

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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Work Session: An Ordinance Amending the Eugene-Springfield Metropolitan Area General Plan Text, Chapter IV; Adopting a Severability Clause; and Providing an Effective Date (City of Eugene File MA 13-3)

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Meeting Date: October 30, 2013  
Department: Planning and Development  
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Agenda Item Number: B  
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### ISSUE STATEMENT

This work session provides an opportunity to update the City Council on a City of Springfield-initiated amendment to Chapter IV of the Metro Plan in advance of the November 4, 2013, joint public hearing.

### BACKGROUND

Earlier this year the Springfield City Council initiated an amendment to Chapter IV of the Metro Plan. Chapter IV (titled Metro Plan Review, Amendments and Refinements) provides the decision-making structure and process for amendments to the Metro Plan. The goal of this chapter is to “ensure that the Metro Plan is responsive to the changing conditions, needs, and attitudes of the community.”

Consistent with this goal, the purpose of the proposed amendments is to respond to changing conditions brought about by ORS 197.304 (commonly referred to as HB 3337) including adoption of separate urban growth boundaries, and to clarify which governing bodies will participate in decision making. As proposed, the amendments change how the Metro Plan is amended and clarify which of the three jurisdictions would participate in approving those amendments. The amendments to Chapter IV are intended to support a framework for planning collaboration among the jurisdictions while respecting the autonomy of each. Land use code amendments to codify these changes will be necessary as part of a future action.

The most significant proposed changes to Chapter IV of the Metro Plan are summarized below.

- **Amendment Types/Process:** The proposed amendments would align the Metro Plan amendment types with the amendment process. Three types of Metro Plan amendments are proposed to be established based on the number of jurisdictions required to approve the proposed amendment: Type I amendments require the participation of all three jurisdictions; Type II requires the participation of the home city and Lane County; and Type III amendments may be enacted by the home city alone. The current policy defines only two types of amendments: Types I and II. The current process for amendments is not based on the application types. For example, certain Type I applications require approval

of all three jurisdictions, while other Type I applications require approval of only two jurisdictions.

- ***Amendment Process for UGB or Boundary Amendment:*** Currently, all three governing bodies must approve a site-specific urban growth boundary (UGB) or Metro Plan Boundary adjustment that crosses the Willamette or McKenzie Rivers or that crosses over a ridge into a new basin. The proposed amendments would instead require all three governing bodies approve only the amendments of the common UGB along I-5 and for UGB or Metro Plan Boundary amendments that cross I-5. All other types of UGB or boundary amendments would be Type II amendments, requiring the participation of the home city and Lane County.
- ***Regional Impact:*** The proposed amendments remove references to Metro Plan amendments with "regional impact." The regional impact provisions currently apply to amendments where the home city and Lane County are required to participate as decision-makers. These provisions allow for the non-home, city-elect to become a decision-maker if the city council determines the amendment has regional impact (as defined by the Metro Plan). Removal of the regional impact provision does not change similar language found in the Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) which provides for multi-jurisdictional review of public facility projects which have a significant impact on water, stormwater, wastewater and electrical facilities serving more than one jurisdiction. There is no known instance when regional impact provisions have been invoked. Given the recent action to make the Metro Plan boundary co-terminus with Springfield's urban growth boundary, there is even less likelihood of this provision being invoked.
- ***Conflict Resolution:*** When governing bodies do not reach consensus on a Metro Plan amendment, the current policy sends the matter to the Metropolitan Policy Committee (MPC). The proposed amendments would send unresolved decisions to the Chair of the Board of County Commissioners and one or both of the Mayors of Eugene and Springfield, depending on how many governing bodies are participating in the decision. The purpose of this proposed change to Chapter IV is to provide a conflict resolution mechanism that is flexible enough to apply to different types of situations and involves the appropriate decision- makers.

The full text of the proposed amendments is included as Attachment A and a chart that compares the current standards to the proposed amendments is included as Attachment B.

The planning commissions of Lane County, Springfield and Eugene held a joint public hearing on October 15, 2013, to consider the proposed amendments. No one provided testimony at the public hearing. Following the close of the public hearing, the three planning commissions met separately for deliberations and to provide recommendations to their respective elected officials. All three bodies recommended approval of the proposed amendments with modifications. Attachment C provides a compilation of recommended changes identified by the three commissions.

## **RELATED CITY POLICIES**

The goal of Chapter IV of the Metro Plan is to “ensure that the Metro Plan is responsive to the changing conditions, needs, and attitudes of the community.” These proposed amendments are consistent with that goal. Additional findings, addressing consistency with related City policies, including provisions of the Metro Plan, will be included with the proposed ordinance that will be provided in advance of the public hearing.

## **COUNCIL OPTIONS**

No action is required at this time; however, options will be provided at the time of City Council deliberations and action scheduled for November 18, 2013.

## **CITY MANAGER’S RECOMMENDATION**

This item is scheduled for a public hearing only. Following the City’s receipt of all testimony, the City Manager will make a recommendation to be included in the council packet for action on November 18, 2013.

## **SUGGESTED MOTION**

No motion is proposed as this item is scheduled for a public hearing only. Following the City’s receipt of all testimony, the City Manager will make a recommendation and associated motion to be included in the council packet for action on November 18, 2013.

## **ATTACHMENTS**

- A. Proposed Metro Plan Chapter IV Amendments
- B. Chart Comparing Current and Proposed Standards for Metro Plan Chapter IV
- C. Recommendations by Eugene, Springfield, and Lane County Planning Commissions

## **FOR MORE INFORMATION**

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