as the Metro Plan, the Glenwood Refinement Plan, and the Willamalane plan. As noted above, several refinement plans indicate that a public multi-use path is planned to eventually run along this bank of the Willamette River. The precise location of this path has not been established, nor have all of the necessary easements been acquired for it. The steep bank and swift current in this area will present challenges for direct public access to the river.

As discussed above, establishment of the proposed Willamette Greenway Setback Line is a necessary prerequisite for future redevelopment. The application process for future development will provide an opportunity to ensure that public access to the river is either maintained or increased from the status quo, consistent with the Metro Plan and applicable parks and transportation plans.

As such, this criterion (SDC 3.3-325.B) is met.

**C. Significant fish and wildlife habitats shall be protected.**

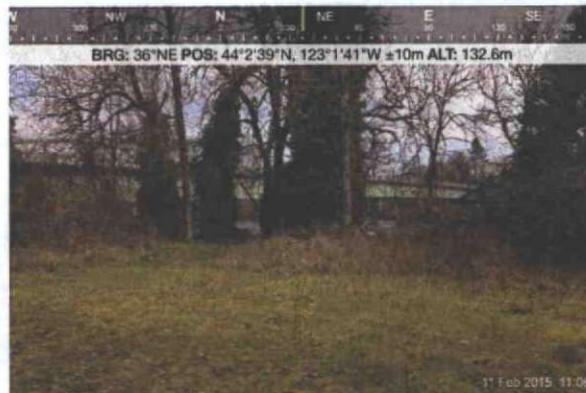
The Glenwood Refinement Plan recognizes that there are no significant fish or wildlife habitat areas identified within the Glenwood portion of the Willamette River Greenway. This conclusion is confirmed in the Glenwood Riverfront Natural Resources Inventory (Exhibit G), which explains:

Current records obtained from Oregon Biodiversity Information Center (ORBIC) show no rare species known on the subject property, with the exception of fish species within the Willamette River itself.

In addition, the Inventory concludes that the subject property is poor habitat for all the species listed. This Inventory concluded:

Dominance of site disturbance on the subject property (clearing, filling, paving, buildings) has led to dense non-native, and sometimes invasive, vegetation and a narrow riparian fringe with steep banks. The velocity of waters and steep, linear nature of the banks along these lots is not conducive for listed species.

Whereas there is a dominance of highly disturbed urban alteration to the property, the Inventory did observe a somewhat different set of habitat and physical conditions in a few areas (such as on Lot 17-03-34-44/00100) but found these areas to be similarly lacking in overall habitat values, with the exception of a riparian edge that is proposed to be included in the Greenway setback. The Inventory explains: While Lot 17-03-34-44/00100 may exhibit characteristics of fair habitat for listed species, the lack of documented evidence of species use, lack of ponding water, cleared area



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and extent of invasive vegetation, velocity of the river, isolated nature of the lot and surrounding urban uses negate this habitat value beyond the proposed setback.

The riparian fringe along the river's edge (between the top of bank/riparian vegetation and the river) is expected to provide benefits such as refuge for different life stages of fish during high water and allow some cooling value during the hotter months which also benefits different life stages of listed fish, including salmonids. The proposed location of the Greenway Setback would retain these values.

The proposed setback area would conserve all of the existing riparian vegetation. Because this proposal protects all of the riparian vegetation on the subject property, it affords the greatest degree of protection for fish and wildlife habitat, even though that habitat is not considered significant.

Given this, this criterion (SDC 3.3-325.C) is met.

***D. Identified scenic qualities and view-points shall be preserved.***

The Glenwood Refinement Plan recognizes that there are no identified scenic qualities or viewpoints within the Glenwood portion of the Willamette River Greenway. Although there are no identified scenic qualities or view-points on the subject property, the existing riparian edge has the potential to assist in providing visual identification and definition to the river and riparian system as well as providing limited filtered views of the river from the property. The proposed Greenway Setback Line will effectively protect the potential for scenic qualities and view-points along the river from future development, as would an easement for the proposed riverfront linear park and multiuse path.

Importantly, the proposed Greenway Setback Line provides opportunity for a continuous vegetative buffer between the path and the river. This will protect scenic qualities associated with views from the river as well as protect the scenic qualities and viewpoints of the river corridor itself.

As such, this criterion (SDC 3.3-325.D) is met.

***E. The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for, to the maximum extent practicable.***

Illegal trespass, camping and vandalism are problems that occur on both sides of the Willamette River through the Glenwood area. The establishment of the proposed Greenway Setback Line is not likely to exacerbate the problem since the setback width is relatively narrow and the property is highly developed, fenced and observed. Camping, vandalism and trespass are more likely to occur in locations that are secluded. An overly broad Greenway setback line could support undesirable activity by providing a large area that is isolated from public view and access.

Future development of the subject property will likely reduce unwanted activity.

The proposed Greenway Setback Line will protect the vegetated fringe along the river without inviting unwanted trespass or other illegal activities which may occur in secluded areas.

This criterion (SDC 3.3-325.E) is met.

***F. The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.***

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This standard uses the term "natural vegetative fringe along the river," which the Glenwood Riverfront Natural resources Inventory (Exhibit G) refers to as the "riparian edge," characterized by the presence of riparian vegetation such as cottonwood and willow species. The Inventory describes representative sections of the riparian edge as:

The area directly adjacent to the Willamette River dominated by riparian vegetation. Dominant vegetation within the riparian edge include *Populus balsamifera*, *Fraxinus latifolia*, *Salix* spp., *Alnus rhombifolia*, *Cornus sericea*, *Acer macrophyllum*, *Robinia pseudoacacia*, *Spirea douglasii* and *Carex obnupta*.

The riparian edge, in particular the area between top of bank and the river, is the most significant fish and wildlife habitat type. It provides the most significant scenic qualities and has been mapped to encompass the remaining vegetative fringe within subject property.

The enclosed Greenway Setback Line Survey maps locate the proposed setback line. This line follows the upland extent of the natural riparian vegetation.

Where the existing riparian vegetation is present, the setback (from top of bank) averages 20 to 30 feet. In one small area, however, the setback is approximately 190 feet due to the presence of a small wetland (Tax Lot 18030220-02900). Elsewhere, where the riparian vegetation is scarce or absent, the setback line ranges between 10 and 20 feet from top of bank. Additionally, the proposal includes a minimum width for the Greenway Setback Line of ten feet. This will provide an opportunity to enhance the natural vegetative fringe along the river in those areas where vegetation is currently lacking or nonexistent. This minimum setback distance is consistent with previous Greenway Setback determinations.

The proposed Willamette Greenway Setback Line will provide for the protection and enhancement of the natural vegetative fringe along the river.

Given this, this criterion (SDC 3.3-325.F) is met.

- G. *The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying zoning district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.***

The subject property does not include any acknowledged aggregate resources. The property is designated for urban development. Mining is not a permitted use within the property's designations of office, residential, commercial and employment mixed-use. Establishment of the proposed greenway setback line does not affect any aggregate resources or resource extraction activity.

This criterion (SDC 3.3-325.G) is met.

- H. *Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.***

Date Received: There is no development proposed with this application; therefore the criterion is not presently applicable. Even after the Greenway Setback line is established, the subject property will still be

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subject to the Willamette Greenway Overlay District development standards, which, as noted above, invoke the Discretionary Use standards under SDC 5.9-120, the Master Plan standards under SDC 5.13-100 and the Site Plan Review standards under SDC 5.17-100, as well as the SDC 3.3-325 standards invoked above for any change or intensification of use, or construction that has a significant visual impact. When development is ultimately proposed for the subject property, these procedures will ensure this standard is met.

To the degree that it applies, this criterion (SDC 3.3-325.H) is met.

#### IV. CONCLUSION AND RECOMMENDATION

This application proposes to "draw the setback line at the upland extent of the riparian vegetation or ten feet 10' from top of bank, whichever is greater." This application is intended to establish the Willamette Greenway Setback Line within the boundaries of the subject property prior to development. The applicable criterion which apply to the alignment of the Greenway Setback Line for the subject property focus on appropriate recreational access, minimization of vandalism and trespass, protection and enhancement of the riparian fringe and protection of significant fish and wildlife habitat.

The subject property is highly disturbed. What riparian fringe that exists along the river is in many locations very narrow, with urban development right up to the top of bank. The application indicates the width of the protecting the riparian vegetation ranges between 20 and 90 feet with a 10-foot minimum setback from top-of-bank. The proposed setback line protects the existing vegetation there is. The Glenwood Refinement Plan and the Metro Plan each have policies calling for enhancement of the vegetated fringe along the river at the time of development.

An environmental specialist, a wildlife and fisheries biologist, walked the site and developed a natural resources inventory and report for the subject property. The biologist's report found that the site has minimal habitat value, particularly for supporting listed species known to be found within a two mile radius.

The established development setback of 75-feet for riparian protection and enhancement that will not be altered or negated by the proposed greenway setback line.

The above information represents a brief outline of the project and applicable approval criteria. Based on the information and findings contained in this written statement, associated exhibits, it is believed that the criteria of approval contained in the Springfield Development Code have been met. Therefore, the applicant requests that the City of Springfield approve the request. Both the applicant and the applicant's representative are available for questions. We look forward to working with staff to ensure this project meets the goals and objectives of the applicant and the city.

If you have any questions regarding the above information, please do not hesitate to contact Rick Satre, AICP, ASLA, CSI, at Schirmer Satre Group, 541-686-4540, [rick@schirmersatre.com](mailto:rick@schirmersatre.com).

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Attachment 2, Page 10 of 33

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City of Springfield  
 Willamette Greenway Overlay District Development  
 Establishment of Greenway Setback Line without Development  
 For the Glenwood Riverfront  
 Subject Property Inventory

Property without Established Setback

Property Map	Lot	Acres	Plan Zone	Access Permission	Owner Contact	Name	Mailing Address Address	City, State Zip	Site Address Address	City, State Zip
17033431	01000	5.28	Office Mixed-Use	Yes	George Murmo	Myrmo & Sons Inc	PO Box 3215	Eugene, OR 97403	3600 Franklin Blvd	Eugene, OR 97403
17033431	01100	2.87	Office Mixed-Use	No	Robert Cochran	Cochran Family Investments LP	PO Box 8318	Coburg, OR 97408	3520 Franklin Blvd	Eugene, OR 97403
17033432	00100	1.09	Office Mixed-Use	No		Skilern Investments Limited Partnership	PO Box 714	Springfield, OR 97477	3400 Franklin Blvd	Eugene, OR 97403
17033432	00101	1.82	Office Mixed-Use	No	Robert Cochran	Cochran Family Investments LP	PO Box 8318	Coburg, OR 97408	3500 Franklin Blvd	Eugene, OR 97403
17033432	00400	2.47	Office Mixed-Use	Yes	John Oldham	Oldham Properties LLC	3330 Franklin Blvd	Eugene, OR 97403	3330 Franklin Blvd	Eugene, OR 97403
17033441	00700	2.71	Commercial Mixed-Use	Yes	George Karotko	Karotko LLC	4258 Franklin Blvd	Eugene, OR 97403		
17033441	00800	1.51	Commercial Mixed-Use	Yes	John & Christina Brombaugh	John & Christina Brombaugh Revocable Trust	2932 Wingate Street	Eugene, OR 97408	295 N Brooklyn Street	Eugene, OR 97403
17033442	00100	1.49	Residential Mixed-Use	Yes	Steve Roth	Roth & Roth LLC	PO Box 70468	Springfield, OR 97475		
17033442	01500	1.36	Residential Mixed-Use	Yes	Steve Roth	Roth & Roth LLC	PO Box 70468	Springfield, OR 97475		
17033442	01600	3.64	Residential Mixed-Use	Yes	Steve Roth	Roth & Roth DBA	PO Box 70468	Springfield, OR 97475	4006 Franklin Blvd	Eugene, OR 97403
17033442	02400	2.79	Residential Mixed-Use	No		Green Valley Endeavors LLC	3998 Franklin Blvd	Eugene, OR 97403	3998 Franklin Blvd	Eugene, OR 97403
17033442	02500	3.55	Residential Mixed-Use	No		Green Valley Endeavors LLC	3998 Franklin Blvd	Eugene, OR 97403	3998 Franklin Blvd	Eugene, OR 97403
17033442	02600	2.84	Residential Mixed-Use	Yes	John Oldham	Oldham Properties LLC	3330 Franklin Blvd	Eugene, OR 97403	3330 Franklin Blvd	Eugene, OR 97403
17033442	02700	1.60	Residential Mixed-Use	Yes	John Oldham	Oldham Properties LLC	3330 Franklin Blvd	Eugene, OR 97403	3330 Franklin Blvd	Eugene, OR 97403
17033442	02802	0.00	Office MU / Res MU	No		CBS Outdoor Inc	PO Box 404	Broadway, NJ 08808	3700 Franklin Blvd	Eugene, OR 97403
17033442	02802	5.34	Office MU / Res MU	Yes	Donald Jones	Willamette Graystone Inc	PO Box 7816	Springfield, OR 97475	3700 Franklin Blvd	Eugene, OR 97403
17033444	00100	0.00	Employment Mixed-Use	No		CBS Outdoor Inc	PO Box 404	Broadway, NJ 08808		
17033444	00100	5.98	Employment Mixed-Use	Yes	Pam Seavers	Seaver Mobile Home Park LLC	1325 Brickley Road	Eugene, OR 97401		
17033444	00102	1.89	Employment Mixed-Use	Yes	Steve Schmitt	Seaver MHP LLC	13910 SW Hiteon Drive	Beaverton, OR 97008	4475 Franklin Blvd	Eugene, OR 97403
17033444	00200	1.57	Employment Mixed-Use	Yes	Randall Counts	Counts Living Trust	2140 Rocky Lane	Eugene, OR 97401	4501 Franklin Blvd	Eugene, OR 97403
18030220	02900	7.04	Employment Mixed-Use	Yes	Harriet Davis	Riverside Mobile Home Court LLC	2100 Stone Crest Drive	Eugene, OR 97401	4795 Franklin Blvd	Eugene, OR 97403
17033444		4.74	Un-Zoned Right-of-Way	Yes		City of Springfield	225 Fifth Street	Springfield, OR 97477		
17033444		1.76	Un-Zoned Parcel	No		Union Pacific Rail Road	1400 Douglas Street	Omaha, NE 68179		

63.34

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City of Springfield  
 Willamette Greenway Overlay District Development  
 Establishment of Greenway Setback Line without Development  
 For the Glenwood Riverfront  
 Subject Property Inventory

Property with Established Setback

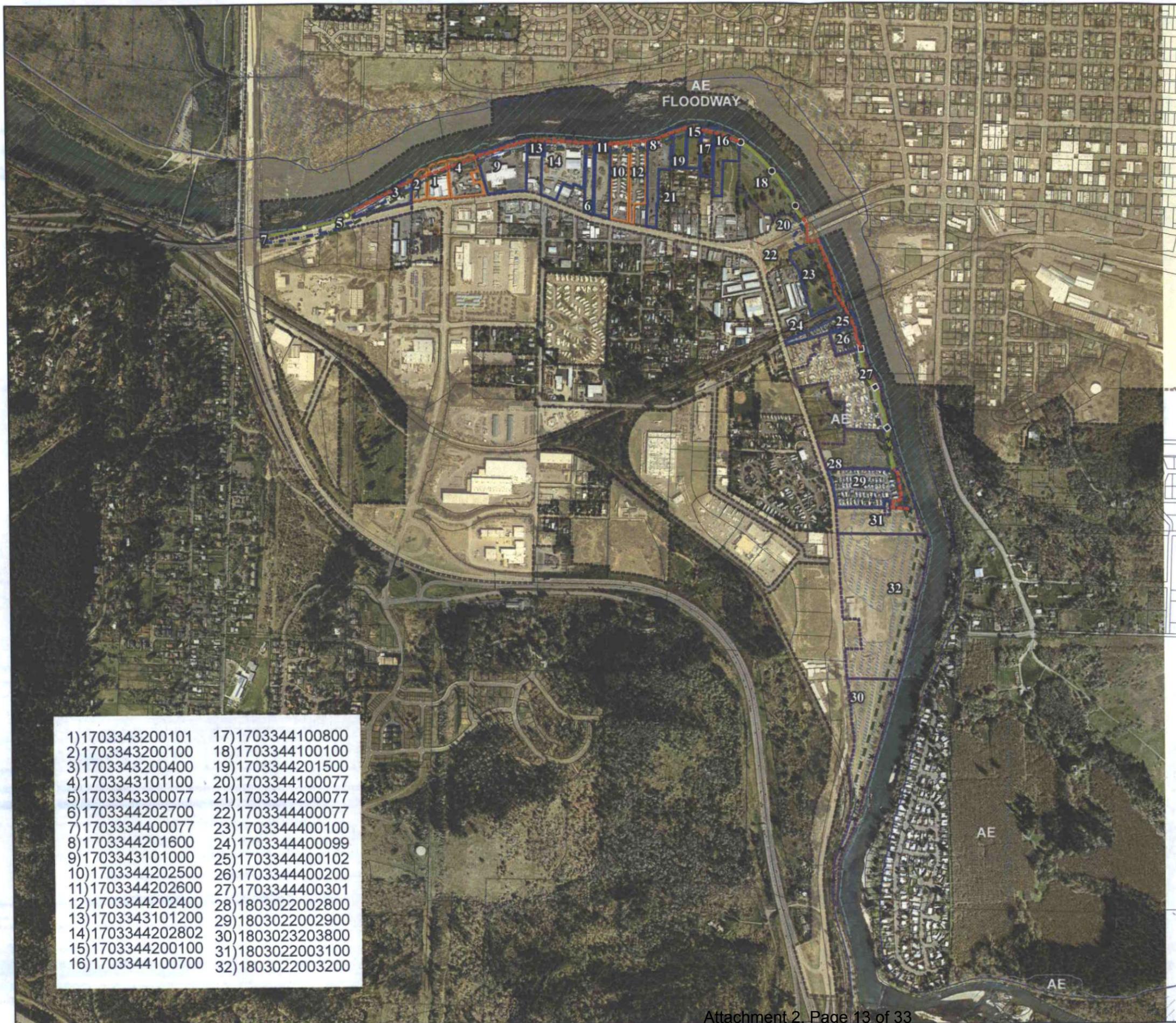
Property Map	Lot	Acres	Plan Zone	Setback Established	Surveyed	Owner Contact	Name	Mailing Address Address	City, State Zip	Site Address Address	City, State Zip
17033444	00100	6.41	Commercial Mixed-Use	Yes	Yes	Philip Marvin	Too Blue LLC	PO Box 2055	Eugene, OR 97402	Not Addressed	
17033444	00301	10.85	Commercial Mixed-Use	Yes	No		Shamrock Homes LLC	389 W 6th Ave, Suite 201	Eugene, OR 97401	4531 Franklin Blvd	Eugene, OR 97403
18030220	02800	5.96	Employment Mixed-Use	Yes	No	James Wildish	Eugene Allen Corp	PO Box 40310	Eugene, OR 97404	4721 Franklin Blvd	Eugene, OR 97403
18030220	03100	4.94	Employment Mixed-Use	Yes	No	James Wildish	Eugene Allen Corporation	PO Box 40310	Eugene, OR 97404	4857 Franklin Blvd	Eugene, OR 97403
18030220	03200	23.72	Employment Mixed-Use	Yes	No	James Wildish	Wildish Land Co	PO Box 40310	Eugene, OR 97403	5001 Franklin Blvd	Eugene, OR 97403
18030222	03800	10.04	Employment Mixed-Use	Yes	No	James Wildish	Wildish Land Co	PO Box 40310	Eugene, OR 97403	Not Addressed	
17033344			Un-Zoned	Yes	No		State of Oregon - ODOT				

61.92

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1)1703343200101	17)1703344100800
2)1703343200100	18)1703344100100
3)1703343200400	19)1703344201500
4)1703343101100	20)1703344100077
5)1703343300077	21)1703344200077
6)1703344202700	22)1703344400077
7)1703334400077	23)1703344400100
8)1703344201600	24)1703344400099
9)1703343101000	25)1703344400102
10)1703344202500	26)1703344400200
11)1703344202600	27)1703344400301
12)1703344202400	28)1803022002800
13)1703343101200	29)1803022002900
14)1703344202802	30)1803023203800
15)1703344200100	31)1803022003100
16)1703344100700	32)1803022003200

### LEGEND

**PROPERTY**

- PROPERTY WITH SETBACK
- PROPERTY WITHOUT SETBACK AND WITH ACCESS PERMISSION
- PROPERTY WITHOUT SETBACK AND NO ACCESS PERMISSION
- RIGHT OF WAY

**BOUNDARIES**

- Tax Lots
- City Limits
- AE, 100 YR
- AE, FLOODWAY
- I-5 Setback
- Shin Setback
- Marvin Setback
- Wildish Setbacks
- Ordinary Low Water (Approx.)
- Top of Bank (Approx.)
- Riparian Setback (Approx.)
- Greenway Boundary (Approx.)
- Proposed Greenway Setback Line

**EXHIBIT C**

1 in = 1,000 feet

0 1,000 Feet

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**SOURCE**

Data provided by Lane Council of Governments (November 2010) and the City of Springfield (2014, 2015). Other information on this map was derived from multiple sources. Extreme care was taken in the creation of this map, but it is provided "as is". Schirmer Satre Group cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. There are no warranties, express or implied, accompanying this product. Questions regarding production of this map can be sent to Brian Meiering: [brian@schirmersatre.com](mailto:brian@schirmersatre.com)

Scaled for 11x17 Paper Size



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**CITY OF SPRINGFIELD**  
**WILLAMETTE GREENWAY OVERLAY DISTRICT DEVELOPMENT**

ESTABLISHMENT OF GREENWAY SETBACK LINE W/O DEVELOPMENT FOR THE GLENWOOD RIVERFRONT

Revisions		
#	Date	Description

Project Number: 1458	Drawn By: BTM	Checked: RMS	Date: 4.15.15
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# CITY OF SPRINGFIELD, OREGON

## DEVELOPMENT AND PUBLIC WORKS



225 FIFTH STREET  
 SPRINGFIELD, OR 97477  
 PHONE: 541.726.3753  
 FAX: 541.736.1021  
[www.springfield-or.gov](http://www.springfield-or.gov)

January 13, 2015

[property owner]

For all new development or significant redevelopment along the Willamette River, state law requires property owners to apply for a Willamette River Greenway Setback determination if a setback has not already been established. The Greenway setback is intended to establish how close development can come to the river. Since 2006, various owners have hired private planning consultants, to establish setbacks on their properties at their own expense. At this time, almost half of the Glenwood area riverfront has established setbacks.

In September of 2014, the Springfield City Council directed staff to work with property owners to establish the Greenway Setback line for the Glenwood riverfront areas where the setback has not already been determined. The burden of this work, including the related expenses, would typically be the responsibility of the property owner, but, at the Council's direction, the City's Glenwood Urban Renewal District will manage and fund the setback line establishment. With this effort, the setback line will be established for your property at no cost to you. Having the setback line established moves your property one step closer to development approval should that ever be an objective for you or a future owner.

The City has hired the Schirmer Satre Group to conduct the field work and analysis required to delineate the setback. City survey staff will work with Schirmer Satre to survey the setback lines. Satre Schirmer is a respected local firm which recently completed a large, privately funded delineation of the Greenway setback in Glenwood. They are familiar with the Glenwood area and the analysis needed to establish the setback.

The Schirmer Satre Group will begin their field work in early February. We need your permission for their staff to access your property to do their work. Having "boots on the ground" works to your advantage. The work can be done from aerial photos and other off-site methods, should you determine not to grant your permission, but the results are less accurate and may result in larger setbacks than needed.

Enclosed with this letter is a permission form giving Schirmer Satre staff and City surveyors access to your property. Please review and sign the document and return it to the city as per the instructions on the form. We will work with you to find times which work for both you and the field staff to enter your property.

A meeting will be held at noon on Thursday, January 29<sup>th</sup> at Roaring Rapids Pizza in Glenwood to discuss the process for establishing the Willamette River Greenway Setback for the Glenwood area. City staff and representatives from Schirmer Satre will be present to discuss questions and concerns. I would be glad to meet with you personally about this matter if that is helpful. We want you to be involved in this process.

Sincerely,

Mark Metzger, Senior Planner  
 541-726-3775, [mrmetzger@springfield-or.gov](mailto:mrmetzger@springfield-or.gov)

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(541) 741-3689 fax  
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### Glenwood Greenway Setback Line Property Access Permission Form

Property owner name (Where there are multiple owners, one owner name/signature is sufficient).

Address(es) or 13-digit tax lot number(s) of property owned by the person/company above:

Should the Schirmer Satre staff call first to make any special arrangements or times for access?

Yes  No

Contact name: \_\_\_\_\_ Contact number(s): \_\_\_\_\_

Is there a tenant or manager (other than owner) on the property that we should contact?

Yes  No

Name of tenant/mgr: \_\_\_\_\_ Contact number(s): \_\_\_\_\_

*By my signature below, I hereby certify that I am legally authorized to grant access permission for the above-listed parcel(s), and also by my signature grant permission for Brian Meiering and Schirmer Satre Group to enter the parcel(s) listed above for the purpose of determining the nature, extent and location of a Greenway Setback Line. I understand that all costs will be borne by the City of Springfield.*

Property owner/representative signature for access permission:

_____	_____	_____
<b>Please Sign Here</b>	<b>Print name</b>	<b>Date</b>

Mailing address: \_\_\_\_\_  
\_\_\_\_\_

Please mail, fax, drop off or email the completed form by **February 1** to:  
Mark Metzger, Planner III, City of Springfield, Development & Public Works, 225 Fifth Street, Springfield, OR 97477, Fax: 541-726-3689, Email: [mrmetzger@springfield-or.gov](mailto:mrmetzger@springfield-or.gov)

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# Glenwood Riverfront Natural Resources Inventory

## Properties in Springfield (Glenwood), OR

Map Numbers  
17033344, 17033431, 17033432,  
17033433, 17033441, 17033442,  
17033444, 18030220, 18030232

Prepared for:  
City of Springfield, Oregon

Prepared by:  
Brian Meiering  
April 15, 2015



PLANNERS + LANDSCAPE ARCHITECTS + ENVIRONMENTAL SPECIALISTS

Date Received

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Attachment 2, Page 16 of 33  
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TABLE OF CONTENTS

SUMMARY OF FINDINGS..... 3

INTRODUCTION ..... 4

METHODOLOGY..... 4

FIELD METHODOLOGY..... 5

CARTOGRAPHY/ GIS ANALYSIS..... 5

DATA REQUESTS..... 5

STUDY AREA INFORMATION ..... 6

LANDSCAPE SETTING AND LAND USE ..... 6

HYDROLOGY ..... 6

SOILS ..... 6

LOCAL AND NATIONAL WETLAND INVENTORY ..... 7

SITE HISTORY ..... 7

RESULTS AND DISCUSSION..... 7

HABITAT TYPES ..... 7

APPLICATION OF THIS STUDY TO SPECIFIC WILLAMETTE GREENWAY OVERLAY  
AND SETBACK CRITERIA..... 8

RESPONSE TO SECTION 3.3-325(C). PROTECTION OF SIGNIFICANT FISH AND  
WILDLIFE HABITATS..... 8

TABLE 2 RARE SPECIES OF FISH AND WILDLIFE KNOWN TO OCCUR ..... 9

RESPONSE TO SECTION 3.3-325(D)..... 10

RESPONSE TO SECTION 3.3-325(G) THE LOCATION OF KNOWN AGGREGATE  
DEPOSITS SHALL BE CONSIDERED..... 10

REFERENCES ..... 10

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APR 17 2015

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## SUMMARY OF FINDINGS

### PROJECT NAME

Willamette Greenway Overlay District Development  
Establishment of Greenway Setback Line without Development  
For the Glenwood Riverfront

### PROJECT NUMBER

1458

### LANDOWNERS

See Exhibit A.

### LOCATION

Lots are located adjacent the Willamette River in the Glenwood neighborhood of Springfield, Oregon.

### MAP & TAXLOT INFORMATION (Study Area)

See Exhibit C.

### ACREAGE

The lots which make up the Glenwood Riverfront encompass approximately 130 acres cumulatively, including those areas designated as right of way. Of those 130 acres, there is a need to establish a Greenway Setback Line on 24 lots totaling approximately 64 acres. Four Greenway Setback Lines have already been established prior to this report, covering approximately 66 acres of property. The approximate acreages of the individual lots are listed in Exhibit A.

### ZONING

The zoning of lots affected by the Greenway Setback Line include Commercial Mixed Use, Residential Mixed Use, Office Mixed Use, and Employment Mixed Use. Generally, this zoning allows a variety of industrial, commercial, office and residential uses.

### AUTHOR(S)/FIELD INVESTIGATOR(S)

Brian Meiering (Schirmer Satre Group) performed office research and field visits to produce this report.

### DATES OF FIELD VISITS

The property was visited in December of 2014 and February-March of 2015

### HISTORIC CONDITIONS

The study area has a mixed history of agricultural, industrial, commercial and residential uses. Aerial imagery from 1965 indicates that many of the current uses were established at that time.

### EXISTING CONDITIONS

East of McVay Highway lots are generally either developed for residential uses, are vacant non-industrial or are undeveloped industrial land. Lots north of Franklin Blvd are generally industrially or commercially developed or undeveloped. Throughout Glenwood, much of the current development is close to the top of bank of the Willamette River. The Willamette River flow is pronounced and is steady to turbulent at normal high flows.

There are no significant tail-outs, backwaters or other features along the waters edge which maintain or promote stagnant flow.

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## RELEVANT FINDINGS

The most significant functional natural resource features within the lots are narrow strips of riparian vegetation. Most of the proposed setback is consistent with abutting lots and previous Greenway Setbacks which have been approved by the City of Springfield. In one instance, riparian vegetation extended directly into wetland vegetation which was included in the proposed Greenway Setback Line.

Within this, there several areas which are developed up to and exceeding the top of bank of the Willamette River. Much of this development includes gravel, paving, landscaping and other unnatural elements. Current records obtained from Oregon Biodiversity Information Center (ORBIC 2014, ORWAP 2015) do not show rare species on the specific lots of interest, with the exception of fish species within the Willamette River. Purple Martin (*Progne subis*) and Western Pond Turtle (*Clemmys marmorata*) have been documented nearby but not within the subject property.

## 1. INTRODUCTION

This report attempts to document existing natural resource conditions based on current and historic information available from several sources. This report is expected to have sufficient information related to approval criteria to help determine the extent of Willamette River Greenway setbacks on the subject property which don't have an established setback line. The lots which don't have a Greenway Setback Line are referred to as the "Study Area" or "Subject Property." The purpose of this report is to establish a Greenway Setback Line in Springfield (Glenwood), Oregon for the City of Springfield in order to address specific criteria set out in the City of Springfield Development Code (SDC), Section 3.3-325.

- (C) Significant fish and wildlife habitats shall be protected.
- (D) Identified scenic qualities and view-points shall be preserved.
- (F) The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.
- (G) The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying zoning district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.

The format and information obtained within this report are designed to be consistent with previous reports which were produced for the same purpose.

## 2. METHODOLOGY

### 2.1 Information Sources

Schirmer Satre Group obtained current and historic data in order to best analyze the significance, qualities and extent referenced in the above SDC criteria. Primary sources included: Post-Emergence Behavior of Hatchling Western Pond Turtles (Rosenburg, D.K and Swift, R., 2010), Wildlife-Habitat Relationships in Oregon and Washington (Johnson & O'Neil,

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Attachment 2, Page 19 of 33

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2001), Rare, Threatened and Endangered Species of Oregon (ORBIC, 2013), Flora of the Pacific Northwest (Hitchcock and Cronquist, 11th ed. 1998), Wetland Plants of Oregon and Washington (Guard, 1995), Field Guide to Sedges of the Pacific Northwest (Wilson et al.), A Field Guide to the Common Wetland Plants of Western Washington and Northwestern Oregon (Cooke, 1997). The Oregon Biodiversity Information Center provided information for rare species within a two mile radius of the taxlots of interest. Data related to soils, taxlots, wetlands, topography and aerial photography were obtained to refine current and historical conditions. Please see reference section (5) of this document for more details.

## 2.2 Field Methodology

A base map was produced for fieldwork which contained the Study Area lots, soils, 2013 aerial overlay and topography produced from LiDAR data (DOGAMI, 2008). A GPS (Spectra Precision) was loaded with lot boundaries and a top of bank estimate which were used to determine approximate boundaries in the field to within 3 feet. A slope and aspect map was also brought into the field to address specific habitat features which may provide habitat for Western pond turtle (*Actinemys marmorata*). Several site visits were made between December 2014 and late March 2015. When permission was granted, the entireties (un-built) of all lots were walked to establish boundaries and allocate different habitat types. A soil probe was used to assess general soil type when sites were not paved. Setback boundaries were marked in the field and the City of Springfield surveyed the setback boundary and produced drawings for the project.

Vegetation was considered riparian to the extent that >50% of the species of shrubs, trees and herbaceous plants along any given linear transect paralleling the rivers edge are listed by the Army Corps of Engineers as being facultative or wetter (Lichvar, 2013). This method is a modified version from that used for wetland delineation purposes and, within this specific Study Area, is considered sufficient to capture an accurate extent of riparian vegetation. Note that this method is not likely to succeed in areas where known riparian vegetation doesn't have facultative or wetter status. Photographs were taken throughout the Study Area to document current conditions.

## 2.3 Cartography/ GIS Analysis

Maps were produced by the City of Springfield to document all Greenway Setback Lines which have been approved by the City of Springfield, or are proposed within this report.

## 2.4 Data Requests

Informal and formal data requests were made to obtain the most current data for the Study Area. Data from ORBIC was obtained on December 4<sup>th</sup>, 2013 documenting 18 records of rare species (including plants, fungi, etc) within 2 miles of the southern portion of the Study Area (each record contained 1-many occurrence). Only two species have been documented as occurring within the Study Area. *Oncorhynchus tshawytscha* (Chinook salmon Upper Willamette River ESU, spring run) and *Salvelinus confluentus* (Bull trout, Willamette SMU). *Oregonichthys crameri* (Oregon chub) is known to occur within two miles of the site but there are no known records within the reach of the Willamette River adjacent the Study Area. Data use agreements prohibit the redistribution of this data, therefore it is not provided here. To obtain the dataset from ORBIC reference "H-120413-LKW3" to lindsey.wise@pdx.edu. Other data requests were automated, including but not limited to, United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) County level species list requests (Listing under Endangered Species Act) and reporting through the ORWAP mapping system.

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### 3. STUDY AREA INFORMATION

#### 3.1 Landscape Setting and Land Use

Thirty two properties make up the Glenwood Riverfront totaling approximately 130 acres in Springfield (Glenwood) Oregon. The Study Area is a subset of 21 taxlots totaling approximately 63.34 acres. The Study Area is almost entirely not within the Springfield City Limits, with the exception of the Springfield Bridge right-of-way which has been annexed to the City.

#### 3.2 Hydrology

Hydrology within the Study Area comes from direct precipitation and runoff from surrounding uses. Flood and ordinary high water provide hydrology abutting the Willamette River and likely inundate portions of the Study Area which have been proposed within the Greenway Setback. Wetland determinations were not within the scope of this study, although it was deemed necessary to address obvious wetlands on the property as they interact with the Greenway Setback. Map and Taxlot 180302200-2900 was the only lot which appeared to have wetland connectivity to the Willamette River, and this area was incorporated into the proposed setback.

#### 3.3 Soils

The Soils within the Study Area were similar to those mapped by the NRCS (NRCS, 2015) when they were not impacted by extensive fills. Most soils within the Study Area are described as Well Drained or Excessively Drained by NRCS. Table 1 below shows some of the NRCS assigned values which are assigned to each soil type and the acreage of that soil type within the Study Area.

Table 1

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
	Camas gravelly sandy loam, occasionally flooded	11.6	0.09
22			
23	Camas-Urban land complex	7.7	0.059
27	Chehalis-Urban land complex	0.1	0
30	Cloquato-Urban land complex	9.6	0.074
	Dixonville-Philomath-Hazelair complex, 12 to 35 percent slopes	0.1	0.001
43E			
95	Newberg fine sandy loam	28	0.217
97	Newberg-Urban land complex	58.3	0.451
99H	Ochrepts and Umbrepts, very steep	3.4	0.026
114	Riverwash	10	0.077
W	Water	0.7	0.006
Totals for Area of Interest (approximate)		129.4	1

Soils mapped by NRCS have some notable discrepancies due to the time period they were mapped. For example, Riverwash is mapped as covering almost 10 acres of the Study Area. Examination of aerial photography indicates that this area may have been extensively excavated and current conditions reveal that it has been backfilled to near the current lot line with several feet of river rock mixed with sand and loamy materials. Current conditions suggest that soil and rock were used as the dominant backfill for lots when fill was present.

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#### 3.4 Local and National Wetland Inventory

According to the Springfield (Glenwood) LWI, there are no significant wetlands within the Study Area which are located above the current top of bank.

The National Wetland Inventory maps the Willamette River along the Study Area as a Riverine-lower perennial, unconsolidated bottom-permanently flooded (R2UBH) feature. There are no other features mapped onsite within the NWI.

#### 3.5 Site History

The Study Area has a varied history where most of the land has been used for industrial processing of sand and gravel, bean fields, fruit orchards, and industrial, residential and commercial development.

The Study Area was evaluated primarily based on site visits, historic aerial photography and modern topographic data (LiDAR, DOGAMI 2008).

Since 1948 the Willamette River has become more channelized with a more linear bank along the study area boundary. This has been caused by the backfill of the river up to the property lines and/or raising of lot elevations using fill. Many lots extend into the Willamette River, making those portions of the property unbuildable.

### 4. RESULTS AND DISCUSSION

#### 4.1 Habitat Types

After analyzing current and historical data related to the Study Area, boundaries were digitally delimited to aid in assigning habitat value to each habitat type. The Study Area was divided into four habitat types as described below:

A.) *Residential, Commercial and Industrial Impacted Lands* - All areas significantly impacted by fill which don't have significant riparian vegetation and those areas consisting of gravel parking and/or current structures. Approximately 42.2 acres of the Study Area was mapped as this habitat type. Vegetation in this habitat type is best described as weedy and/or barren. Weedy areas within this habitat type are dominated by *Daucus carota*, *Plantago lanceolata*, *Cirsium* spp., *Sonchus asper*, *Cytisus scoparius*, *Rubus armeniacus*, *Dipsacus sylvestris*, *Panicum* sp., *Geranium* spp., *Hypochaeris radicata*, and *Foeniculum vulgare*. Soils are regularly disturbed or have been disturbed recently enough to negatively impact vegetative cover. Structures, concrete loading areas, gravel roads and both native and non-native fills are common in this habitat type. Soils could be penetrated to 3" or less in most locations due to surface paving or fill material.

B.) *Vacant Cleared Field* - All areas seasonally mowed without significant riparian vegetation or obvious significant fill. Approximately 9.7 acres of the Study Area was mapped as this habitat type. Dominant vegetation in this habitat type is *Daucus carota*, *Plantago lanceolata*, *Cirsium* sp., *Hypochaeris radicata* and *Geranium molle*. These areas would be best described as weedy forb fields, as they appear to be dominated by weedy species of forbs as opposed to grasses. Soils in this habitat type are clay loam- silty clay loam with variable degrees of clays and small cobbles. Soils could be penetrated 12" or more in most locations. This habitat type, although fairly undisturbed, appear to be fragmented from connections to contiguous open space.

C.) *Riparian Edge* - The area directly adjacent the Willamette River dominated by riparian vegetation (including canopy edge) extending to the river-side lot lines. This area included any

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Attachment 2, Page 22 of 33

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contiguous wetlands. See Field Methodology (Section 4) for methods used to determine riparian vegetation dominance. Approximately 5.5 acres of the Study Area was mapped as this habitat type\*. Dominant vegetation within the Riparian Edge include *Populus balsamifera*, *Fraxinus latifolia*, *Salix spp.*, *Alnus rhombifolia*, *Cornus sericea*, *Acer macrophyllum*, *Robinia pseudoacacia*, *Spirea douglasii* and *Carex obnupta*.

The Riparian Edge, in particular the area between top of bank and the river, is the most significant fish and wildlife habitat type, provides the most significant scenic qualities and has been mapped to encompass the natural vegetative fringe and contiguous wetlands within the Study Area. This habitat type defined the Greenway Setback Line in combination from a minimum of 10 feet from the top of bank.

D.) *Forested Upland* - All significant forested areas which don't meet the riparian criteria described above. Widely spaced individual trees and upland trees occurring within the 150-foot Greenway District weren't mapped. Approximately 6.8 acres of the Study Area was mapped as this habitat type. Vegetation in this habitat type was dominated by *Pseudotsuga menziesii* and *Acer macrophyllum*.

\*It should be noted that areas at or below the "Line of Ordinary High Water" (OHW), as defined in ORS 274.005(8) are State owned unless specific historical circumstances apply. OHW water was not measured for the purposes of this report as it lies within the Riparian Edge habitat type along all reaches.

#### 4.2 Application of This Study to Specific Willamette Greenway Overlay and Setback Criteria

This study was provided to address the following portions of Section 3.3-325 of the City of Springfield Land Use Code, specifically (C) and (D):

- (C) *Significant fish and wildlife habitats shall be protected.*
- (D) *Identified scenic qualities and view-points shall be preserved.*
- (F) *The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.*
- (G) *The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying zoning district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.*

##### 4.2.1 Response to Section 3.3-325(C). Protection of Significant Fish and Wildlife Habitats.

There are no known records of rare species occurring within the Study Area with the exception of species within the Willamette River itself. There are also no known rare species surveys which have been performed on the Study Area. During planning efforts related to development, surveys for rare species may be required in order to comply with State and Federal law. These laws include, but are not limited to The Endangered Species Act of 1973 (ESA) and the Oregon Endangered Species Act (1987). The requirements of these laws are typically triggered by development actions requiring a Local, State or Federal permit.

A rare species list was obtained from the Oregon Biodiversity Information Center (ORBIC, 2013) and cross-checked against lists maintained by the State of Oregon, United States Fish and Wildlife Service and the National Marine Fisheries Service. The

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species on these lists were narrowed by the scope of this project (fish and wildlife) and a constrained physical range. Given their specific documented life history needs, this list of species was evaluated for likelihood to occur within the Study Area based on the four habitat types described. Although habitat is a strong precursor to species using an area, there are always instances where species will use atypical habitat or refrain from using habitat judged as highly suitable. Records of actual occurrence, and therefore seasonally appropriate wildlife surveys, are the most suitable means to evaluate wildlife use of an area.

**Table 2 Rare Species of Fish and Wildlife Known to Occur Within 2 Miles of the Study Area.**

Common Name	Scientific Name	Category	Federal Status	State Status	Habitat Requirements
Bull trout (Willamette SMU)	Salvelinus confluentus	Vertebrate Animal	LT	SC	Clean and cold water. Connectivity and complexity (USFWS 2010 [online])
Chinook salmon (Upper Willamette River ESU, spring run)	Oncorhynchus tshawytscha	Vertebrate Animal	LT	SC	Variable due to multiple life stage requirements. Use large river systems to access appropriate spawning. Necessitate access from sea to spawning areas.
Oregon chub	Oregonichthys crameri	Vertebrate Animal	LT	SC	Slow moving, relatively warmer water in off channel habitat (Bangs, 2013)
Painted turtle	Chrysemys picta	Vertebrate Animal		SC	Slow moving aquatic habitats with basking areas. Nesting typically on sparsely vegetated areas.
Purple martin	Progne subis	Vertebrate Animal	SOC	SC	Open areas, more often near water in colonies
Townsend's big-eared bat	Corynorhinus townsendii	Vertebrate Animal	SOC	SC	Roosts in caves, cliffs, under bridges
Western pond turtle	Actinemys marmorata	Vertebrate Animal	SOC	SC	Slow moving aquatic habitats. Nesting with basking areas typically on sparsely vegetated south and flat facing slopes. Soils for nesting can be compact.

LE: Endangered, LT: Listed Threatened, SC: Sensitive Critical,  
 SOC: Species of Concern. Oregon Biodiversity Information Center, December 2013

Lots within the Study Area were considered fair to poor habitat for species within Table 2 (above). This determination resulted from the following observations and best professional judgment.

Dominance of fill/earthwork and extensive riverfront development within the Study Area has led to dense non-native grasses and forbs and a narrow riparian fringe with steep banks. Fill material and a lack of significant ponding water don't provide significant habitat for the turtle species listed. Despite the proximity to other significant turtle use, there are few lots which could reasonably be expected to support nesting turtles without significant habitat enhancement. The Study Area has no documented turtle use and is unlikely to support successful nesting turtles due to proximity to other important habitat types (e.g. slow moving waterways). The velocity of waters and steep, linear nature of the banks along these lots is not conducive as a stopping point for species (such as pond turtles) which utilize slow moving water.

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Some of these lots maintain significant trees or bridges which could be utilized by Townsend's big-eared bats or Purple Martins. The proposed setback maintains the most significant value for these species. When considered individually, the lots in the Study Area doesn't maintain significant riparian forest capable of cooling waters or providing resting areas or cover for the cold water aquatic species listed in Table 2. The Study Area as a whole provides significant cooling and potential resting areas for aquatic species. The proposed Greenway Setback Line is expected to maintain this value for aquatic species. These lots don't provide backwaters conducive to Oregon Chub and turtle use.

The Riparian Edge, in particular the area between top of bank/riparian vegetation and the river, maintains the greatest habitat value along the entirety of the Study Area, primarily benefitting listed species of fish and wildlife as they utilize the Willamette River as a migration corridor. The setbacks suggested are expected to protect significant habitats as noted in SDC 3.3-325(C).

4.2.2 Response to Section 3.3-325(D). Identified scenic qualities and view-points shall be preserved.

The Study Area has seen a mixture of industrial, commercial, and residential throughout the years. Riparian vegetation is the dominant scenic feature. The extent of riparian vegetation is limited to a narrow band along these lots. Even the limited riparian vegetation along some reaches in the Study Area buffers boaters and other users from the developed urban landscape. It is expected that proposed setbacks will protect the most significant visual resource found within the Study Area.

4.2.3 Response to Section 3.3-325(F). The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.

The Riparian Fringe was mapped as described in the methods section of this document to include the outer canopy of riparian vegetation and contiguous wetlands. The top of bank was also mapped to determine the difference in extent of riparian vegetation vs the top of bank. In most cases they are consistent.

4.2.4 Response to Section 3.3-325(G). The location of known aggregate deposits shall be considered

There is no indication that any valuable aggregate deposits still remain within the study area.

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Date Received:

APR 17 2015

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Original Submittal SM

Attachment 2, Page 25 of 33

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Date Received:

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APR 17 2015

Attachment 2, Page 26 of 33

Original Submittal

SM

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Date Received:

APR 17 2015



**LINE TABLE:**

LINE	BEARING	LENGTH
L19	S89°47'29"E	156.90
L20	S90°10'17"E	89.27
L21	N89°46'00"E	164.09
L22	N89°25'05"E	52.44
L23	S89°00'55"E	185.07
L24	N89°27'33"E	186.07
L25	N83°53'33"E	178.84
L26	N72°45'40"E	49.71

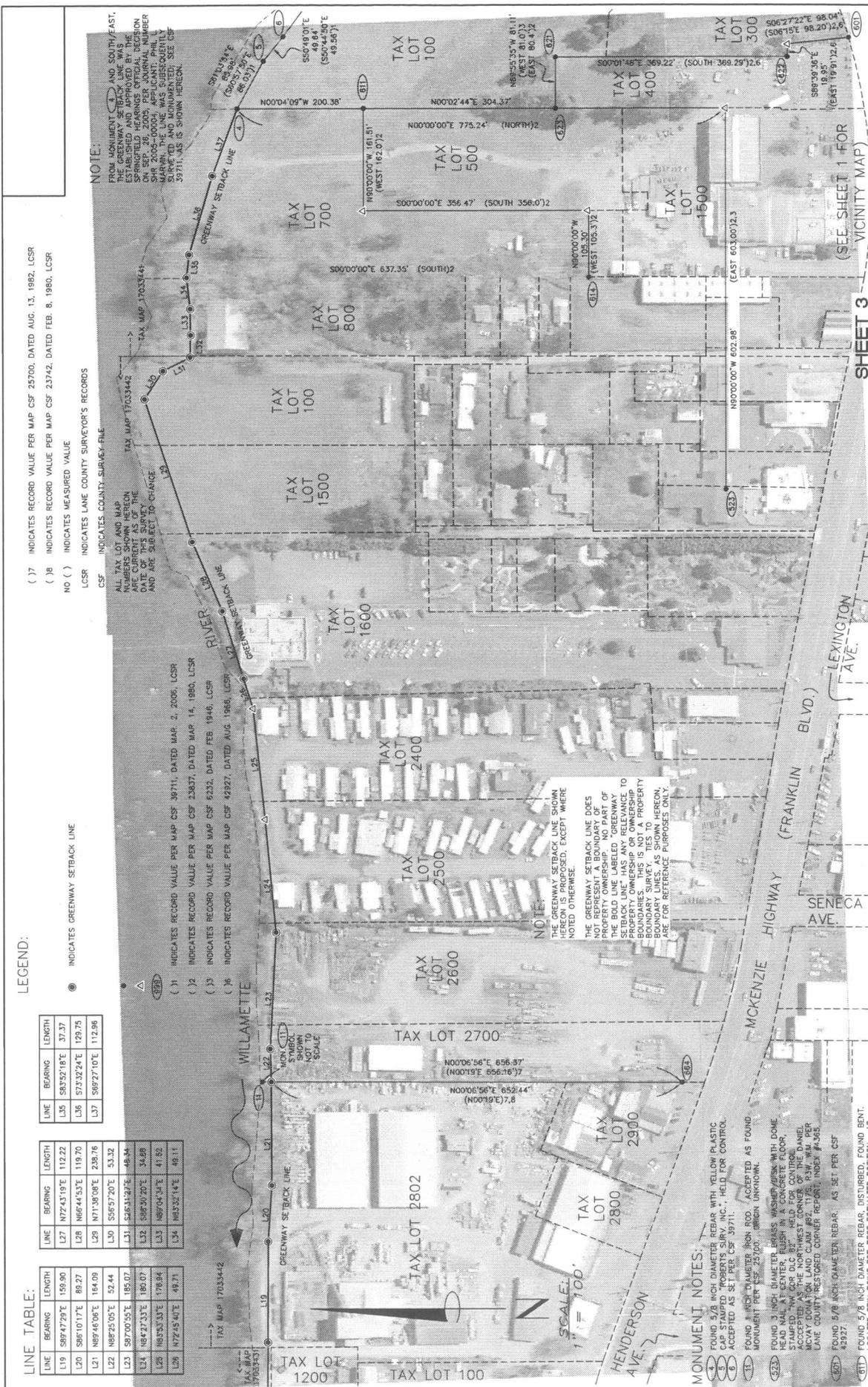
**LEGEND:**

LINE	BEARING	LENGTH
L35	S83°52'18"E	37.37
L36	S73°32'24"E	129.75
L37	S69°27'10"E	112.86

( ) INDICATES RECORD VALUE PER MAP CSF 25700, DATED AUG. 13, 1982, LCSR  
 ( ) INDICATES RECORD VALUE PER MAP CSF 23742, DATED FEB. 8, 1980, LCSR  
 NO ( ) INDICATES MEASURED VALUE  
 LCSR INDICATES LANE COUNTY SURVEYOR'S RECORDS  
 CSF INDICATES GREENWAY SETBACK LINE

( ) INDICATES RECORD VALUE PER MAP CSF 39711, DATED MAR. 2, 2005, LCSR  
 ( ) INDICATES RECORD VALUE PER MAP CSF 23837, DATED MAR. 14, 1980, LCSR  
 ( ) INDICATES RECORD VALUE PER MAP CSF 6332, DATED FEB. 1946, LCSR  
 ( ) INDICATES RECORD VALUE PER MAP CSF 42927, DATED AUG. 1986, LCSR

NOTE:  
 FROM MONUMENT 3 AND SOUTH/EAST, THE GREENWAY SETBACK LINE WAS LOCATED BY THE CITY OF SPRINGFIELD HEARINGS OFFICIAL DEBORA ON SEP. 28, 2005, PER JOURNAL NUMBER SHS 2005-0002. THIS GREENWAY SETBACK LINE WAS SUBSEQUENTLY SURVEYED AND MONUMENTED, SEE CSF 39711, AS IS SHOWN HEREON.



NOTE:  
 THE GREENWAY SETBACK LINE SHOWN HEREON IS PROPOSED, EXCEPT WHERE NOTED OTHERWISE.  
 THE GREENWAY SETBACK LINE DOES NOT REPRESENT A BOUNDARY OF PROPERTY OWNERSHIP. NO PART OF THE BOLD LINE LABELED "GREENWAY" REPRESENTS PROPERTY OWNERSHIP OR BOUNDARIES. THIS IS NOT A PROPERTY BOUNDARY LINE. AS SHOWN HEREON, BOUNDARY LINES AS SHOWN HEREON, ARE FOR REFERENCE PURPOSES ONLY.

MONUMENT NOTES:  
 FOUND 5/8 INCH DIAMETER REBAR WITH YELLOW PLASTIC HEAD NAIL AT CENTER, FLUSH IN A CONCRETE FLOOR. STAMPED "M. SOR D.L.C. BRASS HELD FOR CONTROL" DANIEL MCVAY DONATION LAND CLAIM #92, T17S, R3W, W.M. PER LANE COUNTY RESTORED CORNER REPORT, INDEX #4365, 43927.  
 FOUND 1 INCH DIAMETER IRON ROD. ACCEPTED AS FOUND MONUMENT PER CSF 25700. ORIGIN UNKNOWN.  
 FOUND 3 INCH DIAMETER BRASS WASHER/WASHER WITH DONE HEAD NAIL AT CENTER, FLUSH IN A CONCRETE FLOOR. STAMPED "M. SOR D.L.C. BRASS HELD FOR CONTROL" DANIEL MCVAY DONATION LAND CLAIM #92, T17S, R3W, W.M. PER LANE COUNTY RESTORED CORNER REPORT, INDEX #4365, 43927.  
 FOUND 5/8 INCH DIAMETER REBAR. AS SET PER CSF 42927.  
 FOUND 5/8 INCH DIAMETER REBAR. DISTURBED. FOUND BENT. LOCATED SPIN POINT FOR BEST ESTIMATED POSITION. AS SET PER CSF 23837.  
 FOUND 5/8 INCH DIAMETER REBAR. AS SET PER CSF 23837.  
 FOUND 5/8 INCH DIAMETER REBAR. AS SET PER CSF 23837.  
 FOUND 2 INCH DIAMETER IRON PIPE, HELD FOR CONTROL. ACCEPTED AS SET PER CSF 6332.  
 FOUND 3 INCH DIAMETER IRON PIPE. ACCEPTED AS EITHER A GUARD POST PLACED OVER AN ORIGIN UNKNOWN MONUMENT OR A MONUMENT. FOUND IRON PIN AND FOUND IRON ROD PER CSF 23742 AND CSF 25700. ORIGIN UNKNOWN.

GREENWAY SETBACK LINE SURVEY FOR:

**THE CITY OF SPRINGFIELD**  
 SOUTH 1/2 OF SECTION 34, T17S, R3W, W.M., AND  
 SW 1/4 OF SECTION 35, T17S, R3W, W.M., AND  
 WEST 1/2 OF SECTION 2, T18S, R3W, W.M.,  
 CITY OF SPRINGFIELD, LANE COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR  
**PRELIMINARY**  
 CHRISTOPHER JAY MOORHEAD  
 1000 N. 10TH ST., SUITE 100  
 SPRINGFIELD, OR 97703  
 (503) 447-7300  
 www.springfield-or.gov

DATE: APRIL 15, 2015  
 JOB NO.:  
 EQUIPMENT:  
 TRIMBLE RB7/GPS  
 FIELD: RRF  
 DRAWN: C.M.  
 CHECKED: RRF/J.L.D.

SPRINGFIELD OREGON  
 CHECKED: RRF/J.L.D.  
 DRAWN: C.M.



LINE TABLE:

LINE	BEARING	LENGTH
L61	S25°34'48"E	100.79
L62	S15°11'12"E	82.05
L63	S29°44'47"E	127.16
L64	S6°20'52"W	83.61
L65	S16°38'01"E	98.19
L66	S17°41'31"E	130.51
L67	S3°46'21"E	85.55
L68	S50°48'11"E	83.41
L69	S39°58'36"E	71.28
L70	S18°54'20"E	71.56
L71	S21°55'56"E	82.24
L72	S29°58'32"E	80.72
L73	S16°10'49"E	51.42
L74	S9°11'44"E	107.64
L75	S21°02'40"E	83.64
L76	S8°47'14"W	38.71
L77	S16°58'20"E	95.35
L78	S11°08'11"E	173.24
L79	S24°23'07"E	134.11
L80	S11°13'38"E	128.25
L81	S11°13'38"E	128.25
L82	S26°54'27"W	20.88
L83	S74°24'03"W	72.77
L84	S5°39'44"W	54.72
L85	S84°24'27"E	180.37
L86	S30°27'09"E	101.30

LEGEND:

● INDICATES GREENWAY SETBACK LINE

○ INDICATES FOUND MONUMENT AS NOTED HEREON

○ INDICATES MONUMENT NUMBER; SEE MONUMENT NOTES

( 79 ) INDICATES RECORD VALUE PER MAP CSF 31085, DATED FEB. 1, 1993, LCSR

( 710 ) INDICATES RECORD VALUE PER MAP CSF 28133, DATED JAN. 8, 1988, LCSR

( 711 ) INDICATES RECORD VALUE PER MAP CSF 19097, DATED JULY 14, 1975, LCSR

NO ( ) INDICATES MEASURED VALUE

LCSR INDICATES LANE COUNTY SURVEYOR'S RECORDS

CSF INDICATES COUNTY SURVEY FILE

ALL TAX LOT AND MAP NUMBERS SHOWN HEREON ARE CURRENT AS OF THE DATE OF THIS SURVEY AND ARE SUBJECT TO CHANGE.

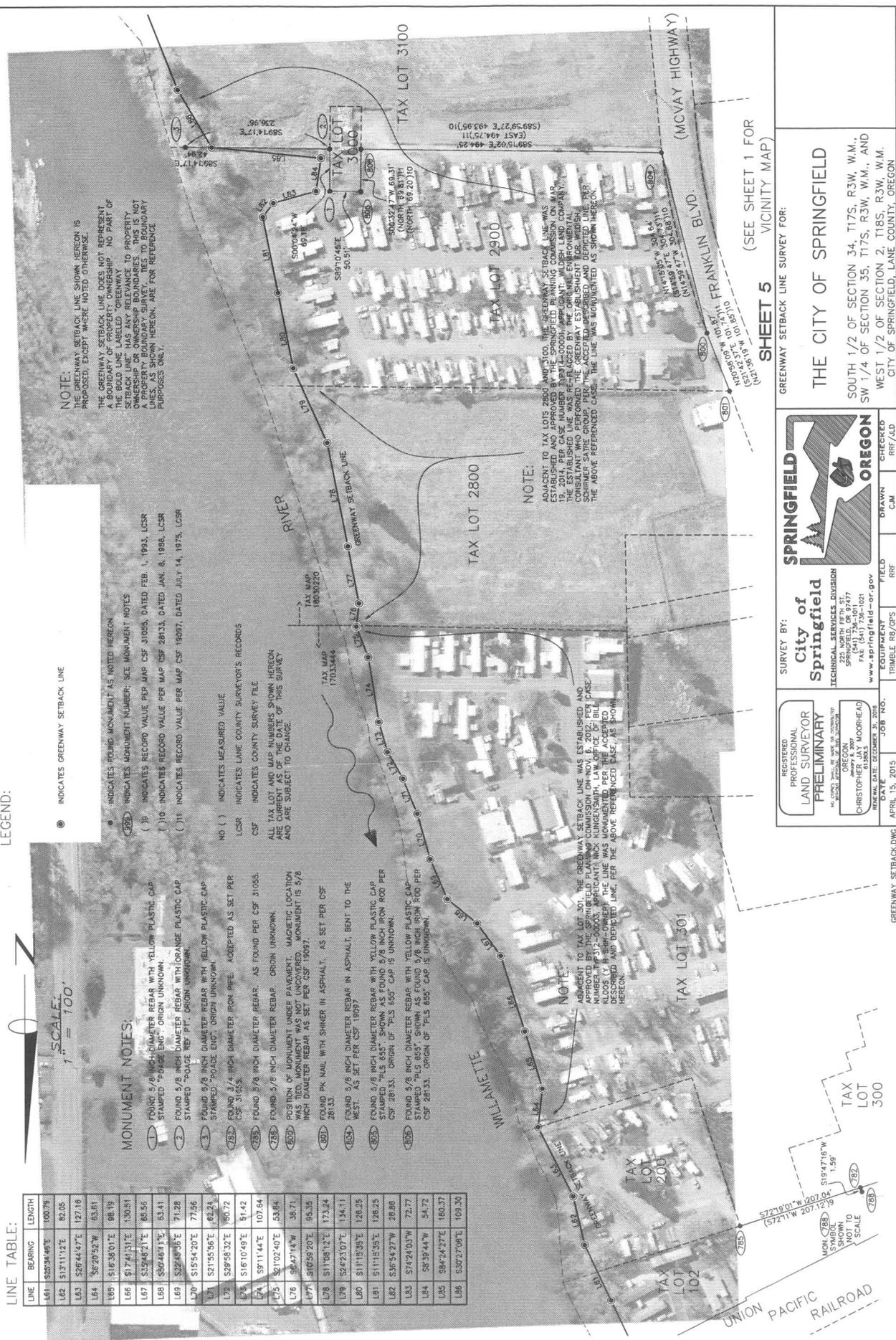
NOTE: ANY SETBACK LINE SHOWN HEREON IS PROPOSED, EXCEPT WHERE NOTED OTHERWISE. THE GREENWAY SETBACK LINE DOES NOT REPRESENT THE BOLD LINE LABELED "GREENWAY SETBACK LINE" HAS ANY RELEVANCE TO PROPERTY OWNERSHIP OR OWNERSHIP BOUNDARIES. THIS IS NOT A SURVEY OF BOUNDARIES. THE BOUNDARY LINES AS SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY.

NOTE: MONUMENT TO TAX LOT 2800 AND GREENWAY SETBACK LINE WAS ESTABLISHED AND APPROVED BY THE SPRINGFIELD PLANNING COMMISSION ON MAY 19, 2014, PER CASE NUMBER 19314-00004. APPLICANT: WILSH, LAND COMPANY. THE ESTABLISHED LINE WAS RECORDED BY LANE COUNTY INSTRUMENTAL NUMBER 2172-20003. APPLICANT: RICK KUNIGSMITH, LAW OFFICE OF BILL SQUIRREY SAHRE GROUP. PER THE ACCEPTED AND DEPICTED LINE PER THE ABOVE REFERENCED CASE, THE LINE WAS MONUMENTED AS SHOWN HEREON.

NOTE: MONUMENT TO TAX LOT 301 AND GREENWAY SETBACK LINE WAS ESTABLISHED AND APPROVED BY THE SPRINGFIELD PLANNING COMMISSION ON NOV. 20, 2014, PER CASE NUMBER 14312-20003. APPLICANT: RICK KUNIGSMITH, LAW OFFICE OF BILL SQUIRREY SAHRE GROUP. PER THE ACCEPTED AND DEPICTED LINE PER THE ABOVE REFERENCED CASE, THE LINE WAS MONUMENTED AS SHOWN HEREON.



SCALE: 1" = 100'



GREENWAY SETBACK LINE SURVEY FOR: SHEET 5 (SEE SHEET 1 FOR VICINITY MAP)

THE CITY OF SPRINGFIELD SOUTH 1/2 OF SECTION 34, T17S, R3W, W.M., SW 1/4 OF SECTION 35, T17S, R3W, W.M., AND WEST 1/2 OF SECTION 2, T18S, R3W, W.M. CITY OF SPRINGFIELD, LANE COUNTY, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR PRELIMINARY

CRISTOPHER JAY MOORHEAD  
 810035  
 NATIONAL DATE: DECEMBER 31, 2014  
 DATE: APRIL 15, 2015

REGISTRATION NO. 001101  
 SPRINGFIELD, OR 97177  
 PHONE: (503) 733-1001  
 FAX: (503) 733-1001  
 www.springfield-or.gov

TECHNICAL SERVICES DIVISION

SPRINGFIELD, OREGON

REGISTERED PROFESSIONAL LAND SURVEYOR PRELIMINARY

CRISTOPHER JAY MOORHEAD  
 810035  
 NATIONAL DATE: DECEMBER 31, 2014  
 DATE: APRIL 15, 2015

REGISTRATION NO. 001101  
 SPRINGFIELD, OR 97177  
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 www.springfield-or.gov

TECHNICAL SERVICES DIVISION

SPRINGFIELD, OREGON

GREENWAY SETBACK LINE SURVEY FOR: SHEET 5 (SEE SHEET 1 FOR VICINITY MAP)

REGISTERED PROFESSIONAL LAND SURVEYOR PRELIMINARY

CRISTOPHER JAY MOORHEAD  
 810035  
 NATIONAL DATE: DECEMBER 31, 2014  
 DATE: APRIL 15, 2015

REGISTRATION NO. 001101  
 SPRINGFIELD, OR 97177  
 PHONE: (503) 733-1001  
 FAX: (503) 733-1001  
 www.springfield-or.gov

TECHNICAL SERVICES DIVISION

SPRINGFIELD, OREGON

LEGEND:

● INDICATES GREENWAY SETBACK LINE

ALL TAX LOT AND MAP NUMBERS SHOWN HEREIN ARE CURRENT AS OF THE DATE OF THIS SURVEY AND ARE SUBJECT TO CHANGE.

LINE TABLE:

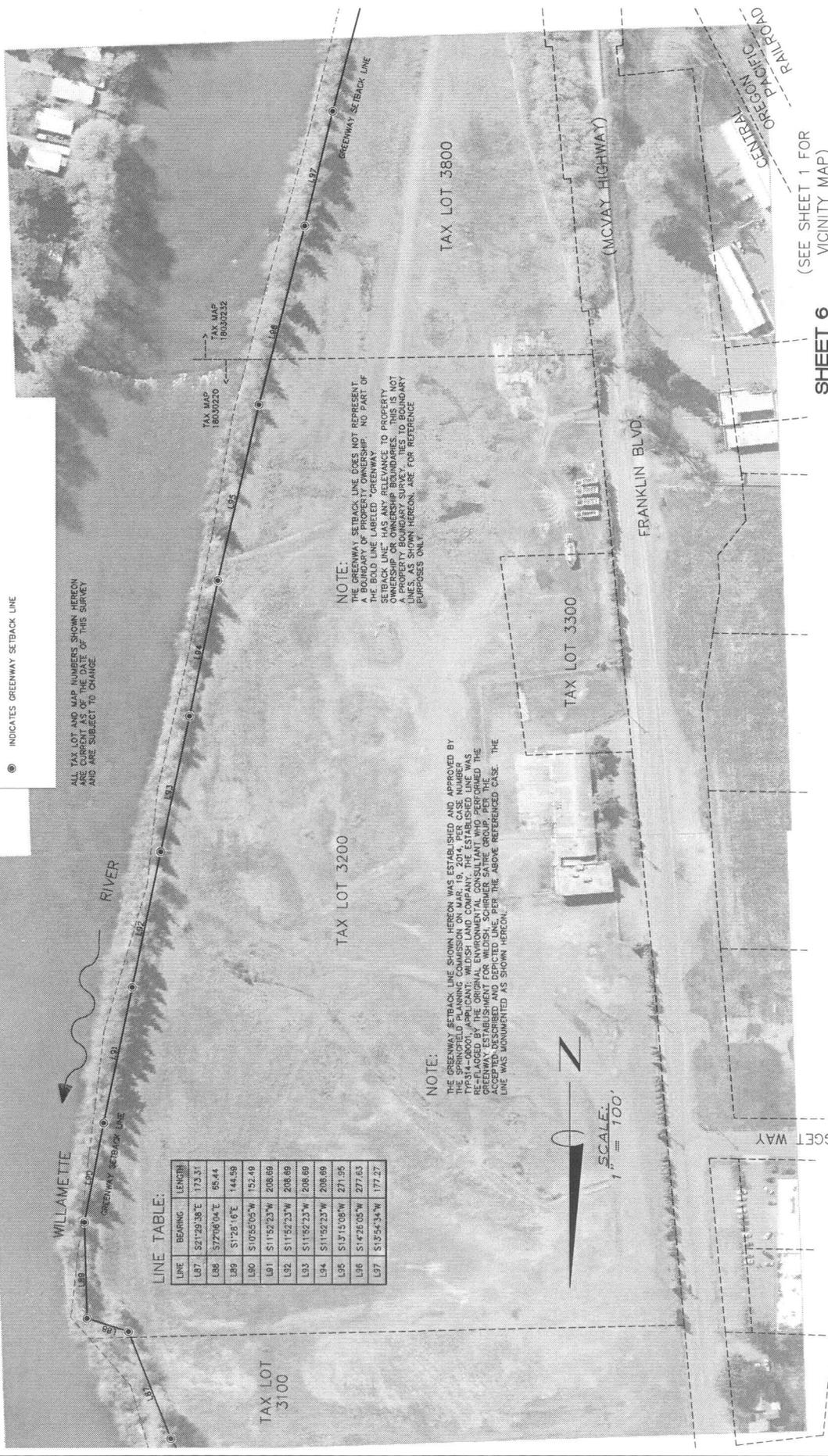
LINE	BEARING	LENGTH
L87	S21°29'38"E	173.31
L88	S72°06'04"E	65.44
L89	S1°28'16"E	144.59
L90	S10°55'05"W	152.49
L91	S11°52'23"W	208.69
L92	S11°52'23"W	208.69
L94	S11°52'23"W	208.69
L95	S13°15'08"W	271.95
L96	S14°26'03"W	277.83
L97	S15°54'34"W	177.27

NOTE:

THE GREENWAY SETBACK LINE SHOWN HEREON WAS ESTABLISHED AND APPROVED BY THE CITY OF SPRINGFIELD, OREGON, ON APRIL 15, 2015. THE GREENWAY SETBACK LINE WAS RE-FLAGGED BY THE ORIGINAL ENVIRONMENTAL CONSULTANT WHO PERFORMED THE GREENWAY ESTABLISHMENT SURVEY FOR THE CITY OF SPRINGFIELD, OREGON. THE GREENWAY SETBACK LINE WAS DESIGNED AND DEDICATED IN ACCORDANCE WITH THE ABOVE REFERENCED USE. THE LINE WAS MONUMENTED AS SHOWN HEREON.

NOTE:

THE GREENWAY SETBACK LINE DOES NOT REPRESENT A BOUNDARY OF PROPERTY OWNERSHIP. NO PART OF THE BOLD LINE LABELED "GREENWAY" TO PROPERTY OWNERSHIP OR BOUNDARY LINES. THIS IS NOT A PROPERTY BOUNDARY SURVEY. LINES TO BOUNDARY LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY.



(SEE SHEET 1 FOR VICINITY MAP)

SHEET 6

GREENWAY SETBACK LINE SURVEY FOR:

THE CITY OF SPRINGFIELD  
 SOUTH 1/2 OF SECTION 34, T17S, R3W, W.M.,  
 SW 1/4 OF SECTION 35, T17S, R3W, W.M., AND  
 WEST 1/2 OF SECTION 2, T18S, R3W, W.M.,  
 CITY OF SPRINGFIELD, LANE COUNTY, OREGON



SURVEY BY:  
**City of Springfield**  
 TECHNICAL SERVICES DIVISION  
 SPRINGFIELD, OR 97177  
 PHONE: (503) 731-1011  
 FAX: (503) 731-1011  
 www.springfield-or.gov

REGISTERED PROFESSIONAL LAND SURVEYOR  
**PRELIMINARY**  
 OREGON  
 CHRISTOPHER JAY MOORHEAD  
 810025  
 EXPIRES: 12/31/2018  
 DATE: APRIL 15, 2015  
 JOB NO.

GREENWAY SETBACK.DWG

TRIMBLE RB/GPS FIELD CHECKED  
 RFB C.M. RFB /LD



*Report on Establishment of a  
Draft Willamette River Greenway Setback Line  
on the South and West Sides of the Willamette River,  
Glenwood (Springfield), Oregon*

23 November 2004

### **Project Description**

Salix Associates was requested by the City of Springfield to draft a Willamette River Greenway Setback Line (GSL) in the Glenwood area, between Springfield and Eugene, Oregon. The study area is the south and west bank of the Willamette River beginning at the I-5 freeway bridge, going east to the Franklin Boulevard Bridge (leading into Springfield), then south to the I-5 freeway Exit 189 interchange (Attachment A). The total linear distance of the study area is approximately 2.5 miles.

### **Study Area Description**

The overall character of the Willamette River riparian habitat within the study area is a narrow, treed fringe along the river, dominated by black cottonwood (*Populus trichocarpa*), red alder (*Alnus rubra*), white alder (*Alnus rhombifolia*), bigleaf maple (*Acer macrophyllum*), Oregon ash (*Fraxinus latifolia*), Pacific willow (*Salix lucida* ssp. *lasiandra*, and other willow species) and Douglas-fir (*Pseudotsuga menziesii*). The shrub layer varies from mostly non-native species such as Armenian blackberry (*Rubus armeniacus*; note that this species was misidentified for many years as Himalayan blackberry, *Rubus discolor*) and Scot's broom (*Cytisus scoparius*), to some smaller, native-dominated areas with snowberry (*Symphoricarpos albus*), osoberry (*Oemleria cerasiformis*), ninebark (*Physocarpus capitatus*), poison-oak (*Toxicodendron diversilobum*) and tall Oregongrape (*Berberis aquifolium*). Similarly, understories vary from weedy areas dominated by English ivy (*Hedera helix*), lower-growing Armenian blackberry and other non-native species, to a few, small, areas dominated with native species. A highly invasive grass, false brome (*Brachypodium sylvaticum*) also is becoming established in the area.

In the western half of the study area, vegetation generally reaches from the water line to the top of the bank and there is little vegetation beyond the top of bank. Natural, non-maintained vegetation does extend west of (beyond) the top of the bank in some places in the south half of the study area, particularly near the south end.

### **Methodology**

Three large aerial photos (no date) of the project area were provided by the City of Springfield for this project. One small area was missing in a gap between photos. For that area (Photo 7), we used a photo from a previous set provided by the City for another project. The aerial photos and relevant documents were reviewed within the context of the criteria for establishing a GSL contained in Section 25.060 of the Springfield Development Code (Attachment B). For field mapping, we made 8 1/2 x 11 inch copies and attached a transparency to each. A draft GSL then was marked in red on the transparency during a field survey. We relied heavily on the aerial photos for inaccessible portions.

## Establishment of the Draft GSL

The criteria from the code section referenced above are excerpted and addressed below. Some of the criteria are specific to the establishment of a GSL, while others are more vague, or address development issues that would occur when specific development applications are received for review.

1. *Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.*

This item does not seem to be directly related to establishment of a greenway setback line.

2. *Adequate public access to the river shall be provided.*

This item does not seem to be directly related to establishment of a greenway setback line.

3. *Significant fish and wildlife habitats shall be protected.*

In addition to juvenile Chinook salmon, native cutthroat trout also may use river shoreline areas in the study area (Adam Helfrich, river guide). These fish (and other native species) feed on insects that rely on diverse, native, shoreline vegetation and a functional riparian zone for part or all of their life cycles. The trees that are near the river also provide aquatic habitat if and when they fall into the river.

Birds such as bald eagles, osprey, great blue herons, green herons, belted kingfishers, common mergansers, mallards, raptors and passerines use the riparian area for hunting, fishing and gleaning. Some feed or rest while passing through riparian habitats, some stay seasonally to overwinter or as summer nesters, and some reside there year-round.

Terrestrial species such as Pacific tree and red-legged frogs, and occasionally western pond turtles and various salamander species, use riparian areas. Mammals such as mink, raccoon, skunk, and voles commonly use them. Animals that can fly or swim can access isolated patches of riparian habitat, whereas terrestrial animals may not be able to do so, or may be at risk crossing barriers (such as roads and the railroad). Riparian habitat that is connected both up and down river is especially valuable as it used by many more terrestrial species than isolated patches of habitat.

During previous draft GSL determinations and other work in the area, as well as this project, we have noted populations of tall larkspur (*Delphinium trolliifolium*), Pacific waterleaf (*Hydrophyllum tenuipes*), tall meadowrue (*Thalictrum polycarpum*), bleeding heart (*Dicentra formosa*), licorice fern (*Polypodium glycyrrhiza*), Leichtlin's camas (*Camassia leichtlinii*), clarkia (*Clarkia amoena*), rosy checkermallow (*Sidalcea virgata*) and other native, herbaceous, riparian vegetation species. Additionally, many native woody species have been observed, including Oregon white oak (*Quercus garryana*) – primarily near the southern end of the project area. Most of the remaining fragments of native habitats in the area have, however, been compromised by the invasion of English ivy, Armenian blackberry and a few other species of lesser impact, and they face a new threat from false brome.

*4. Identified scenic qualities and view-points shall be preserved.*

Views of riparian vegetation on both the west and south portions of the study area are prominent from the River, and for the following users/residents, and from the following locations:

- A. automobile users view from I-5 and from local roads such as Franklin Boulevard (especially at the bridge into Springfield), Aspen Street, West D Street, and South 2<sup>nd</sup> Street
  - B. pedestrians and bicycle users from the Springfield side of the river view the vegetation in the west part of the study area from a very close perspective; the vegetation on the south side is somewhat less visible to pedestrians and cyclists from the Springfield side
  - C. residents and commercial users of adjacent and nearby property have regular views of vegetation of the study area
  - D. river users view up at the immediate fringe of riparian vegetation, which often screens out adjacent and nearby development
- 5. The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for to the maximum extent practicable.*

Location of the GSL should have little or no bearing on vandalism or trespass, as it relates to the uses permitted adjacent to the river.

*6. The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.*

The forested areas of the south portion of the project area are dominated by native trees (including Oregon white oak) and shrubs (including snowberry and poison-oaks). Herbaceous vegetation is dominated in a few areas by native species, which are most unique in the oak-associated habitats. Most areas are dominated by invasive exotics such as Armenian blackberry. Some areas have substantial human impact from camping and associated human waste.

*7. The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.*

The Metro Plan diagram does not show any aggregate deposits within the study area.

*8. Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.*

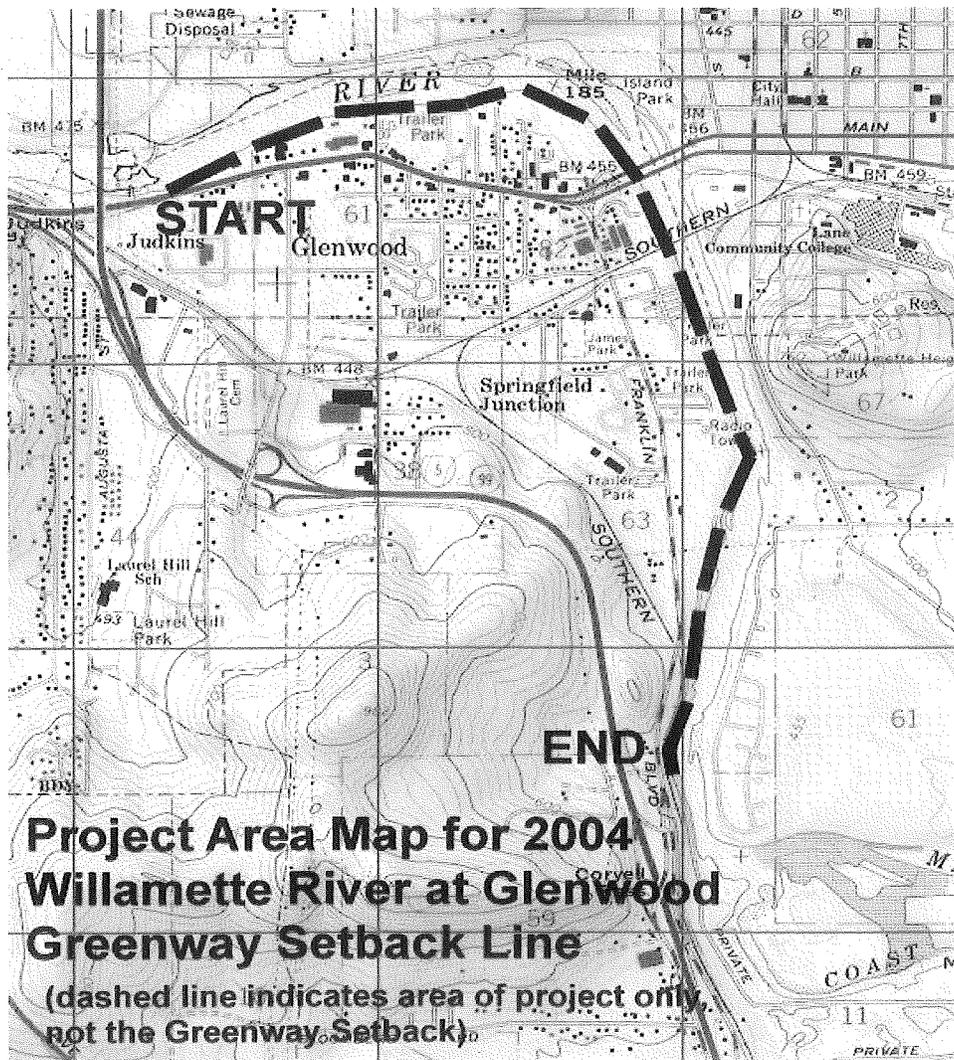
The designation of a GSL will contribute to the protection of native, woody vegetation along the river while development continues to occur on adjacent or nearby lands.

## **Recommendation**

We have made a draft delineation of our best interpretation of the location of a GSL within the study area, based on the Springfield Development Code guidelines. It is included here as Attachment C, Photos 1 - 21.

# ATTACHMENT A

## GLENWOOD GREENWAY PROJECT AREA MAP



## ATTACHMENT B

### GREENWAY CODE EXCERPT

Excerpted from Springfield Development Code

<http://www.ci.springfield.or.us/>

#### 25.060 GREENWAY SETBACK.

A Greenway Setback Line shall be established to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette Greenway. Only water-dependent or water-related uses shall be permitted between the Willamette River and the Greenway Setback Line. The Greenway Overlay District shall substitute temporarily as the Greenway Setback Line for all properties within this Overlay District that do not have an established Setback Line. Establishment of this Setback Line may occur with or without a request for development approval, but any request for development approval on land without an established Setback Line must be accompanied by an application for establishment of the Greenway Setback Line. The location of the Greenway Setback Line shall be determined consistent with the following standards derived from Section C.3 of the Willamette River Greenway Goal 15:

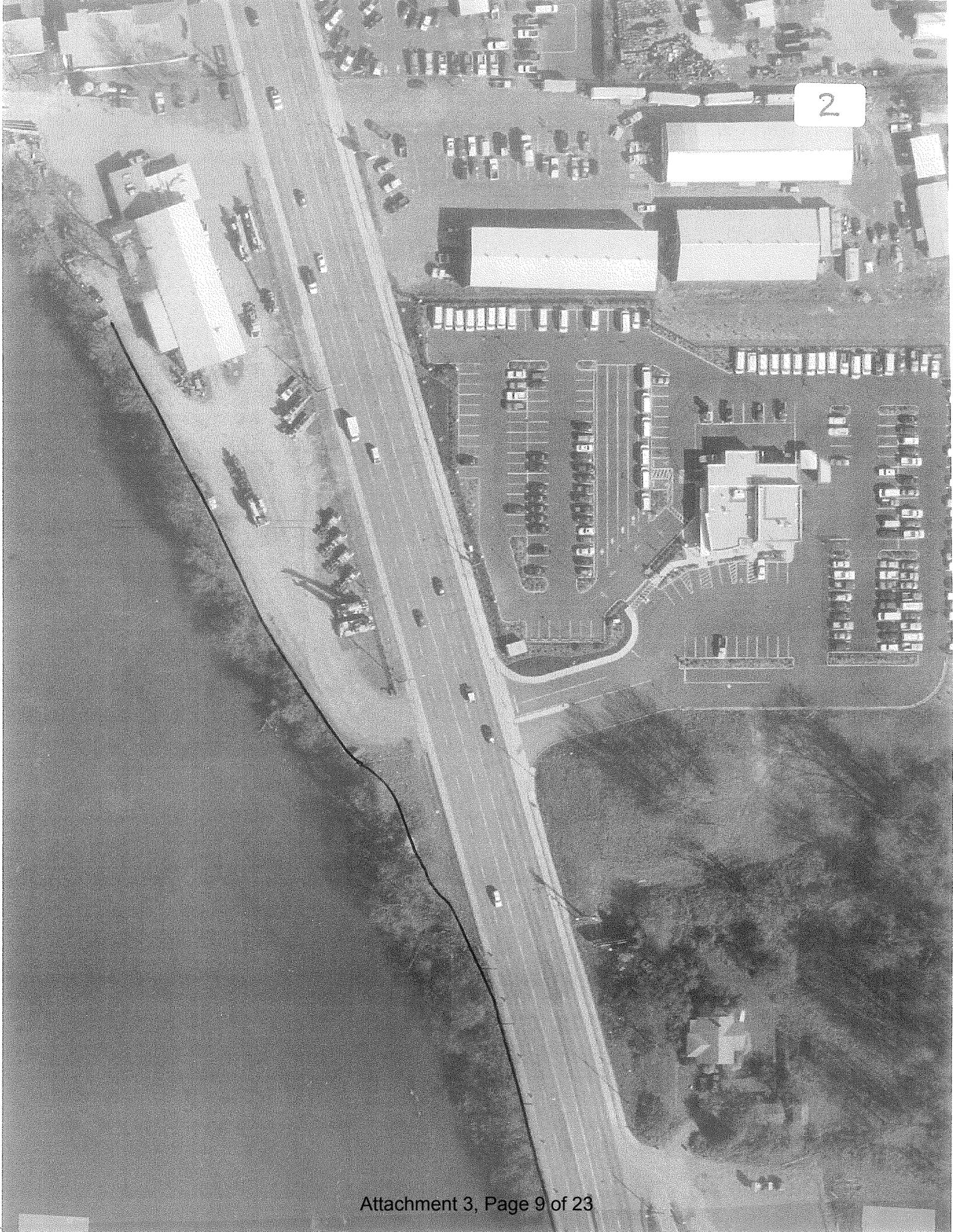
- (1) Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.
- (2) Adequate public access to the river shall be provided.
- (3) Significant fish and wildlife habitats shall be protected.
- (4) Identified scenic qualities and view-points shall be preserved.
- (5) The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for to the maximum extent practicable.
- (6) The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.
- (7) The location of known aggregate deposits shall be considered. Aggregate extraction may be permitted outside the Greenway Setback Area subject to compliance with State law, the underlying district and conditions of approval designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, quiet and safety and to guarantee reclamation.
- (8) Developments shall be directed away from the river to the greatest possible degree; provided, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.

**ATTACHMENT C**

**DRAFT GREENWAY SETBACK LINE  
ON AERIAL PHOTOS**



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City of Springfield  
Work Session Meeting

MINUTES OF THE WORK SESSION MEETING OF  
THE SPRINGFIELD PLANNING COMMISSION HELD  
TUESDAY, April 21, 2015

The City of Springfield Planning Commission met in a work session in the Jesse Maine Meeting Room, 225 Fifth Street, Springfield, Oregon, on Tuesday, April 21, 2015 at 6:00 p.m., with Commissioner James presiding.

ATTENDANCE

Present were Chair Vohs and Vice Chair Nelson, Commissioners Greg James, Michael Koivula, Sean Dunn, and Andrew Landen. Also present were Current Development Manager Greg Mott, Assistant City Attorney Lauren King and Management Support Specialist Brenda Jones and members of the staff.

ABSENT

**Steve Moe- Unexcused**

**1. Establishing the Willamette Greenway Setback Line in Glenwood-**

Senior Planner Mark Metzger started with a PowerPoint presentation regarding the Willamette Greenway Setback.

Statewide Planning Goal 15—Willamette Greenway, requires local governments to incorporate Greenway objectives into comprehensive plans and implementing ordinances.

Part of this responsibility includes the delineation of a “Greenway Setback Line” that establishes an uninterrupted line paralleling the river within which only water-related or water-dependent uses are allowed. The Planning Commission and Hearings Official have both approved delineations of the Greenway Setback Line for various private and public properties with Willamette River frontage. On May 5th, the City of Springfield, in collaboration with several property owners in Glenwood, will propose a Greenway Setback line for all remaining properties in Glenwood that do not have an established setback line.

On September 8, 2014, the Springfield City Council directed staff to work with property owners to complete the Greenway Setback line for the entire Glenwood Riverfront in advance of development. The City hired Schirmer/Satre Group to assist with the fieldwork and analysis required to recommend a Greenway Setback line for those remaining properties that do not have established setbacks.

Beginning in January, staff sent letters and made personal contacts with owners, encouraging their participation in the setback delineation project. In addition to two mailings, staff conducted an open, drop-in meeting with interested owners to discuss the Greenway Setback and how it might affect their property.

All of the affected properties south and west of the Springfield bridges are outside the city limits and therefore the responsibility of the Hearings Official. The area beneath the bridges were annexed in 2005 and therefore the setback is the responsibility of the planning commission.

Mark explained to the Commission what a Hearings Official is and their relationship with Springfield.

Attachment 1 provides an overview of the Greenway Goal; Attachment 2 contains a series of maps showing the proposed Greenway Setback Line for Glenwood.

*PowerPoint Presentation:*

- *The City of Springfield proposes to establish the “Willamette River Greenway Setback Line” on all properties in the Glenwood area where the setback has not already been established. The matter will be considered by the Planning Commission in a joint public hearing with the Springfield Hearings Official on May 5, 2015.*
- *The purposed of this presentation is to review Springfield’s responsibilities with respect to Statewide Planning Goal 15- Willamette River Greenway. This material will be a review for some Commissioners, but will be a useful primer for new Commission members.*
- *The properties to be considered on May 5, 2015 are located primarily outside of the city limits. One lot, located beneath the Springfield bridges near the entrance to Springfield’s downtown, is within the city limits and is within the Commission’s jurisdiction. The Greenway Setback for properties outside of the city limits will be determined by the Hearings Official.*
- *Mark presented a map showing properties without established greenway setbacks.*
- *As the commission views this presentation, the following terms will be important:*
  - *Willamette River Greenway Boundary*
  - *Willamette River Greenway Setback*
  - *75-foot Water Quality/Natural Resources Development Setback.*
- *These terms are easily confused but are important to distinguish as the Commission prepares for the hearing on May 5 2015 The Planning commission will approve the location for the Greenway Setback at the meeting.*

***Establishment of the Greenway Program***

- *The Willamette River Greenway Program, established by the 1967 Oregon Legislature, is a cooperative state and local government effort to maintain and enhance the scenic, recreational, historic, natural and agricultural qualities of the Willamette River and its adjacent lands.*
- *In 1972, the Legislature passed the Willamette River Greenway Act, which established ties to the comprehensive state land use law (Oregon Senate Bill 100) that passed that same year.*
- *In 1975, the Oregon Department of Land Conservation and Development included the Willamette River Greenway as one of nineteen standards for statewide planning, requiring that public access, native vegetation, and scenic views be considered when planning new developments.*

***Local Implementation of Goal 15 – Willamette River Greenway***

- *Statewide Planning Goal 15 requires local governments to establish a Greenway Boundary within their jurisdiction. Generally, the Greenway Boundary is set 150-feet from the river, and expands to include public lands.*
- *Local governments are also charged with determining allowed uses within the Greenway Boundary and to identify potential acquisition areas for public use and conservation.*
- *Local jurisdictions retain the primary responsibility for implementation of the Willamette River Greenway Goal.*
- *The Metro Plan, Springfield’s comprehensive plan, contains a section called, the Willamette River Greenway, River Corridors, and Waterways Elements. This section includes policies for implementation of Goal 15.*
- *The Greenway Boundary within the Eugene-Springfield area was approved by the state in September 1982. The Metro Plan also established planned land uses along the river within the Boundary.*
- *Within Glenwood, the Greenway Boundary is set about 150-feet inland from the ordinary low water mark of the river. Across the river from Glenwood, the Greenway Boundary expands to include Alton Baker Park, Island Park and further up-stream, Dorris Ranch, Mt. Pisgah, and Clearwater Park.*

- *Mark presented a map showing the Willamette River Greenway Boundary within Springfield's Planning Jurisdiction.*

***The Metro Plan allows for a variety of uses within the Greenway Boundary***

- *"Land along the Greenway in private ownership is in a variety of uses, some of which appear to provide greater opportunity than others for public access and enjoyment. Residential uses along the Greenway can provide the residents with access to the river area. Certain commercial uses, such as restaurants, can allow customers visual enjoyment of the Greenway."*

*"Other uses, such as the many industrial uses, would appear to provide little if any opportunity for access or enjoyment of the Greenway. This is evidenced by much of the existing industrial development along the Willamette River in the Glenwood area."*

Commissioner Landen asked, Glenwood you have some Industrial that comes close, will this potentially cause the owners to move that back some or since it's low water mark its 150' from way out there. Mark responded that the Greenway Setback does not require retroactive action. The Greenway Boundary takes in a lot of industrial land and existing industrial uses. State Law never intended for the Greenway Boundary to require everyone to tear down what they are doing and move away.

If the establishing the Greenway Setback Line required retroactive removal of development, you would have a very different waterfront in Portland. If you think about the new construction and development along the Portland waterfront, and more locally, think about the EWEB Administrative Office that sits on the riverfront, beautiful new building; these were built after the establishment of the Greenway program. The Greenway Setback is not intended to prevent all development near the river. It regulates it and makes sure that cities are managing the kind of development that can approach the river and how close that development may come to the river's edge.

Mark added that once that line is established then no new development apart from water related or water dependent would be on the riverside of that setback line. Mark wants to make sure the Commission knows that he is talking about the Greenway Boundary and the idea that the Cities manage land-uses of all kinds within that 150-foot boundary. When we talk about the setback line, that line is going to be a lot closer to the river than the Greenway Boundary.

***Springfield's Greenway Policies in the Springfield Development Code (SDC)***

- *SDC 3.3-300- establishes the Willamette Greenway (WG) Overlay District to protect and preserve natural scenic, historic and recreational qualities of lands along the Willamette River. This overlay district applies within the Willamette Greenway area [as defined by the Greenway Boundary].*
- *Uses allowed in the WG Overlay District are the same as those in the underlying zoning districts. SDC 3.3-320. Zoning along the river in Glenwood is a mix of residential, commercial and employment uses as laid out in the Glenwood Riverfront Plan.*
- *SDC 3.3-325 sets standards for establishing the Greenway Setback Line. The Greenway Setback Line determines how close urban development can approach the river. The location of the setback is based on a variety of criteria.*

***Greenway Setback Line SDC 3.3-325***

- *A Greenway Setback Line is established to protect, maintain, preserve and enhance the natural, scenic, historical and recreational qualities of the Willamette Greenway.*
- *Only water-dependent or water-related uses are permitted between the Willamette River and the Greenway Setback line. Prior land use decisions have recognized riverfront multi-use paths as water related- water dependent uses.*

- *Establishment of this Setback Line may occur with or without a request for development approval, but any request for development approval on land without an established Setback Line shall be accompanied by an application for establishment of the Greenway Setback Line.*

***SDC 3.3-325 Standards for establishing the Greenway Setback***

*The Development Code states that the location of the Greenway Setback Line shall be determined consistent with the following standards derived from Statewide Planning Goal 15:*

- A. *Local, regional and State recreational needs shall be provided for consistent with the carrying capacity of the land. The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent possible.*
- B. *Adequate public access to the river shall be provided.*
- C. *Significant fish and wildlife habitats shall be protected.*
- D. *Identified scenic qualities and view-points shall be preserved.*
- E. *The maintenance of public safety and protection of public and private property, especially from vandalism and trespass shall be provided for, to the maximum extent practicable.*
- F. *The natural vegetative fringe along the river shall be enhanced and protected to the maximum extent practicable.*
- G. *The location of known aggregate deposits shall be considered.*
- H. *Developments shall be directed away from the river to the greatest possible degree; provide, however, lands committed to urban uses shall be permitted to continue as urban uses, including port, public, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities.*

***Balancing the standards used establish the Greenway Setback***

- *Terms that require flexibility:*
  - *“maximum extent practicable”*  
*While not defined in Goal 15, staff understands the term to require a balancing of factors so that each of the identified Willamette Greenway criteria is met to the greatest extent possible without precluding the planned use.*
  - *“land committed to urban uses”*  
*Goal 15 defines this to mean “those lands upon which the economic, developmental and locational factors have, when considered together, made the use of the property for other than urban purposes inappropriate.”*

***Other Ordinances Protecting the Willamette River Corridor***

- *There are other setbacks and protections on the Willamette that will overlap and may supersede the Greenway Setback Line.*
- *SDC 4.3-115 – Water Quality Protection*  
*Along all watercourses shown on the Water Quality Limited Watercourse (WQLW) Map with average annual stream for greater than 1,000 cubic feet per second (CFS), the riparian are boundary shall be 75 feet landward from the top of the bank.*
- *SDC 4.3-117 – Natural Resources Protection Areas*  
*The Willamette River (WA/WB) is a water quality limited watercourse and is protected by a 75-foot development setback.*
- *The Greenway Boundary defines a 150-wide corridor along the river which also takes in public lands. The Boundary delineates the “side-boards” within special Greenway standards are applied.*
- *The Greenway Setback Line is a development setback from the river. The line is not a fixed distance. The line is established through a balancing of economic, social and environmental objectives. Only water-related, water dependent uses are allowed between the setback line and the river.*

- *The Water Quality / Natural Resource Setbacks are existing 75-foot setbacks along the Willamette that define how close development can come to the river. These setbacks are not related to the Willamette Greenway Boundary or Greenway Setback Line and in fact, overlap them.*

Mark also added that a reasonable question would be, “Why do we adopt two different setbacks?” It is a reasonable question, but the law requires us to stay focused on the criteria that we have. The recommended line is 20-30 feet in some places; at one location its about 190’ from top of bank. If you look at the maps on the wall, you will see that the line is drawn very close to the river’s edge and very close to the existing vegetation along the river.

A 75-foot setback is already part of our development code that responds to the Federal Clean Water Act. We also adopted a Riparian Protection Measure that is part of our Statewide Planning Goal 5 responsibility. The 75-foot setback overlays the Greenway Setback, we will not go into detail regarding the 75-foot setback, we are focused on drawing the Greenway Setback line in accord with the criteria.

The Greenway Boundary, the 150-foot wide sideboard inside that we have the Greenway Setback line, which will be close to the river, taking in largely the vegetative fringe that is along the river when you look at the aerial map. The green strip along the river, you want to protect what is there, but we also need to consider the development that is there. The water quality setbacks at 75-foot, those are three different things; staff is focused on the Greenway Setback.

Mark used a slide showing a fragment of the Wildish property to illustrate the difference between the Greenway Boundary, the 75-foot setback, and then the Greenway Setback. The Greenway Boundary is set 150-feet from the river in Glenwood. Across the river, the Greenway Boundary follows the river but expands beyond 150-feet to take in Dorris Ranch. The slide illustrates how the Greenway Boundary, the 75-foot setback and the Greenway setback interact with each other at the Wildish site.

The Planning Commission will be deciding on the Greenway Setback Line. In Glenwood it will start at the I-5 Bridges at the dotted line, the recommended setback line, the black dot are places where Satres staff and our City Surveyors went out and actually established monuments to locate that line and survey the line

Staff was unable to connect with Mr. Skillern and his property. Where staff did not have permission to go on-site, they worked from aerial photos to recommend a setback line. The line generally follows the vegetation through these properties. While the surveyors did not go on these properties, the aerial photos helped establish the line.

Myrmo and Sons gave permission to go on their property, the proposed setback at that location cuts behind existing manufacturing buildings on this site, while protecting the vegetated fringe along the river the setback comes close to the river.

Again, following the vegetated fringe along the river, we have a large manufacture home park that is next to Roaring Rapids, the line gets fairly close to the river and does not have much vegetation. The minimum setback line from top of bank anywhere is going to be 10-feet. For the most part the setback is 20-30 feet because of the width of the vegetation.

On the map, Mark pointed out a house where the owner built pipe organs for many years. They have a large area of vegetation in front of the home; there is a depression in the landscape, which provided a natural place to draw the line. At this location, the setback line is further inland from the river than in other places.

Mark wants the Commissioners to note that the line for most part follows the vegetation. Mark points out a property that comes around 190-feet off the river with a small wetland located on the property. When Mr. Meiering was walking the site, he knew enough to draw the line to take in the wetland, because development would not be allowed in that particular area.

The last two slides of the PowerPoint presentation shows where the Wildish line was drawn, Wildish gave permission for staff to go back onto their property to survey the line that was approved by the Planning Commission one year ago.

The Planning Commissions job will be to establish a setback beneath the bridges. It may seem like a small thing, but nonetheless it is something that needs to happen. The Commission has authority to approve property within the city limits, the Hearings Official does not.

Mark asked if any of the Commissioners had questions regarding what they will be doing at the May 5, 2015 hearing.

Commissioner Nelson noted that there was a very small setback behind the mobile home park. He asked if the owner wants to redevelop that property, would that be an opportunity to adjust that line further back. Mark answered that once the line is set, there are no provisions in the law to redraw the setback. There is still an overlapping 75-foot setback that will provide ample protection along the river. The other thing is that in Glenwood, we have adopted the Glenwood Refinement Plan. The Plan provides vision for future development Glenwood. It sets not only the setbacks, but also establishes where streets and building will go. The Plan includes a linear park along the riverfront, just as reflected in the Willamalane Plan. It is going to be beyond my lifetime, but there will be a time 30-40 years when Glenwood will be a very special place. It just takes time.

The framework we set in the form of land-use plans do not cause development to occur. Plans guide development. Staff has tried not to be so prescriptive with our rules that we discourage people, but being prescriptive enough to make sure that if you invested your money, you know there will not be something ugly and incompatible next to you. Land-use planning is not just for the citizens of Springfield we are planning for property owners and protecting development investments. It is hard sometimes because we have to tell people, "... no you cannot do what you want to do because it is not consistent with that plan", but again, the plan is something we all have had a chance to talk about.

Commissioner James asked if individual property owners, before they can develop, would need to go through this process anyway if they chose to develop. Staff also indicated that the City Council directed staff to establish the setback; this is a precursor of course to development along that stretch of the river. What is the potential economic benefit to those property owners along that stretch? Mark gave an example of a landowner who paid to have the setback independently established. Commissioner James understands that this is a hard number to assess; it is just like an SDC Credit or other things the City does to help invigorate development and move things forward. Mark responded that he would never hazard a guess as to what the value of the land or development would be. He did say that much of this effort has been funded from the Glenwood Urban Renewal District where increases in property value through this Urban Renewal program have helped fund projects that are intended to help stage and promote new development in the future. One of the primary purposes of establishing the Urban Renewal District is to take something that is old or worn-out and provide the incentives necessary to jump start new development. In this case paying for the establishment of this line is a small investment compared to the benefit or potential benefit and when we talk about land values. For example Oldham Crane, has one of the most expensive parking lots in the metropolitan area. That said the Oldham family has had this crane business in Glenwood for many years. Their site is valuable to them and they are not interested in selling out quick and moving. There will be a tipping point in the future where adjacent or nearby development will cause their property value to go up. At some point, they will realize they can sell their property, move their crane business to a different location and come out ahead. We hope that by doing the right thing, we can see property values increase and see that change over time.

Commissioner Landen opined, with few exceptions, the State's 75-foot riparian boundary is going to be the more restrictive. We do this because we need too, but it is not going to be the City getting in the way of development. It is the more restrictive 75-foot riparian setback. If the property owner wants to do something, the 75-foot setback restriction will get in the way before we do. Mark responded that its part of the balance that staff has been talking about. We want to protect the riverfront for all those values, scenic

and natural, that we talked about. There is a legitimate concern about habitat for salmon, the river is probably 400-feet wide in Glenwood, by preserving the riverfront bank 75-feet from top-of-bank you are creating an environment that is conducive to the insects and bugs and everything else that end up landing on the river. The City relies on biologist and other people to help us establish the minimum setback for development that will allow streams to be healthy the 75-foot is what was recommended.

The 75-foot setback is called the “Safe Harbor Setback” by the state. The Safe Harbor Setback is something that was discussed among a number of State Agencies and then recommended to Cities. The City’s purpose in setting Greenway Setback is different, and has different criteria, than the 75-foot setback. It is hard not to say, “Why don’t we draw it at 75-feet...” We actually did that as part of the Glenwood Refinement Plan and the Court said that we could not do that, so we are doing what we are supposed to do by using the criteria that are intended for establishing the Willamette River Greenway Setback Line, not for other things.

ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Minutes Recorder – Brenda Jones

\_\_\_\_\_  
Tim Vohs  
Planning Commission Chair

Attest:

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Brenda Jones  
Management Support Specialist

