

Planning for Springfield's Next 20 Years

For almost 30 years, Springfield and Eugene have shared a single Urban Growth Boundary, jointly adopted by the governing bodies of the two cities and Lane County. Now, in response to a new state land use law, the two cities are preparing to adopt their own urban growth boundaries to accommodate projected growth for the next 20 years.

As part of this effort, both cities are undertaking major updates to residential, commercial, and industrial lands assessments as well as other tasks essential to coordinated and comprehensive planning for the future of the Metro Area and its cities. Each city has separately contracted with consultant ECONorthwest to prepare the inventories and assessments related to establishment of their separate UGBs. Drafts will be made available for review and comment on this website and at other locations, including the Springfield City Library and the Economic and Community Development Department at City Hall.

These will be coordinated processes, with extensive citizen participation and intergovernmental coordination. Each city will co-adopt its new UGB with Lane County.

The Eugene-Springfield Metro Area General Plan is expected to remain the Metro Area's regional general comprehensive plan. Copies of the Metro Plan and related materials can be found on the website of the Lane Council of Governments [here](#).

This page provides general information about Springfield's Urban Growth Boundary (UGB) project and related planning work. More detailed information, which is updated frequently can be found on the Planning Division's website [here](#).

Information about Eugene's UGB project and comprehensive lands assessment can found on the City of Eugene website [here](#).

The information presented here reflects the city's understanding of its obligations under Oregon's complex system of state land use statutes. It does not constitute legal advice. Citizens, landowners, and other interested persons are urged to consult with their own attorneys and other consultants. The City welcomes timely legal analysis, suitability studies, and other information relevant to the city's UGB project. Comments, suggestions, corrections, and materials may be submitted by e-mail to Linda Pauly, lpaul@ci.springfield.or.us or mailed or delivered to City of Springfield, Development Services Department, ATTN: Linda Pauly, 225 Fifth Street, Springfield, OR 97477.

What is an Urban Growth Boundary?

Oregon's state land use goals and statutes require Oregon cities and counties to establish urban growth boundaries around all incorporated cities to accommodate existing urban uses and to meet identified needs for urban lands for future urban uses.

Urban Growth Boundaries serve many related purposes:

- They protect rural land for rural uses, such as farming and forestry. Most urban uses are prohibited outside urban growth boundaries.
- They relieve pressure for development on rural lands by providing adequate supplies of land planned, zoned, and conveniently located for urban uses.

- They foster more efficient and economical provision of urban facilities and services.
- They limit sprawl.
- They reduce public infrastructure costs.
- They foster the use of alternatives to the automobile, including mass transit, bicycling, and walking.
- They provide predictability in locating, purchasing, and developing land for urban residential, commercial, industrial, governmental, and institutional uses.
- They enable government to better plan and invest to meet future needs for urban facilities and services, such as water systems, sewers, roads, and schools.

What is HB 3337?

In 2007, the Oregon legislature passed House Bill 3337, which was signed into law as 2007 Or Laws Chapter 650. The full text of the 2007 statute is [here](#). This is what the new statute requires:

Separate Urban Growth Boundaries: HB 3337 requires each city to “separately establish” its own UGB “consistent with the jurisdictional area of responsibility specified in the acknowledged comprehensive plan.” The Eugene-Springfield Metropolitan Area Plan makes Interstate 5 the dividing line, with Springfield’s jurisdictional area east of I-5 and Eugene’s jurisdictional area west of I-5. A Metro Plan map showing I-5, the existing regional urban growth boundary, and the Metro plan boundary can be found [here](#).

The ultimate questions each city will have to answer under HB 3337 are (a) whether the currently-acknowledged UGB on its side of I-5 is adequate to accommodate its needs for the next 20 years and (b), if not, what specific land to add and/or policies and practices to change in order to accommodate the growth within the existing urban growth boundary.

20-Year Residential Land Supplies: HB 3337 requires each city to separately “meet its obligation under [ORS 197.295](#) to [197.314](#), and to “Demonstrate, as required by [ORS 197.296](#), that its comprehensive plan provides sufficient buildable lands within an urban growth boundary established pursuant to statewide planning goals to accommodate estimated housing needs for 20 years.”

January 1, 2010 deadline: HB 3337 requires each city to “complete the inventory, analysis and determination required under ORS 197.296” by January 1, 2010, two years from the January 1, 2008 effective date of the statute.

Other Urban Land Issues: HB 3337 requires that the two cities’ UGB’s be established “pursuant to statewide planning goals,” not just the statewide housing goal and statutes. This means that the two cities’ separate UGBs must be adequate to meet other urban land needs over the 20-year planning period. The current UGB has been acknowledged to address those needs for a Metro Area population of 286,000, which the Metro area is expected to reach well before 2030.

Related Planning Projects

Population Forecasts: Oregon's land use laws require Oregon counties to establish and maintain coordinated 20-year population forecasts for their cities and rural areas, and they require Oregon cities to use these forecasts as the basis for their urban growth boundaries and buildable lands inventories. [ORS 195.036](#), [195.034](#) and [OAR 660-024-0030](#). The forecasts are used to determine future needs for housing, jobs, transportation, water, sanitary sewer, fire and police stations, schools, and parks. Lane County has begun preparation of a coordinated forecast, which is scheduled for adoption in 2009. In order to assure that they meet their statutory deadline of January 1, 2010, both cities have also initiated "safe harbor" forecasts authorized by [ORS 195.034](#), using the simplified methodology prescribed by that statute. Until the operative forecast has been finalized, the city will prepare its inventories using a range of figures with the likely safe harbor figure of 82,616 for the year 2030 at the low end.

Commercial and Industrial Land Inventories: In order to assure that the Metro Plan is current and that their new UGBs address all urban land needs for the next 20 years, both cities are developing separate but coordinated commercial and industrial lands inventories as well as the residential lands inventories required by HB 3337.

Transportation Planning: The two cities, Lane County, and the City of Coburg will also be updating the current regional transportation systems plans and doing other transportation planning in response to recent changes in state and federal transportation planning requirements. An L-COG fact sheet on current transportation planning efforts can be found [here](#).

Amendments to Metro Plan

HB 3337 requires the two cities to separately demonstrate compliance with the needed housing statutes, including establishing separate UGBs to accommodate estimated housing needs for the next 20 years "notwithstanding" any "provisions to the contrary" in existing acknowledged comprehensive plans. However, it is expected that the two cities and Lane County will want to adopt "conforming amendments" to harmonize the language of the Metro Plan with the results of the tasks mandated by HB 3337. Some of these amendments may be to the general plan text, some to the general plan diagram, while others update various functional plans, refinement plans, and inventories.

Combined with recent updates to the Metro Plan's Open Space and Natural Resources Plan and other tasks completed as part of the last periodic review, which ended in 2007, these projects should result in the most up-to-date regional comprehensive plan that the region has had since 1982.

Residential Land Needs and the New UGB

[ORS 197.296](#) requires Oregon cities over 25,000 to demonstrate that their urban growth boundaries have enough buildable residential lands to meet identified needs for "the next 20 years."

This demonstration must meet several requirements:

- **The 20-year period** must begin "on the date initially scheduled for completion" of a "legislative review" of the UGB. That date will probably be late in 2009, which means the planning period for Springfield's UGB will probably be the years 2010-2030. To be on the safe side, Springfield's

analyses may address additional 20-year planning periods ending in later years in additional one year increments.

- With certain exceptions, the initial determination of housing capacity and need must be based on data relating to land within the UGB that has been collected in the last five years. The exceptions are:
 - The local government can use a shorter time period not less than three years if it finds that the shorter time period will be more accurate and reliable.
 - The local government can use data from a wider geographic area or a longer time period for economic cycles and trends if it finds that doing so will provide more accurate, complete, and reliable data relating to trends affecting housing need.
- If the initial determination shows that need exceeds capacity, then the local government must:
 - Amend its UGB to include sufficient lands to accommodate housing needs for the next 20 years;
 - Amend its land use plans and regulations to demonstrably increase the likelihood that residential development will occur at densities sufficient to accommodate housing needs for the next 20 years without amending the UGB. Such measures might include redesignating nonresidential land inside the existing UGB for residential use, redesignating land from lower densities to higher densities, increasing minimum densities, allowing more accessory dwellings in residential zones, relaxing historic preservation and other special restrictions on redevelopment, and fast-tracking annexation and rezoning for residential uses.

or

 - Do a combination of the first two alternatives.

ORS 197.296(9) requires that communities consider a range of land use efficiency measures to help accommodate future growth within their existing urban growth boundary (UGB), prior to any UGB expansion efforts. It is common for jurisdictions to adopt combinations of policies to manage growth and improve the efficiency and holding capacity of land uses. Under the statute, a particular alternative measure may be relied upon to reduce projected land needs only to the extent that the record shows that the measure “demonstrably increase(s) the likelihood of higher density residential development.”

The following is a list of alternative measures that have been reviewed by the Planning Commission and that are under consideration as the process proceeds (others may also be identified during the process):

Potential Efficiency Measures Not Yet Utilized In Springfield

- Provide density bonuses for developers as an incentive to achieve certain community planning goals.
- Establish a mechanism for the transfer/purchase of development rights in exchange for the protection of farm and forest land.
- Mandate maximum lot sizes
- Mandate minimum residential density in low density residential zones
- Implement a process to expedite plan and permit approval for projects that achieve certain community planning goals

Efficiency Measures In Place in Springfield that may be Improved

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

ORS 197.296, commonly known as HB 2709, was first adopted in 1995. With the exception of Springfield and Eugene, all Oregon cities over 25,000, as well as the 26-city Portland Metro Area, have had to comply with the 1995 statute at least once by now.

The state Department of Land Conservation and Development published a handbook in 1997, entitled [Planning for Residential Growth in Oregon](#). Although somewhat outdated by subsequent amendments to the statute, the DLCD handbook offers useful informal guidance for the use of local governments in preparing their needs assessments.

Amending Urban Growth Boundaries

Several state land use statutes, goals, and state administrative rules set out specific requirements for the establishment and amendment of urban growth boundaries. They include:

- [Urbanization Goal](#) and [Rule](#)
- [Population Forecast Statutes](#) and [Rules](#)
- [Statutory priorities for lands included in urban growth boundaries](#).
- [Residential Lands Supply Statutes](#)
- [Commercial and Industrial Lands Goal](#)

Other relevant land use statutes, goals, and rules can be found on the Oregon Department of Land Conservation and Development ([DLCD](#)) website. They cover a wide range of issues, including transportation, public facilities and services, open space, recreational needs, energy, natural hazards, air and water quality, rural resource lands, intergovernmental coordination, and citizen participation.

Generally, the justification for a UGB expansion answers these questions:

- Is any additional land needed for one or more urban uses, and if so how much? The Urbanization Goal provides that “local government may specify characteristics, such as parcel size, topography, or proximity, necessary for land to be suitable for an identified need.”
- If additional land is needed, how much can reasonably be accommodated within the current UGB? Or, as the Urbanization Goal says - why all of the additional land needs “cannot reasonably be accommodated on land already inside the urban growth boundary?”

- If additional land is needed, where is the best place to expand the boundary?
- What other amendments are needed to comply with the statewide planning goals?

The state Urbanization Goal (Goal 14) requires findings demonstrating compliance with the following requirements concerning the amount and location of lands to be included within a UGB:

Land Need

“Establishment and change of urban growth boundaries shall be based on the following:

“(1) Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and

“(2) Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection.”

Boundary Location

“The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197.298 and with consideration of the following factors:

(1) Efficient accommodation of identified land needs;

(2) Orderly and economic provision of public facilities and services;

“(3) Comparative environmental, energy, economic and social consequences; and

“(4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.”

ORS 197.298 establishes the following priorities for including lands in the UGB:

1. First priority is land that is designated urban reserve land (Springfield currently has no urban reserves, so this would not apply to Springfield’s current UGB analysis);

2. Second priority is land adjacent to an urban growth boundary that is identified as an exception area or non-resource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland;

3. Third priority is land designated as marginal land pursuant to ORS 197.247; and

4. Last priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both. Higher priority shall be given to land of lower capability as measured by the capability classification system (for farm lands) or by cubic foot site class (for forest lands), whichever is appropriate for the current use.

If lower priority lands are selected for inclusion in the UGB when higher priority lands are available, the city’s findings must justify why higher priority lands were rejected, based on one or more of the following three

reasons set forth at ORS 197.298(3)(a)-(c):

“(a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;

“(b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; or

“(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or provide services to higher priority lands.”

Methodology: The City’s consultant, ECONorthwest, will work with the City to identify groupings of parcels around the City’s UGB into logical areas for analysis. ECONorthwest will develop summaries of characteristics of UGB expansion areas using GIS data. Specifically, ECONorthwest will summarize land status (e.g., exceptions and resource lands), constraints, soils, existing development, access, and serviceability.

The City is planning public workshops which will focus on the Alternatives Analysis portion of the UGB project. Specific dates for these workshops have not yet been scheduled, but will be advertised to the general public when each meeting date has been set.

In applying the goals and statutes, the city will follow additional guidance provided by LCDC’s interpretive rules. The general steps to be taken by the City, as set out in OAR 660-024-0060, include applying the statutory priorities to available parcels, starting with the highest priority that applies to Springfield.

First, Springfield is required to determine which parcels are the highest priority lands.

Second the city must determine which of these parcels satisfy the identified land need by analyzing each parcel according to specific characteristics regarding the suitability of the parcel for the intended use (i.e., residential, commercial or industrial), if such specific characteristics were identified in the need process.

If the resulting list of suitable highest priority parcels provides more land than needed, Springfield must apply the four Boundary Location Factors in Goal 14 to each such parcel. The city does not have to make a finding that a particular proposed expansion area satisfies each individual location factor better than all other alternatives. Rather, the city must consider each expansion area in light of the factors and determine which area or areas, on balance, best satisfy the goal.

This process yields a tentative list of suitable parcels in the highest priority to add to the UGB.

If the highest priority lands do not accommodate all of the demonstrated land need, then Springfield will examine the next lower priority lands in the same way. If that process doesn’t accommodate the need, then it will move to the next priority and repeat the process.

If Springfield determines that one or more of parcels in any priority category should be rejected in favor of land in a lower priority, it must adopt findings explaining why higher priority lands are not adequate for one or more of the three reasons listed under ORS 197.298(3).

Adoption and Review:

The city is required to adopt the residential lands inventory, analysis, and determination required by ORS

197.296 by January 1, 2010. Whether the new UGB must be adopted by that date is not entirely clear. In order to assure complete compliance with HB 3337, the city will try to establish its separate urban growth boundary within the same time-frame.

Once it has determined, in cooperation with Lane County, whether to adopt its existing share of the current Metro UGB or to expand it to meet the requirements of HB 3337, the city will amend the Metro Plan or components of the plan, or both, to reflect the results.

The plan amendment process will be primarily one of housekeeping because HB 3337 provides that the city is to meet its requirements “notwithstanding” provisions to the contrary in the current Metro Plan and related intergovernmental agreements. Changes may include new or amended goals and policies or perhaps a new special-purpose refinement plan. There could also be changes to components of the Metro Plan, including the transportation plan and the public facilities plan.

Statewide Planning Goal 2 requires that all comprehensive plans include “ultimate policy choices” and “implementing measures consistent with and adequate to carry out the plans.” It is not sufficient to simply adopt a new line on the map. During the needs analysis, the city may have identified opportunities to utilize land within the existing UGB or the expansion area more efficiently than the existing plan permits. Or the city may discover that it needs to adjust its housing mix or densities during the planning period in order to accommodate the housing needs of the community. The plan will need to reflect these policy choices, and the implementing land use regulations may need to be updated to ensure these policies can be utilized.

Other statewide planning goal issues may also need to be examined during a UGB analysis. For example, if significant natural resource sites exist in an expansion area, Goal 5 will apply. Public facility availability plays a part in deciding where the expansion should go, but, in addition, existing water, sewer, and transportation plans may need to be updated to address the changed boundary.

Goal 14 also addresses lands inside the UGB that are not yet ready to be urbanized (i.e. not yet annexed). The goal states:

“Land within urban growth boundaries shall be considered available for urban development consistent with plans for the provision of urban facilities and services. Comprehensive plans and implementing measures shall manage the use and division of urbanizable land to maintain its potential for planned urban development until appropriate public facilities and services are available or planned.”

Springfield will examine existing plan provisions to ensure compliance with this provision of Goal 14. If existing regulations for development inside the UGB are not adequate to allow future development of these “urbanizable” parcels at urban densities with efficient public utility and transportation systems, then Springfield must work with utility providers and the county to develop plans for the newly added areas to ensure an orderly transition to urban use.

State Review Procedures:

The current UGB was adopted by both the city and the county, and amending it requires adoption by both as well. The process for review and appeal after the city and county have adopted a UGB amendment depends on whether the new boundary is considered to be an amendment to include more than 50 acres. Under ORS 197.626, such amendments must be reviewed by the Land Conservation and Development Commission. Other UGB amendments are reviewed by the Land Use Board of Appeals.