

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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Public Hearing on an Ordinance Concerning Metro Plan Amendment Procedures; Amending Sections 9.0500, 9.7055, 9.7700, 9.7705, 9.7715, 9.7720, 9.7725, 9.7730 and 9.7735 of the Eugene Code, 1971; and Repealing Sections 9.7740, 9.7745 and 9.7750 of that Code.

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Meeting Date: November 10, 2014  
Department: Planning and Development  
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Agenda Item Number: 3  
Staff Contact: Alissa Hansen  
Contact Telephone Number: 541-682-5508

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### **ISSUE STATEMENT**

The Eugene City Council, Springfield City Council and Lane County Board of Commissioners will hold a joint public hearing on land use code amendments to implement the recently adopted policy changes to Chapter IV of the Metro Plan regarding the review and approval process of Metro Plan amendments. The Eugene City Council will consider amendments to the version of the Eugene Code that applies within the city limits. The Lane County Board of Commissioners will consider amendments to the land use code that applies between the Eugene city limits and the urban growth boundary (also referred to as the Urban Transition Code). Although adopted by Lane County, Eugene is responsible for administering this code. The proposed amendments to both codes are identical. Springfield and Lane County will also be considering similar amendments to their respective land use/development codes at the hearing.

### **BACKGROUND**

In 2013, Eugene, Springfield and Lane County elected officials jointly adopted amendments 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 amendments to Chapter IV of the Metro Plan was to respond to changing conditions brought about by ORS 197.304 (commonly referred to as House Bill 3337) including adoption of separate urban growth boundaries, and to clarify which governing bodies will participate in decision making. Those amendments changed how the Metro Plan is amended and support a framework for needed planning collaboration among the jurisdictions while respecting the autonomy of each.

The most significant changes to Chapter IV of the Metro Plan are summarized below. The land use code amendments subject to this hearing are necessary to codify these changes, and bring the Metro Plan Amendment Procedures within the land use codes in alignment with the Metro Plan. A Draft Ordinance reflecting these changes is provided as Attachment A.

- Amendment Types/Process: The Chapter IV amendments aligned the Metro Plan amendment types with the amendment process. Three types of Metro Plan amendments were established based on the number of jurisdictions required to approve the proposed amendment.
- Amendment Process for UGB or Boundary Amendment: The Chapter IV amendments 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.
- Regional Impact: The Chapter IV amendments removed references to Metro Plan amendments with “regional impact.” These provisions allowed for the non-home city to become a decision-maker if the city council determines the amendment has regional impact (which was defined by the Metro Plan).
- Conflict Resolution: The Chapter IV amendments 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 for further examination.

A copy of the adopted Chapter IV Metro Plan amendments is provided as Attachment B.

### **Planning Commission Process/Recommendation**

The joint planning commissions of Eugene and Lane County held a public hearing on October 23, 2014, to consider the code amendments. No testimony was received prior to or at the public hearing. Following the public hearing, the planning commissions deliberated and provided recommendations to the city councils and Board of Commissioners, respectively. All three planning commissions voted unanimously to recommend approval of code amendments as drafted.

During deliberations, the Eugene Planning Commission discussed the proposed revisions to the dispute resolution process between Eugene, Springfield and Lane County. The former process referred disputes to Metropolitan Planning Committee (MPO). The new process refers disputes to the mayor(s) of the effected city/cities and the Chair of the Board of Commissioners. The commission expressed support for ensuring that the council operating agreements would require the mayor to check in with the city council and get its direction before agreeing to any particular path or recommendation.

### **RELATED CITY POLICIES**

Findings addressing consistency with related policies, including provisions of the Metro Plan, are

included as an exhibit to the proposed ordinance (Exhibit A of Attachment A).

**COUNCIL OPTIONS**

No action is required at this time; however, options will be provided at the time of deliberations and action. The Eugene City Council is scheduled to take action on November 24, 2014.

**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.

**SUGGESTED MOTION**

No motion is proposed as this item is scheduled for a public hearing only.

**ATTACHMENTS**

- A. Draft Ordinance
- B. Adopted Metro Plan Chapter IV amendments (City Ordinance No. 20519)

**FOR MORE INFORMATION**

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