

Revisions made after the November 4 Public Hearing to “Chapter IV Metro Plan Review, Amendments, and Refinements” in Section 1 of the Ordinance are shown in track changes (i.e., deletions in ~~strike through~~; additions in underline.)

Chapter IV

Metro Plan Review, Amendments, and Refinements

The *Metro Plan* is the long-range public policy document which establishes the broad framework upon which Eugene, Springfield, and Lane County make coordinated land use decisions. While the *Metro Plan* is the basic guiding land use policy document, it may require update or amendment in response to changes in the law or circumstances of importance to the community. Likewise, the *Metro Plan* may be augmented and implemented by more detailed plans and regulatory measures.

Goal

Ensure that the *Metro Plan* is responsive to the changing conditions, needs, and attitudes of the community.

Findings, Objectives, and Policies

Findings

1. If the *Metro Plan* is to maintain its effectiveness as a policy guide, it must be adaptable to the changing laws and the needs and circumstances of the community.
2. Between *Metro Plan* updates, changes to the *Metro Plan* may occur through Periodic Review and amendments initiated by the governing bodies and citizens.
3. Refinements to the *Metro Plan* may be necessary in certain geographical portions of the community where there is a great deal of development pressure or for certain special purposes.
4. Refinement plans augment and assist in the implementation of the *Metro Plan*.
5. Enactment of ORS 197.304 required each city to separately establish its own Urban Growth Boundary (UGB) and demonstrate that it has sufficient buildable lands to accommodate its estimated housing needs for twenty years.

Objectives

1. Maintain a schedule for monitoring, reviewing, and amending the *Metro Plan* so it will remain current and valid.
2. Maintain a current land use and parcel information base for monitoring and updating the *Metro Plan*.
3. Prepare refinement and functional plans that supplement the *Metro Plan*.

Policies

1. A special review, and if appropriate, *Metro Plan* amendment, shall be initiated if changes in the basic assumptions of the *Metro Plan* occur. An example would be a change in public demand for certain housing types that in turn may affect the overall inventory of residential land.

2. The regional land information database shall be maintained on a regular basis.
3. A proposed amendment to the *Metro Plan* shall be classified as a Type I, Type II or Type III amendment depending upon the number of governing bodies required to approve the decision.
4. A Type I ~~Amendment~~amendment requires approval by ~~all three governing bodies;~~the home city.
 - a. ~~Type I Diagram Amendments include:~~
 - i. ~~Amendments of the Common UGB along I-5; and~~
 - a. ~~A UGB or amendments to the Metro Plan Boundary change that crosses I-5~~Diagram for land inside the city limits.
 - b. Type I Text Amendments include:
 - ii. ~~Amendments that change a Fundamental Principle as set forth in Chapter II A. of the Metro Plan;~~
 - i. ~~Non~~are non site specific and apply only to land inside the city limits of the home city;
 - ii. ~~Site specific~~ amendments that apply ~~to all three jurisdictions;~~only to land inside the city limits of the home city;
 - iii. ~~Amendments to a regional transportation system plan, or a regional public facilities plan, when the only participation of all three governing bodies by the home city is required by the amendment provisions of those plans;~~
 - iv. The creation of new Metro Plan designations and the amendment of existing Metro Plan designation descriptions that apply only within the city limits of the home city.
5. A Type II Amendment requires approval by two governing bodies. The governing bodies in a Type II are the home city and Lane County. Eugene is the home city for amendments west of I-5, and Springfield is the home city for amendments east of I-5:
 - a. Type II Diagram Amendments include:
 - i. Amendments to the *Metro Plan* Diagram for the area between a city limit and the Plan Boundary;
 - ii. A UGB or *Metro Plan* Boundary amendment east or west of I-5 that is not described as a Type ~~III~~ amendment.
 - b. Type II Text Amendments include:
 - i. Amendments that are non site specific and apply only to Lane County and one of the cities;
 - ii. Amendments that have a site specific application between a city limit of the home city and the Plan Boundary;
 - iii. Amendments to a jointly adopted regional transportation system plan, or a regional public facilities plan, when only participation by Lane County and one of the cities is required by the amendment provisions of those plans.
6. A Type III ~~amendment~~Amendment requires approval by ~~the home city;~~all three governing bodies;

- a. ~~Type III Diagram Amendments include amendments to:~~
- ~~i. Amendments of the Common UGB along I-5; and~~
 - ~~ii. A UGB or Metro Plan Diagram for land inside the city limits~~
~~Boundary change that crosses I-5.~~
- b. Type III Text Amendments include:
- ~~i. Amendments that are nonchange a Fundamental Principle as set forth in Chapter II A. of the Metro Plan;~~
 - ~~ii. Non site specific and apply only to land inside the city limits of the home city;~~
 - ~~iii. Site specific amendments that apply only to land inside the city limits of the home city; and to all three jurisdictions;~~
 - ~~iv. Amendments to a regional transportation system plan, or a regional public facilities plan, when only the participation by the home city of all three governing bodies is required by the amendment provisions of those plans.~~
 - ~~v. The creation of new Metro Plan designations and the amendment of existing Metro Plan designation descriptions that apply only within the city limits of the home city.~~

7. Initiation of *Metro Plan* amendments shall be as follows:

- a. A Type I amendment may be initiated by the ~~three governing bodies at any time~~home city at any time.
A property owner may initiate an amendment for property they own at any time. Owner initiated amendments are subject to the limitations for such amendments set out in the development code of the home city.
- b. A Type II amendment may be initiated by the home city or county at any time. A property owner ~~whose property is the subject of a proposed~~may initiate an amendment ~~may initiate a Type II amendment for property they own~~ at any time. Owner initiated amendments are subject to the limitations for such amendments set out in the development codes of the home city and Lane County.
- c. A Type III amendment may be initiated by ~~Eugene, Springfield, or a property owner whose property is the subject of the proposed amendment at any time~~ subject to limitations set out in the home city development code any one of the three governing bodies at any time.
- d. Only a governing body may initiate a refinement plan, a functional plan, a special area study or Periodic Review or *Metro Plan* update.
- e. *Metro Plan* updates shall be initiated no less frequently than during the state required Periodic Review of the *Metro Plan*, although ~~the any governing bodies~~body may initiate an update of the *Metro Plan* at any time.

8. The approval process for *Metro Plan* amendments shall be as follows:

- a. The initiating governing body of any Type I, II, or III Metro Plan amendment shall notify all governing bodies of the intended amendment and the Type of amendment proposed. If any governing body disagrees with the Type of the proposed amendment that governing body may refer the matter to the processes provided in 8(d) or (e) as appropriate.
- b. When more than one governing body participates in the decision, the Planning Commissions of the bodies shall conduct a joint public hearing and forward that record and their recommendations to their

- respective elected officials. The elected officials shall also conduct a joint public hearing prior to making a final decision.
- c. If all participating governing bodies reach a consensus to approve a proposed amendment, substantively identical ordinances effecting the changes shall be adopted. ~~Where there is a consensus to deny a proposed~~ When an amendment is not approved, it may not be re-initiated, except by one of the three governing bodies, for one year.
- ~~A Type I~~
- d. A Type II amendment for which there is no consensus shall be referred to the Chair of the Lane County Board of Commissioners and the Mayor of the home city for further examination of the issue(s) in dispute and recommendation back to the governing bodies.
- ~~e. A Type III~~ amendment for which there is no consensus shall be referred to the Chair of the Lane County Board of Commissioners and the Mayors of Eugene and Springfield for further examination of the issue(s) in dispute and recommendation back to the governing bodies.
- ~~e. A Type II amendment for which there is no consensus shall be referred to the Chair of the Lane County Board of Commissioners and the Mayor of the home city for further examination of the issue(s) in dispute and recommendation back to the governing bodies.~~
- f. Adopted or denied *Metro Plan* amendments may be appealed to the Oregon Land Use Board of Appeals (LUBA) or the Department of Land Conservation and Development (DLCD) according to applicable state law.
- g. The three governing bodies shall develop jointly and adopt *Metro Plan* amendment application procedures.
- h. A different process, time line, or both, than the processes and timelines specified in ~~8a8b~~ through ~~8f8g~~ above may be established by the governing bodies of Eugene, Springfield and Lane County for any government initiated *Metro Plan* amendment.
9. In addition to the update of the *Metro Plan*, refinement studies may be undertaken for individual geographical areas and special purpose or functional elements, as determined appropriate by each governing body.
10. All refinement and functional plans must be consistent with the *Metro Plan* and should inconsistencies occur, the *Metro Plan* is the prevailing policy document.
- ~~11. Refinement plans developed by one governing body shall be referred to the other two jurisdictions for their review. Either of the two referral governing bodies may determine that an amendment to the *Metro Plan* is required.~~
- ~~1211.~~ Local implementing ordinances shall provide a process for zoning lands in conformance with the *Metro Plan*.