

76 Gas station – intersection of Ridgeway Road and Highway 58



Pleasant Hill Feed and Seed



Businesses within Pleasant Hill shopping center: Style Salon



Sweet Pea Floral & Gifts



Embarkadero Pet Grooming



World Wide Hearing Center



Tanner Insurance



Studio 58 Video Rentals



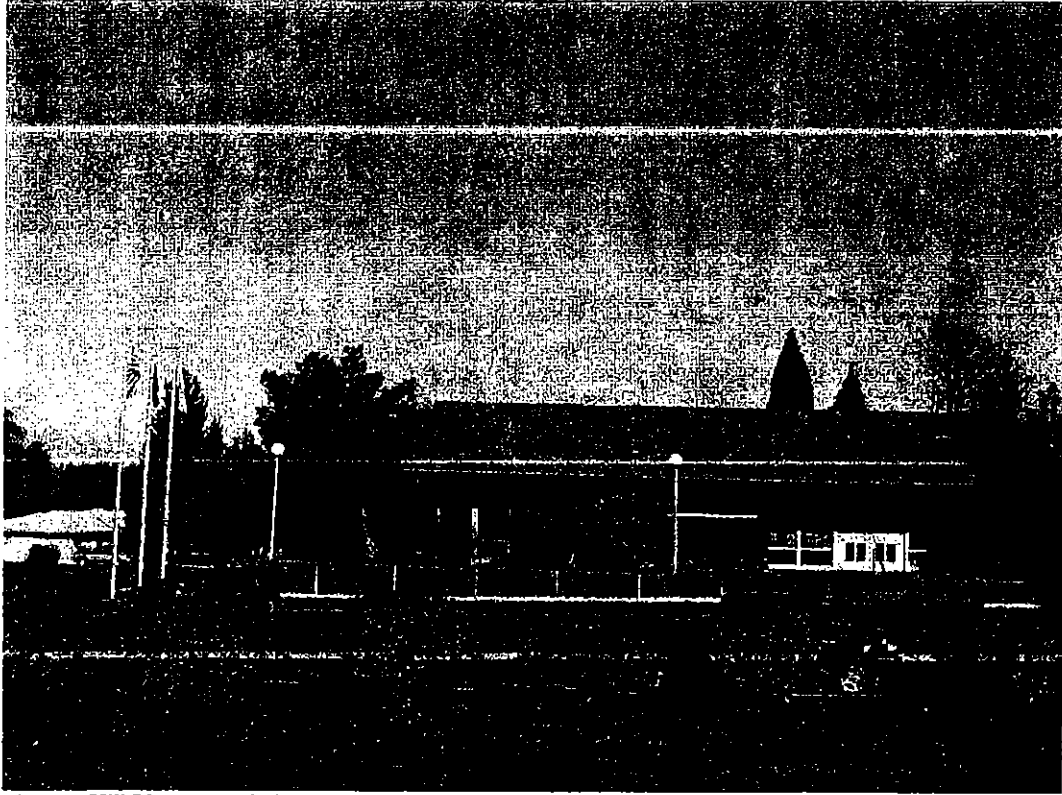
Mountain Rose Herbs



Espresso 58 - kiosk



Siuslaw Valley Bank



Pleasant Hill Plaza east of Tillamook, north of Siuslaw Valley Bank



View of single structure – plaza – looking north



The Book Shelf



The Sundeck



The Pharmacy Express



Pleasant Hill Veterinary Clinic



United States Post Office



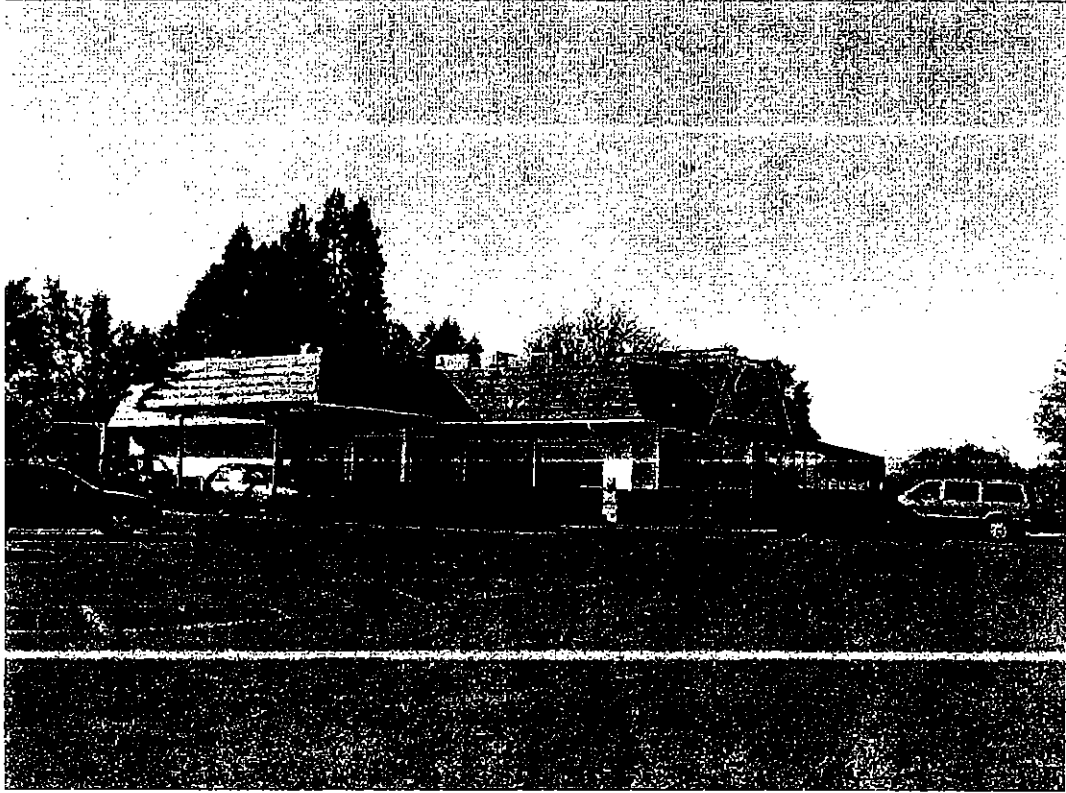
Pleasant Hill Antiques



Pleasant Hill Barber Shop



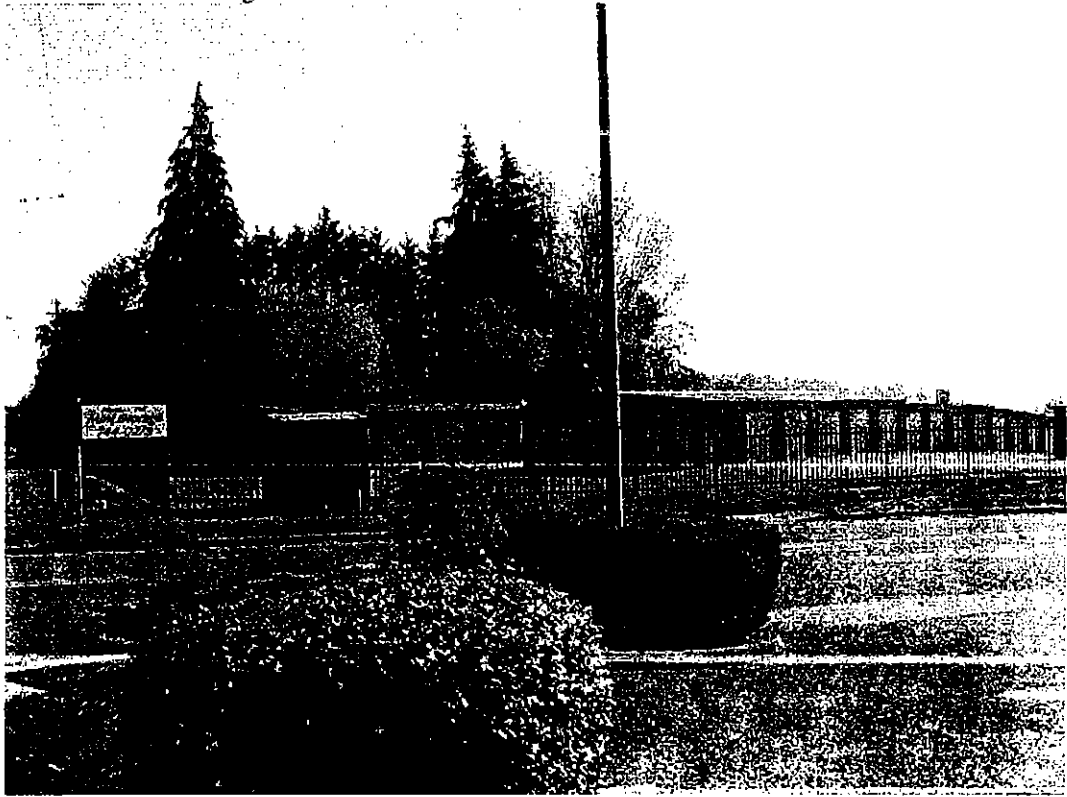
The Dairy Queen



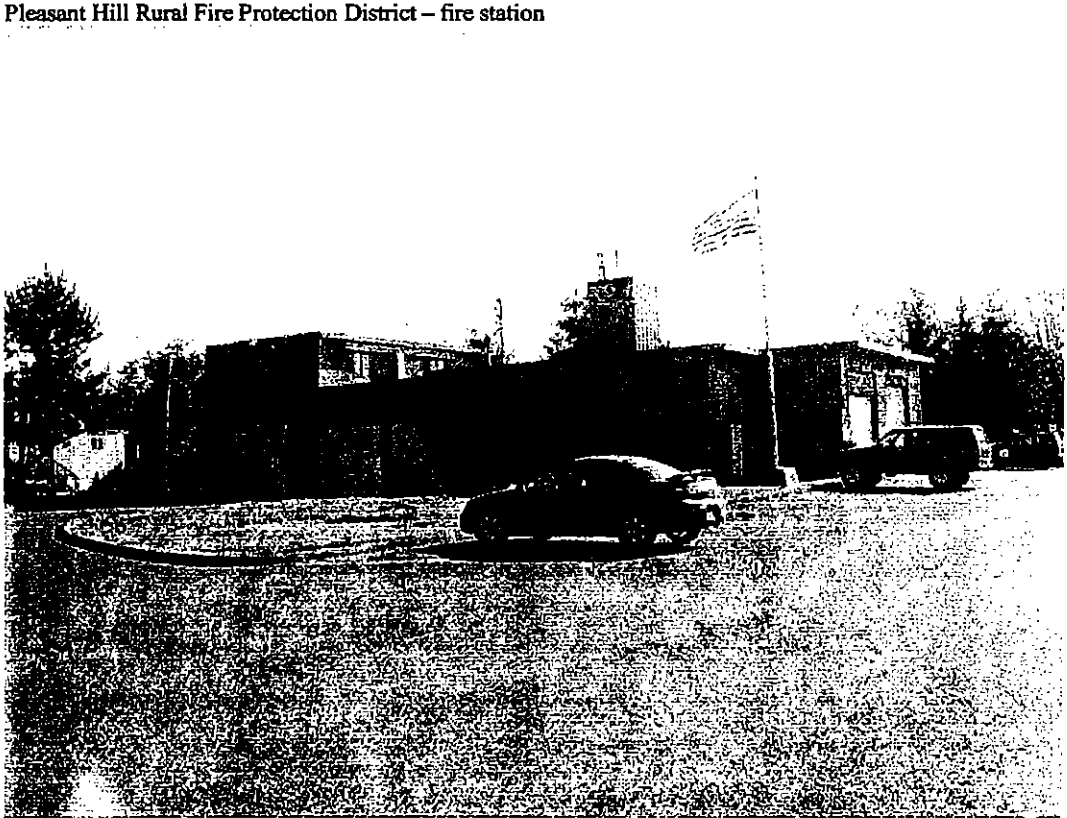
Gatehouse Pizza



Pleasant Hill Mini-Storage



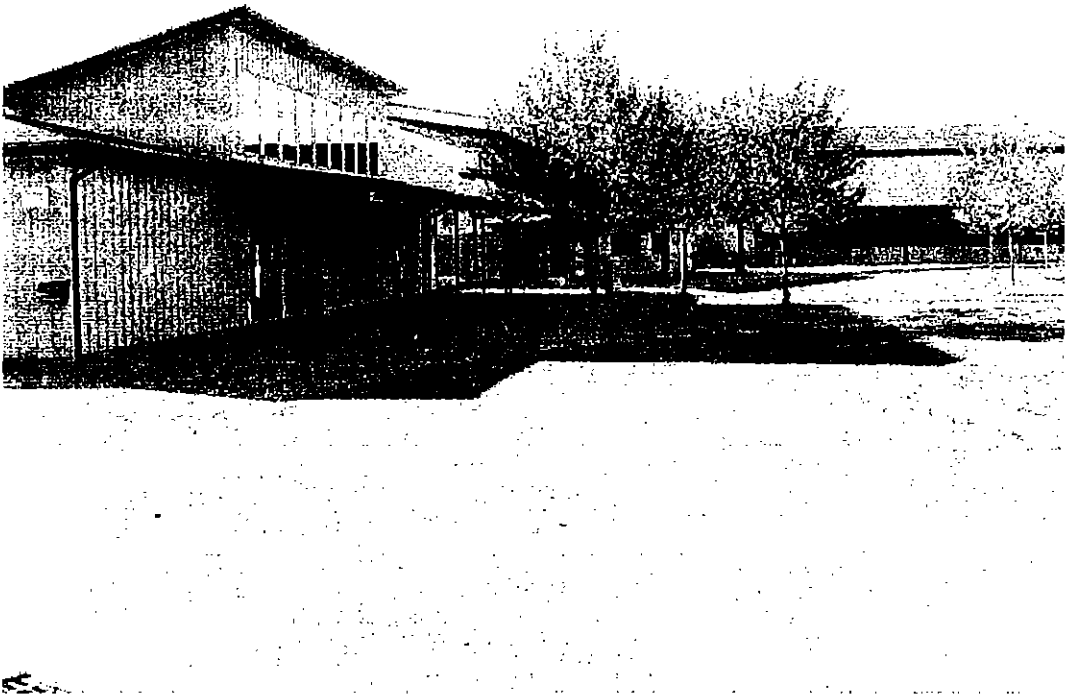
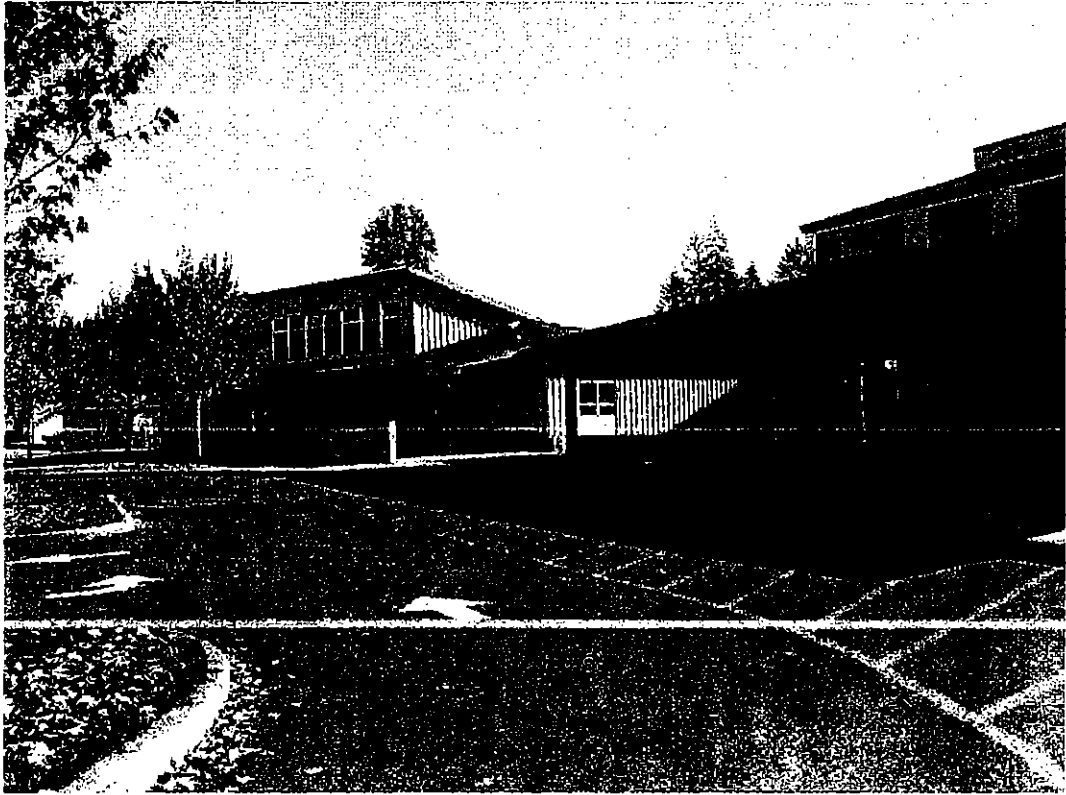
Pleasant Hill Rural Fire Protection District – fire station



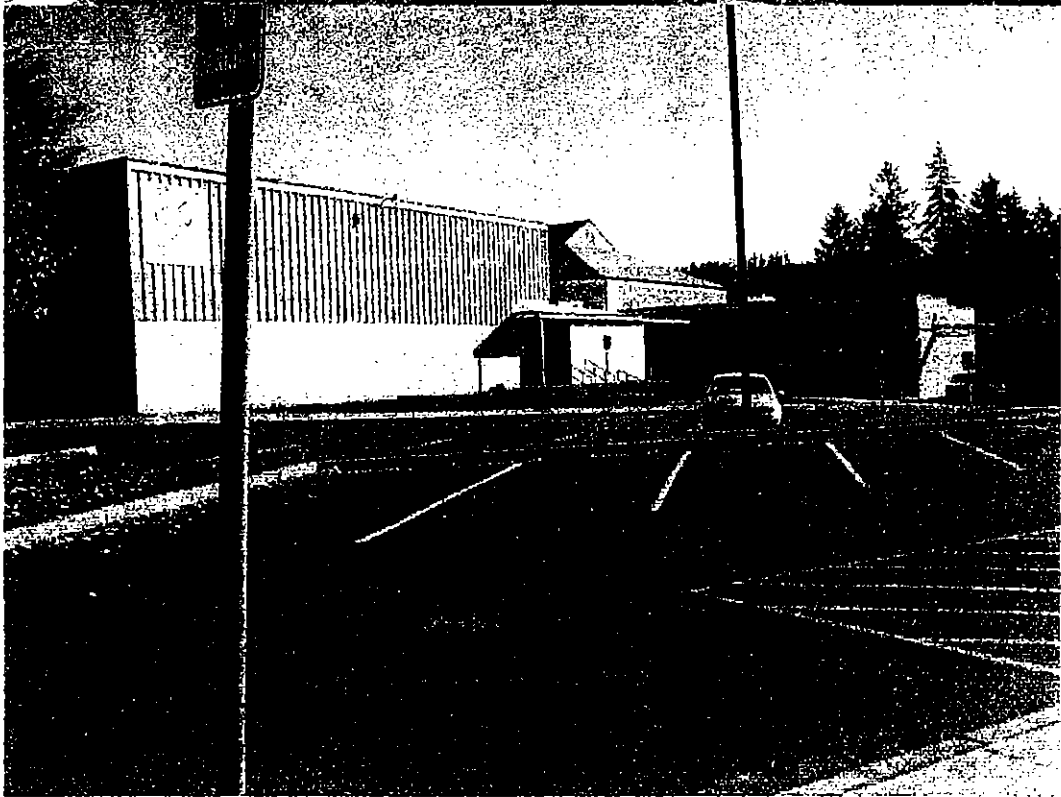
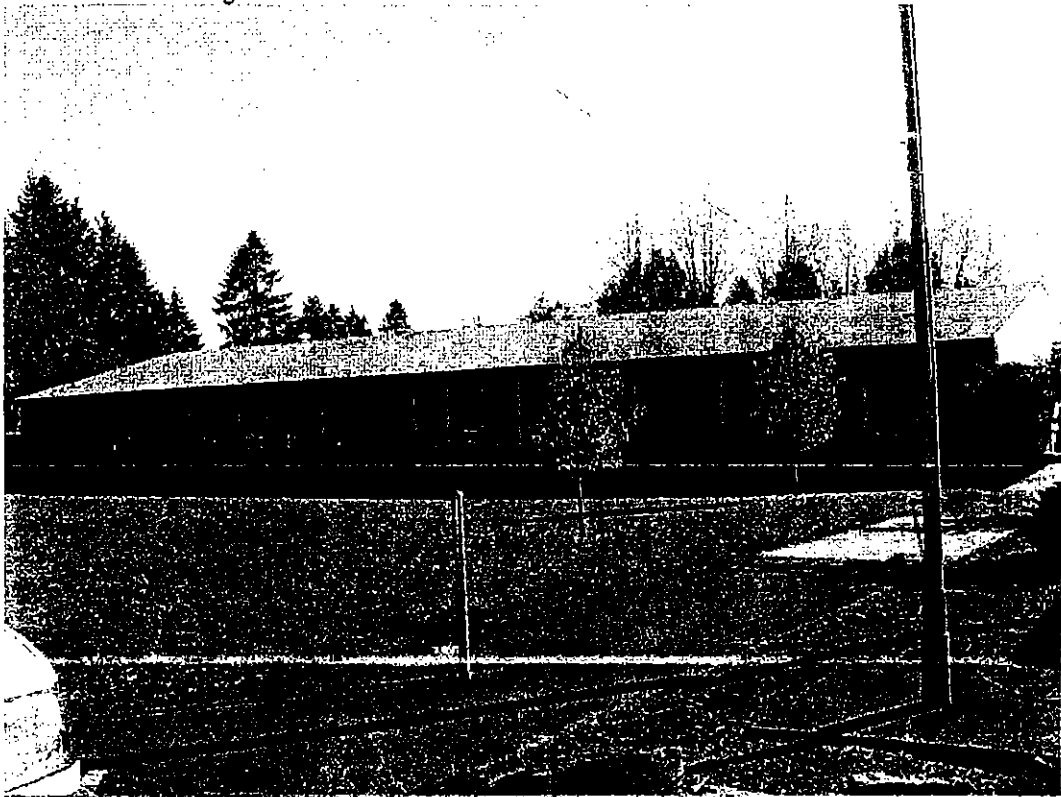
Church of Christ – historical structure



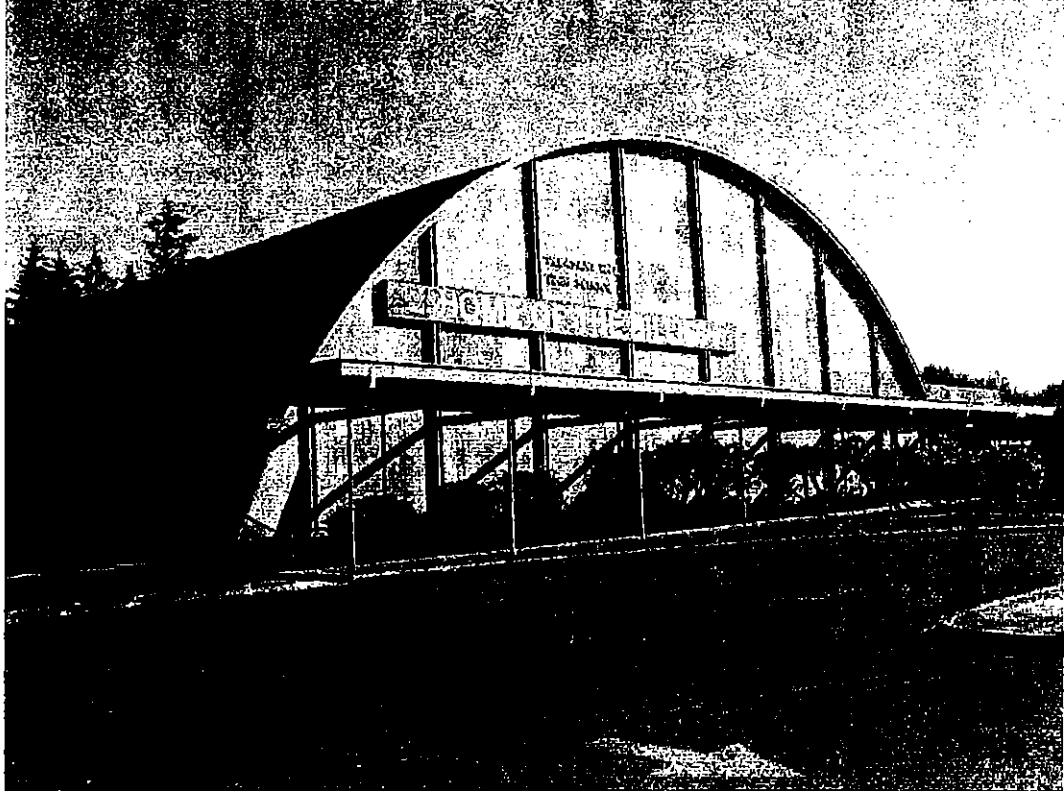
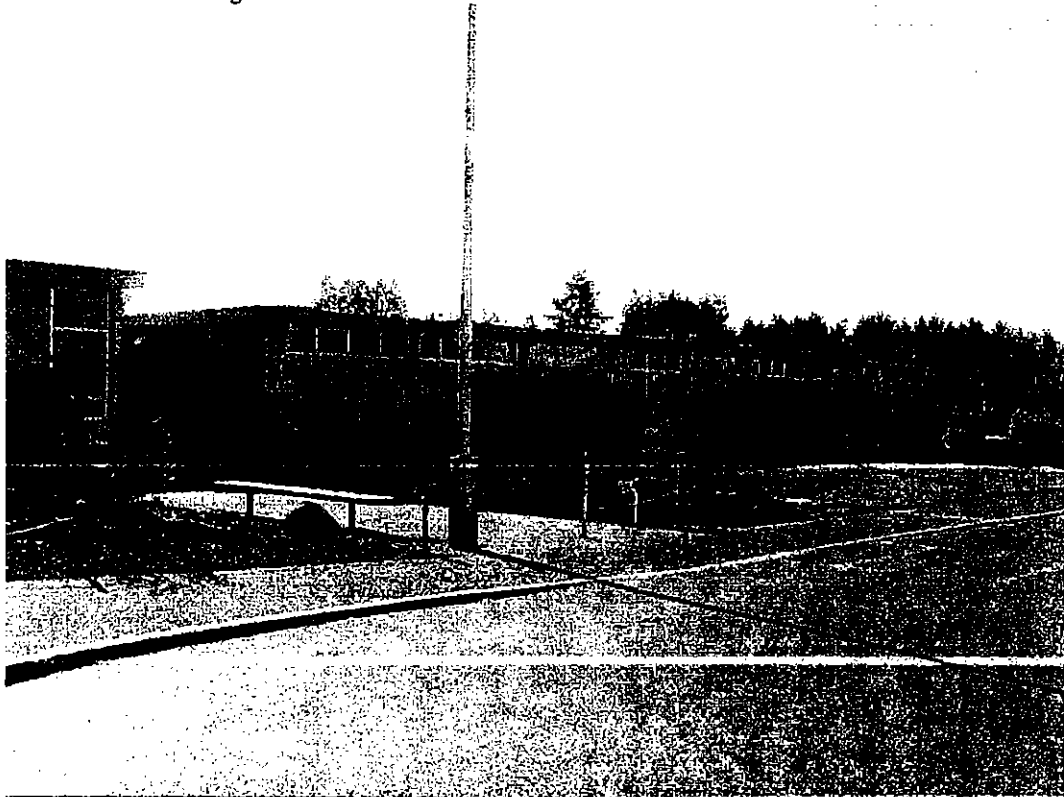
**Facilities and services in Plot 473-1 – area proposed for expansion of Community
Pleasant Hill Elementary School**



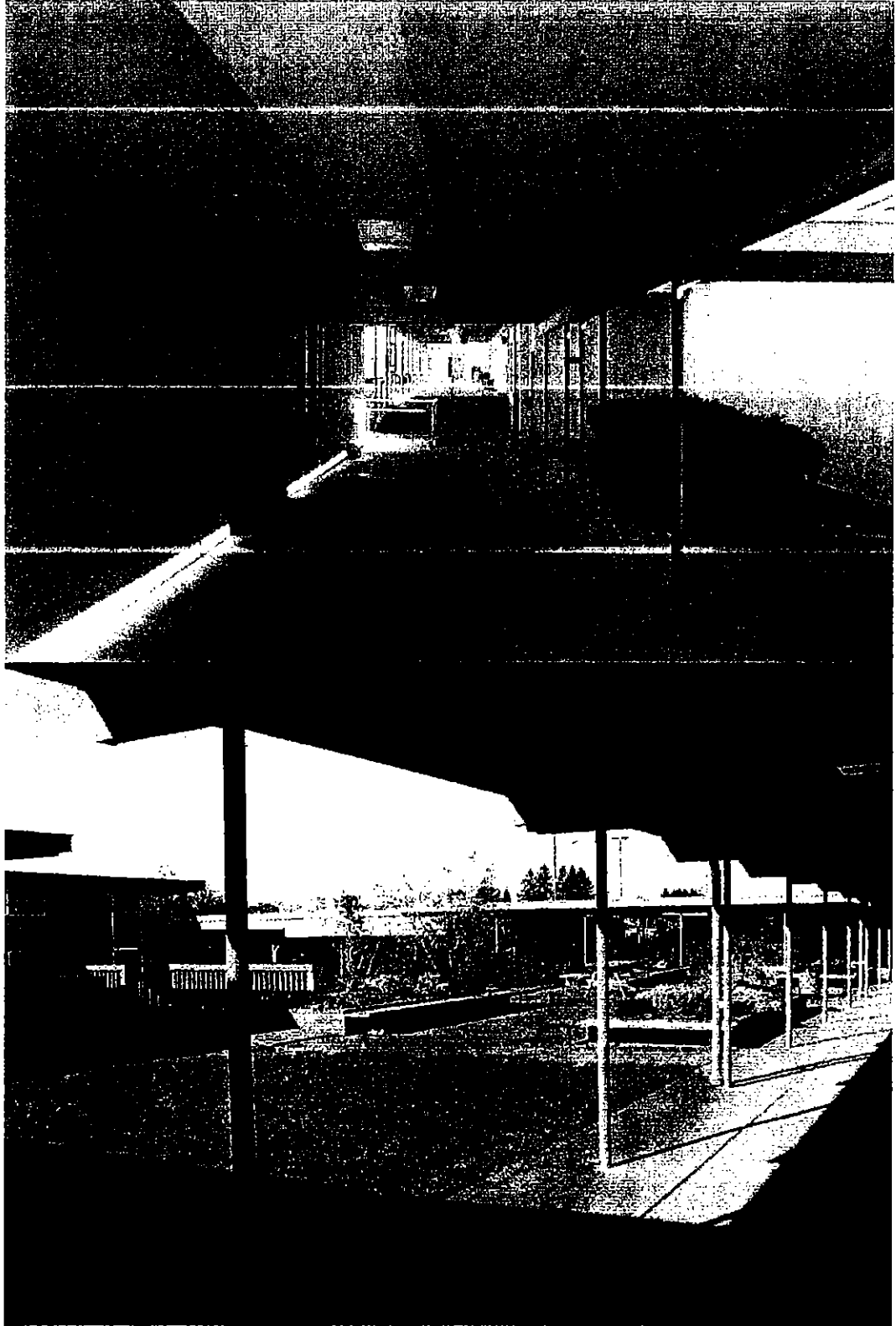
Pleasant Hill Junior High

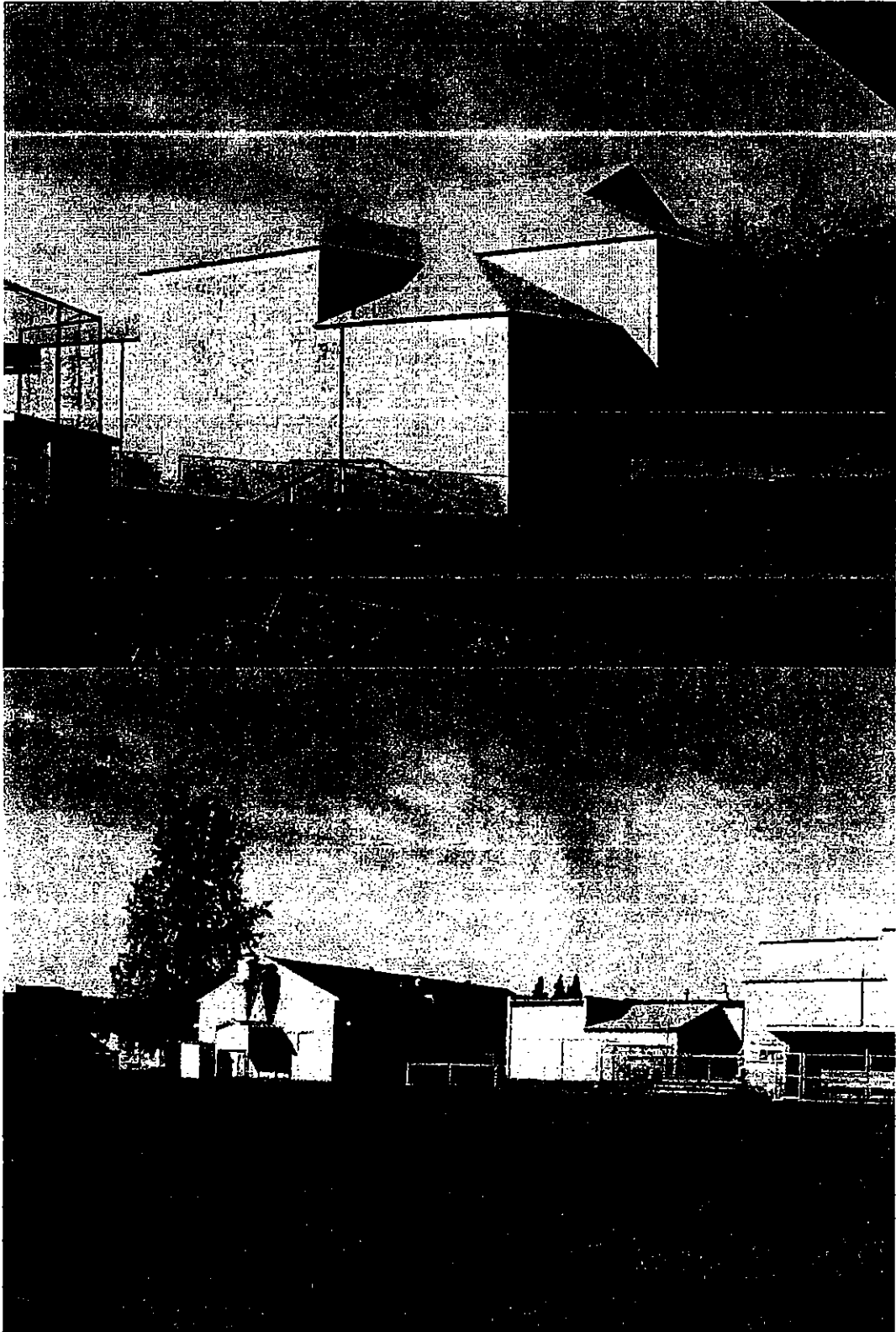


Pleasant Hill Senior High School

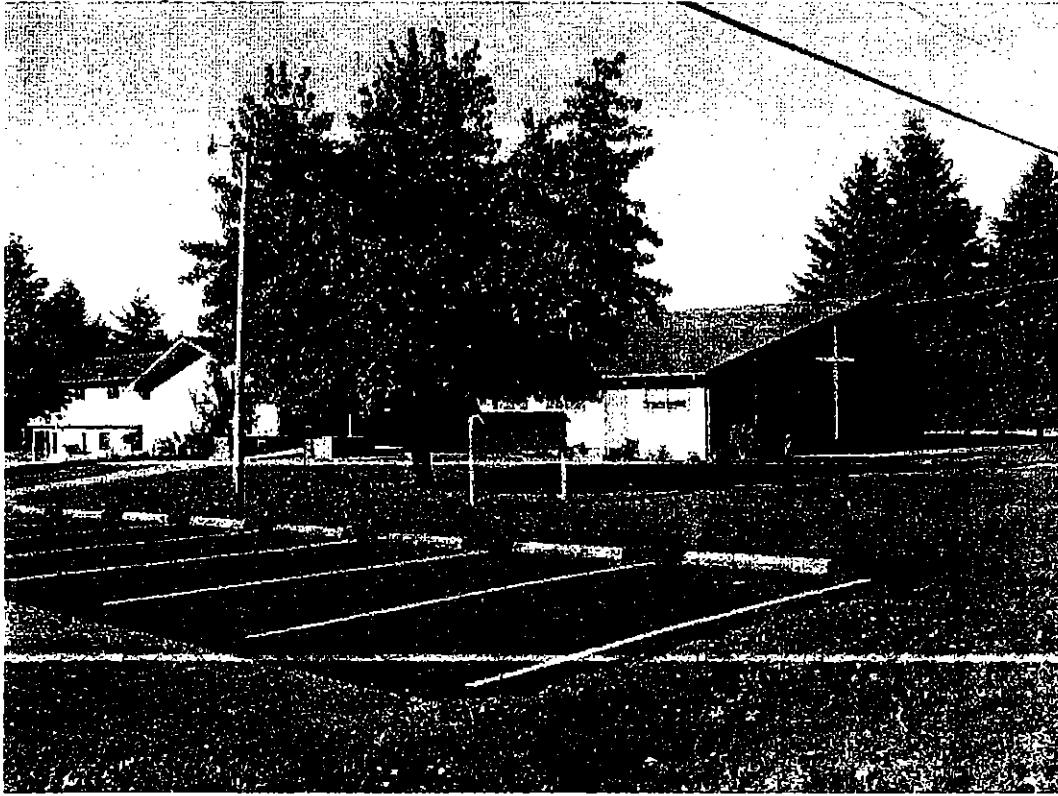


School District #1 campus





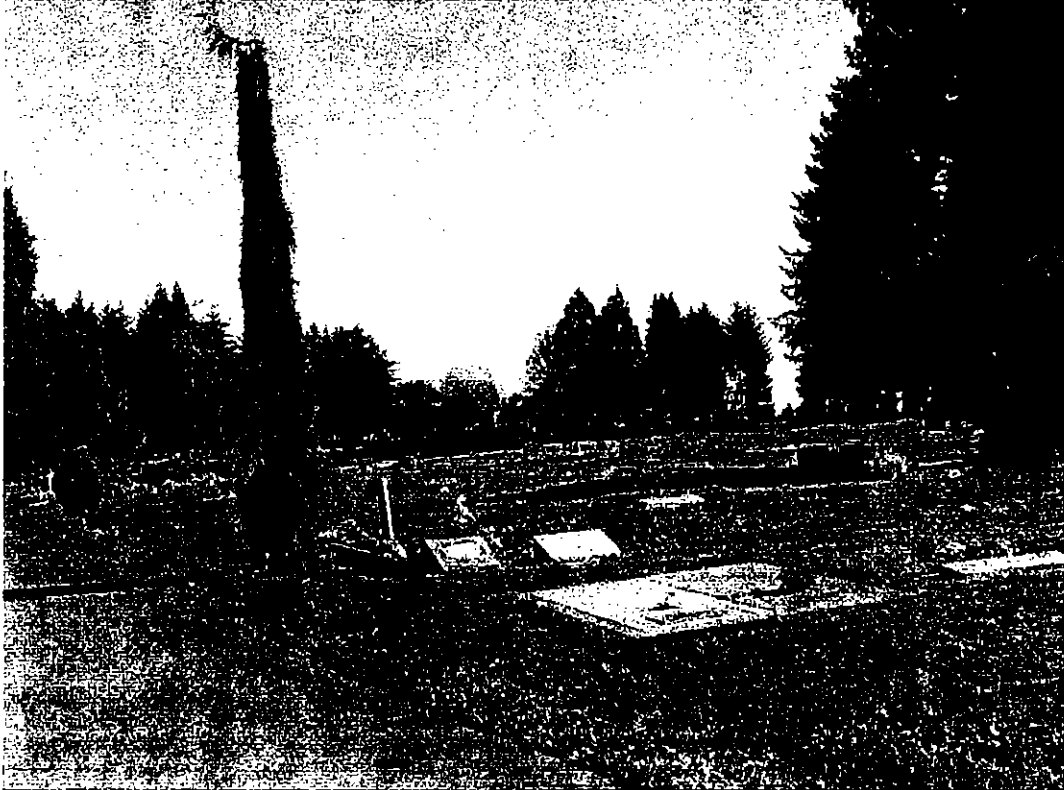
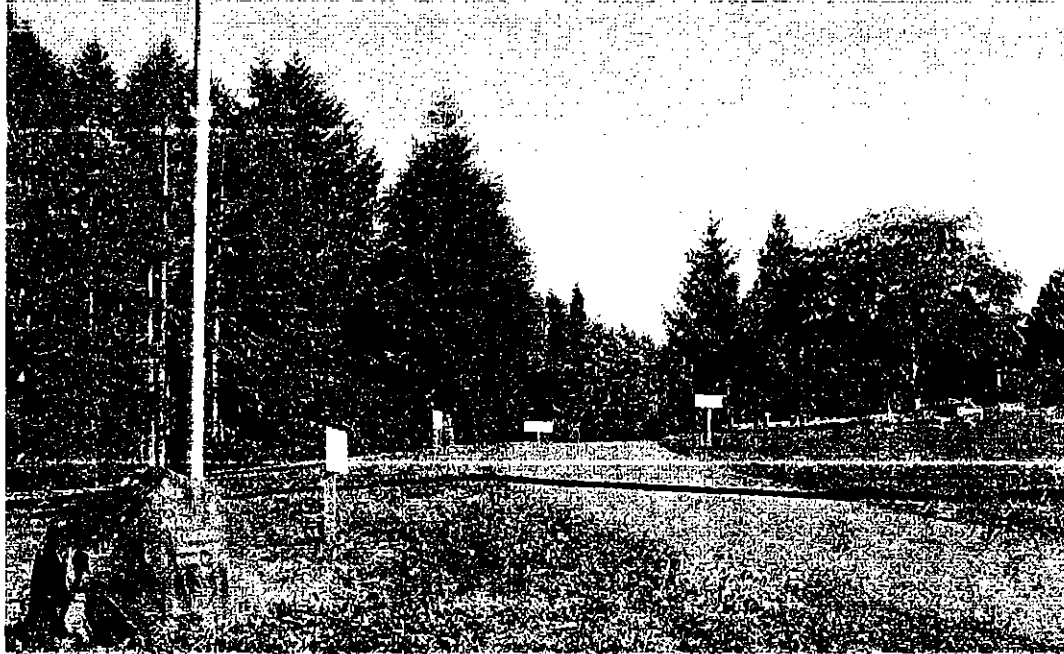
Pleasant Hill Baptist Church



Pleasant Hill Lutheran Church

(insert)

Pleasant Hill Cemetery



B. Jasper (Rural Community)

Exception Areas: Plot 483, Area 1; Plot 483, Area 2
TRS: 18-02-14; 18-02-23

The Rural Community of Jasper is nestled between the two intersections of three transportation routes that followed river and creek valleys: Jasper-Lowell Road following the Middle Fork Willamette River from southwest to northeast; Wallace Creek Road from northeast to southwest, connecting with Jasper Lowell Road at the northern end of the community; and Hills Creek Road from east to west along the northern fringe and connecting with Jasper-Lowell Road on the center of the commercial core of Jasper.

The northwestern portion of the community east of Jasper-Lowell Road and between Hills Creek and Wallace Creek is developed with the Jasper Store (regional market, gas station, hardware store, delicatessen), Pleasant Hill RFPD fire station, and United States Post Office (in Jasper Store).

The portion east of Jasper-Lowell Road and south of the intersection with Hills Creek Road includes the historical site of the Jasper Christian Church originally constructed in 1907 and reconstructed in 1959, 250 feet to the east on the former site of the old school house. The Jasper Assembly of God Church is located further to the east on Hills Creek Road. In between the two churches and also south of Hills Creek Road there are two large rural industrial properties, one active (Pacific Rim Manufacturing that employees 40-45 mill workers) and one vacant.

The Franklin Grange #751 is located south of the Hills Creek Road intersection and on the east side of Jasper-Lowell Road.

Jasper was acknowledged in 1989 to consist of 56 parcels totaling 221.85 acres with an average parcel size of 3.96 acres. There were 49 established dwellings at the time. The Rural Residential zone density for the community is RR2 with a two-acre minimum parcel size in Plot 483-1 and RR5 with a five-acre minimum parcel size in Plot 483-2.

The original Plat of Jasper was recorded on May 21, 1891 and created 22 small lots, all but two being 50 feet by 200 feet. Over time the "plat" was consolidated into six parcels and developed with residences. The parcelization as it is developed today came about primarily by land sales and construction between 1920 and 1960. the last phase of development was through two partitions recorded in 1979-80 that created the final four residential parcels within the community.

An LMD analysis in 1998 (Mann-Hoglund) identified six parcels with the potential for future residential infill and no additional opportunities for creation of new parcels at the current densities.

Services are provided to the community of Jasper (Levy code 001-13) by:

Electricity:	Emerald People's Utility District
Schools:	Pleasant Hill School District #1
Fire:	Pleasant Hill Rural Fire Protection District
Ambulance:	Pleasant Hill Rural Fire Protection District

Police: Lane County Sheriff
Oregon State Police

All development is supported by individual onsite water and subsurface waste disposal systems.

For the reasons mentioned above, the designation of Jasper as an unincorporated rural community complies with the OAR 660-22-010(7) definition of an unincorporated rural community.

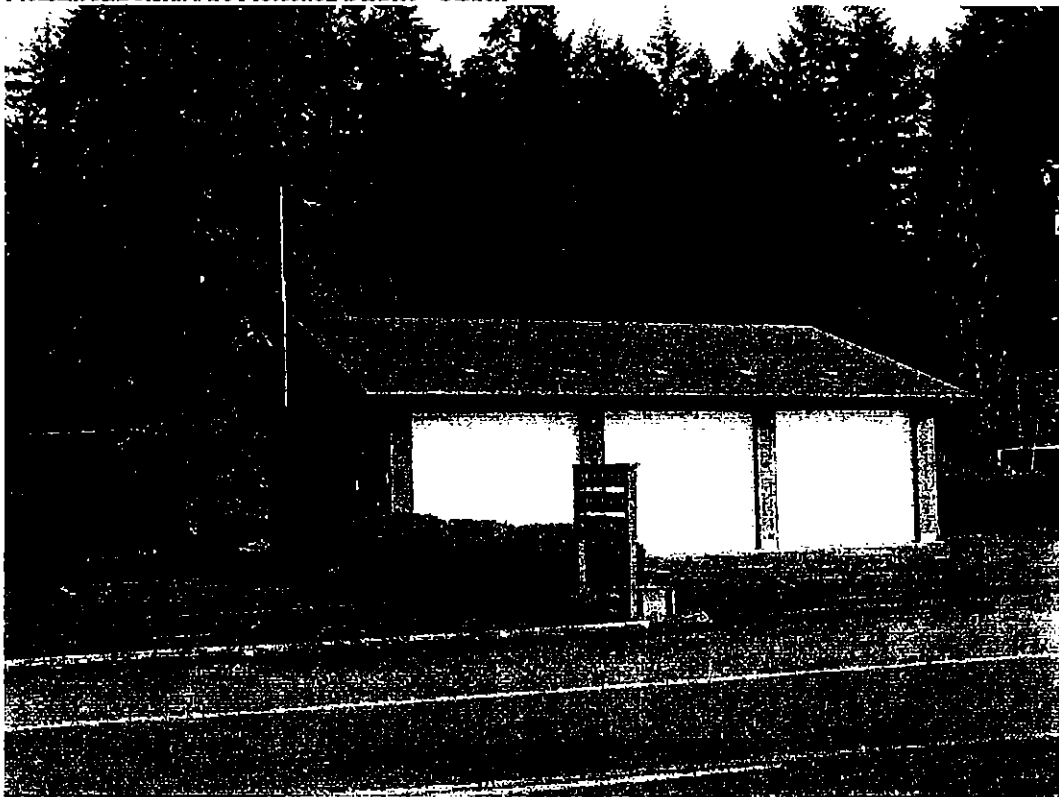
Jasper Store



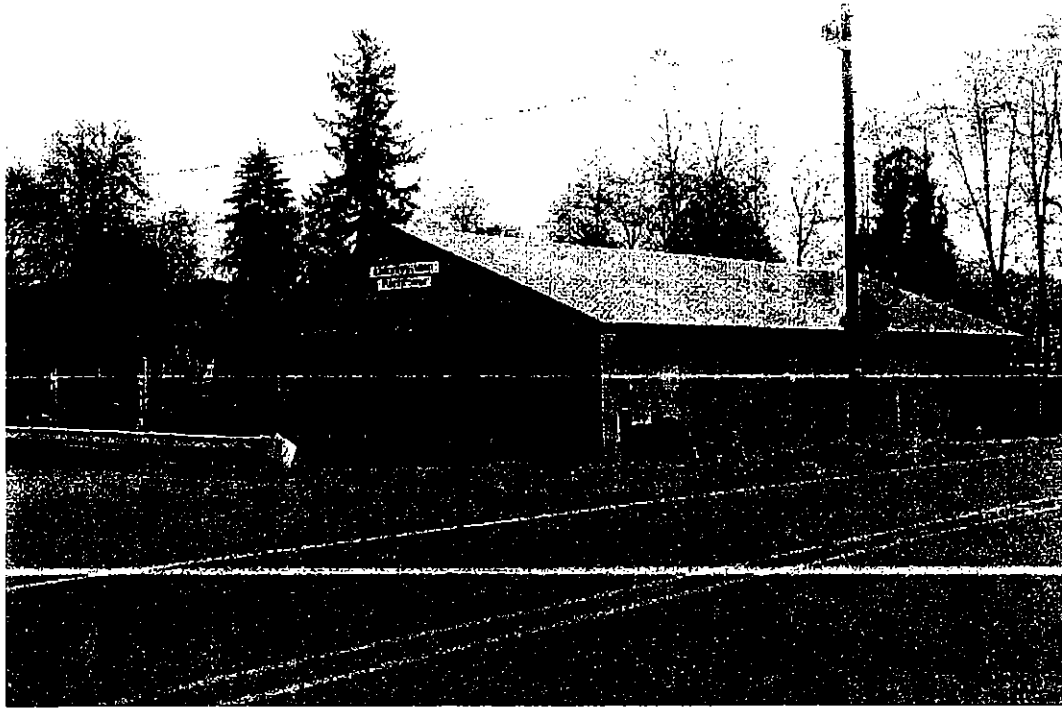
Jasper Store



Pleasant Hill Rural Fire Protection District – Station



Elderly Auto Parts



Five-plex residential units



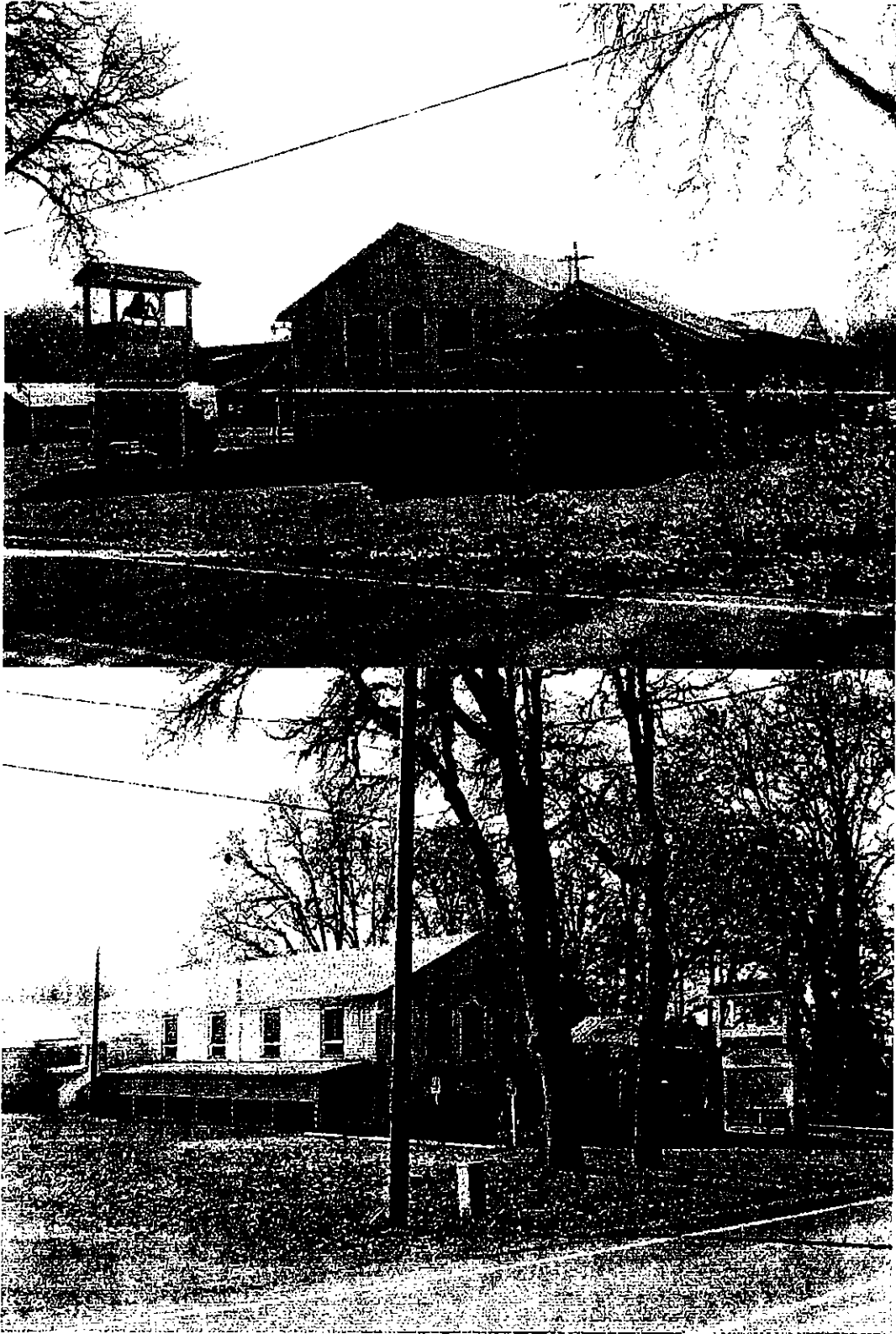
Jasper Grange #532



ODOT riverfront park



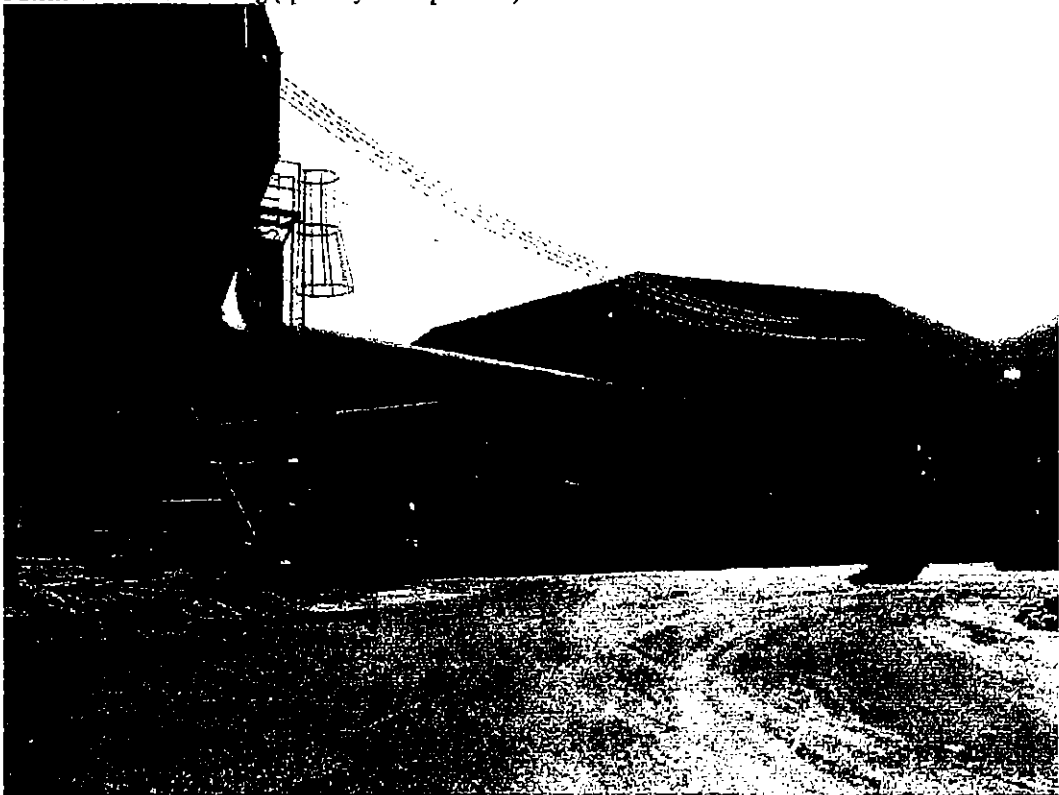
Jasper Church of Christ

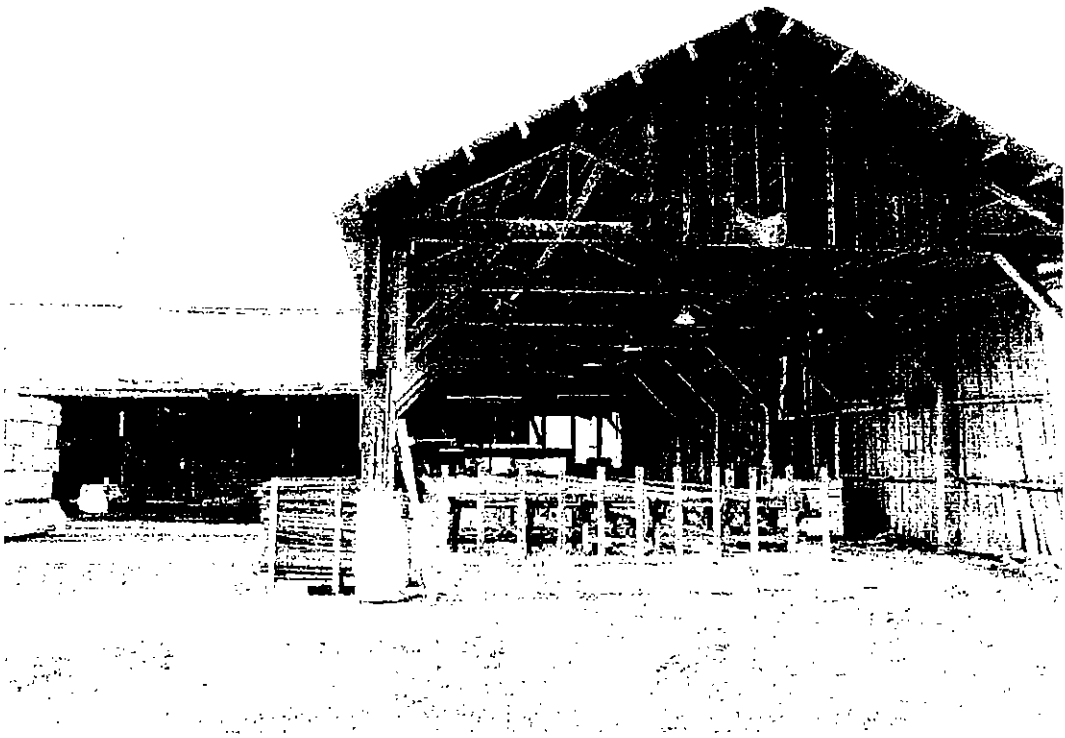


Jasper Assembly of God Church



Pacific Rim Manufacturing (specialty wood products)





C. Trent (Rural Community)

Exception Area Plot 506, Area 1
TRS: 19-01-06; 19-01-07

The Rural Community of Trent is primarily a residential community which developed around the intersection of Brown Road (north-south) and Wheeler Road (east-west), about 2.5 miles west of Dexter and 4.6 miles west of Pleasant Hill from 1920 to 1945.

The community is traversed by Willamette Highway 58 from west to east and access to the community is provided to and from the south by Rattlesnake Road. The Southern Pacific Railroad passes through the western corner of Trent servicing the industrial uses in that area. The railroad right-of-way continues south and then east dividing the southern portion of Trent into two sections. The Middle Fork of the Willamette River is within 300 feet of the northern boundary of the community and the Elisha Bristow State Park borders on the east from the Willamette River to the north to Highway 58 on the south.

By the mid-1950s the rate of residential development increased significantly and continued into the late 1960s. During this time approximately 25 new homes were built in the community both north and south of Wheeler Road and further to the south across Willamette Highway 58 with access east and west off of Rattlesnake Road.

Trent was acknowledged by LCDC in 1989 to consist of 75 parcels totaling 345.1 acres and by 1989, 72 dwellings had been constructed in the community. Sixty-five or 86% of the parcels had been created prior to 1974 and three new parcels were created by partition in 1976 with an additional seven more by partitions in 1980 (2), 1982 (3) and 1987 (2). In all, the average parcel size in 1989 was 4.6 acres.

A surge in land divisions occurred from 1993 through 2003. During that period the residential lands inventory grew by three parcels being created in a 2001 recorded partition between Wheeler Road and Highway 58, west of Brown Road; and six parcels being created in three recorded partitions (1993, 1994, 2003) between south of Highway 58. Two subdivision plats were recorded within the community during 2000-2002 creating nine lots:

<u>Date Recorded</u>	<u>Filing</u>	<u>Name of Subdivision</u>	<u>Lots</u>
May 5, 2000	File 75 Slide 965	Brown Road Estates	4
October 28, 2002	CSF 37750	Kendall Estates	5

With the addition of the 18 lots or parcels created since 1989, the total number of parcels within the rural community of Trent has increased to 93 and the average parcel size has decreased to 3.71 acres.

The rural residential parcels within Trent were designated in 1984 as RR5 with a five-acre minimum parcel size. Through a series of Hearings Official density rezoning actions prior to 2000, three blocks of lands were redesignated to RR2 with a two-acre division

standard. These “two-acre” blocks provided the opportunity for the partitioning and subdividing actions in the 1993 to 2003 period.

Two public facilities, the Trent Elementary School and the Trent Church of Christ are located north of Wheeler Road and west of Elisha Bristow State Park.

The Trent Elementary School was established in 1914 as part of the Pleasant Hill School District #1. It was rebuilt in 1940 with additions in 2003. The 2004-2005 enrollment is approximately 220 students, down from the approximately 400 students who attended there eight to ten years ago. The original Trent Church of Christ was active in August 1878, however local lore places the origin of the present congregation in 1913.

Two industrial uses are within the community boundaries. The Guistina Sort Yard is the largest and located west of Mill Road and between Highway 58 on the south and Wheeler Road on the north. The second site is the Dan Perkins Lumber Company just north of Brown Road. Both were zoned M3 in 1984.

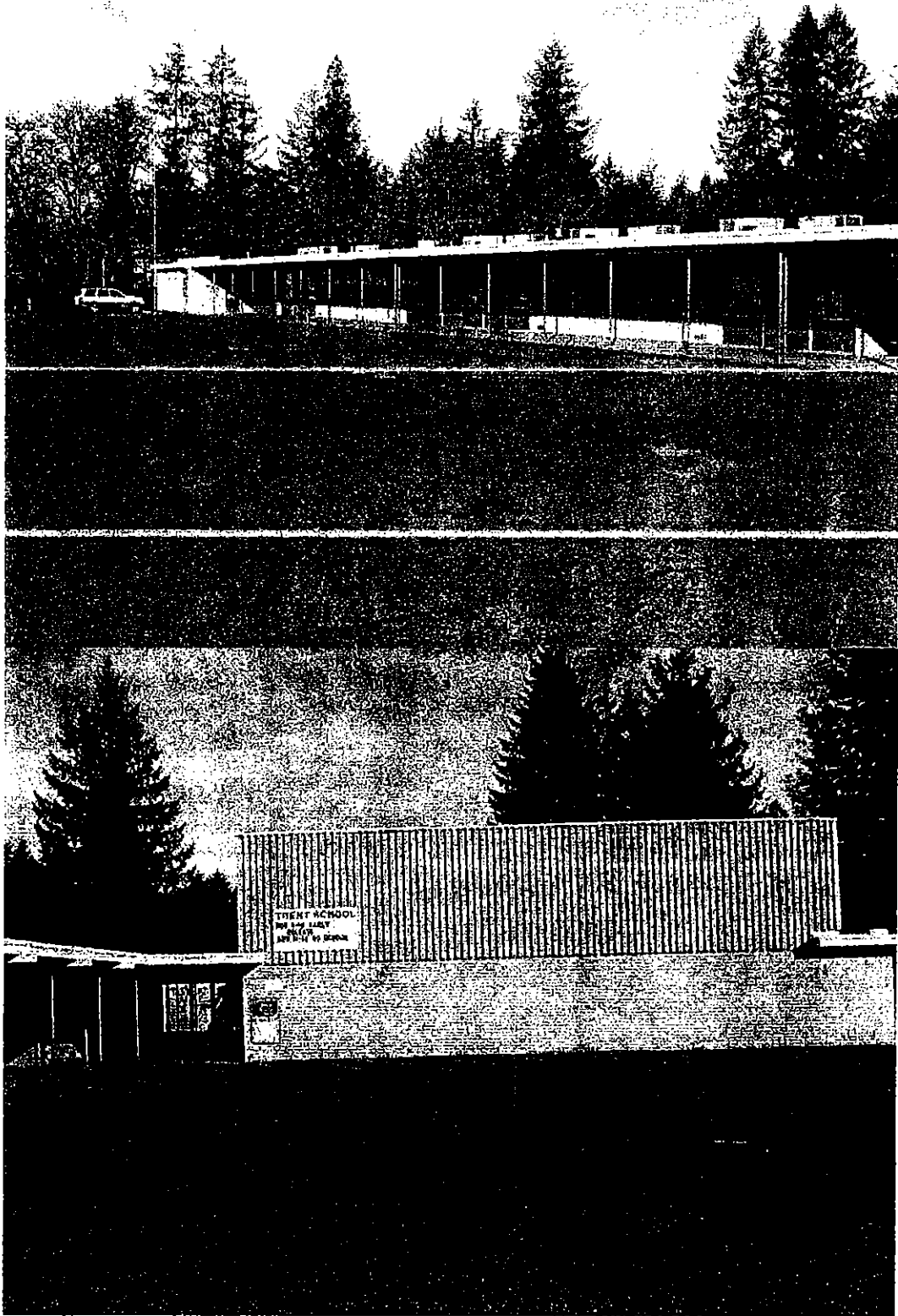
Services are provided to the community of Franklin (Levy codes 001-10) by:

Electricity:	Emerald People’s Utility District
Schools:	Pleasant Hill School District #1
Fire:	Dexter Rural Fire Protection District
Ambulance:	Dexter Rural Fire Protection District
Police:	Lane County Sheriff Oregon State Police

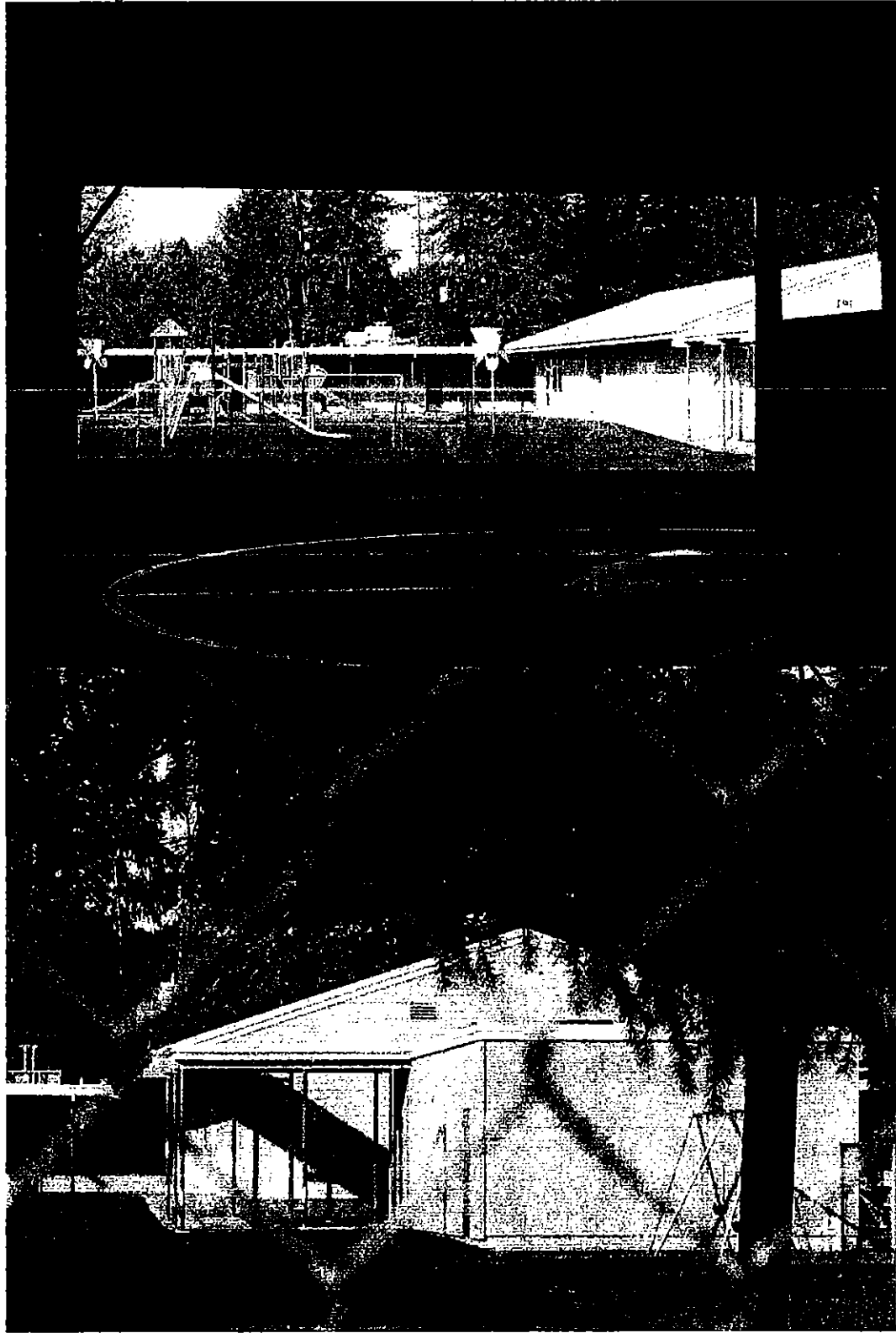
All development is supported by individual onsite water and subsurface disposal systems.

For the reasons mentioned above, the designation of Trent as an unincorporated rural community complies with the OAR 660-22-010(7) definition of an unincorporated rural community.

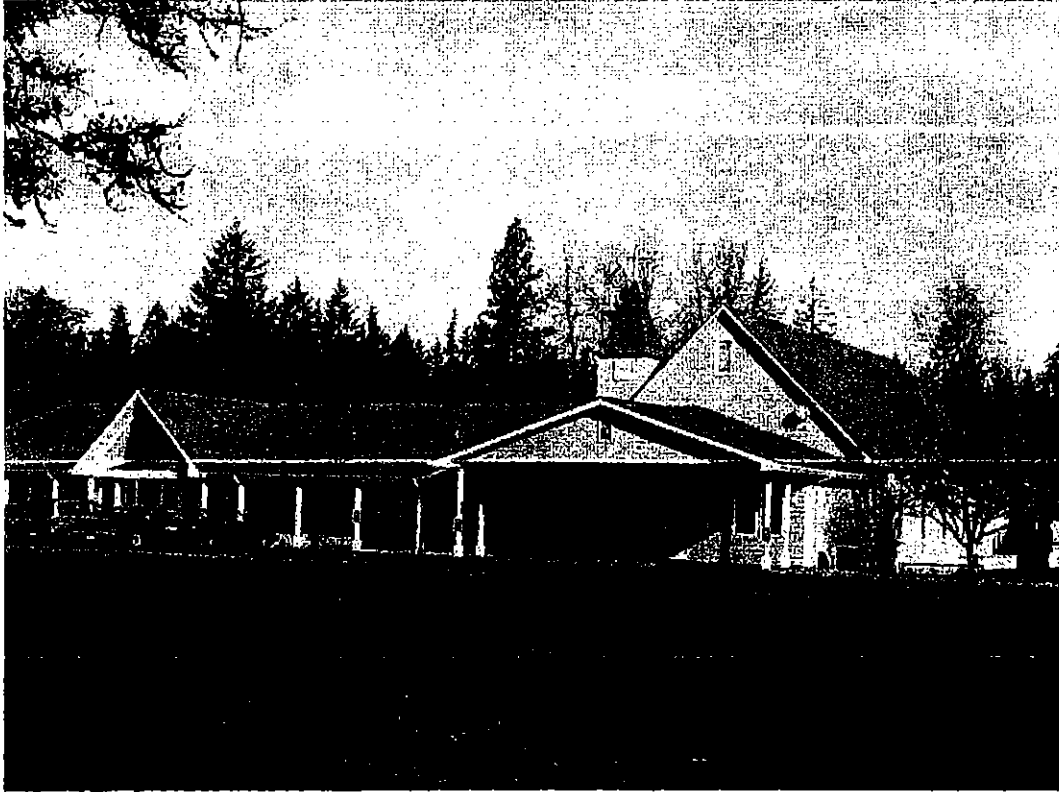
Trent Elementary School



Trent school grounds

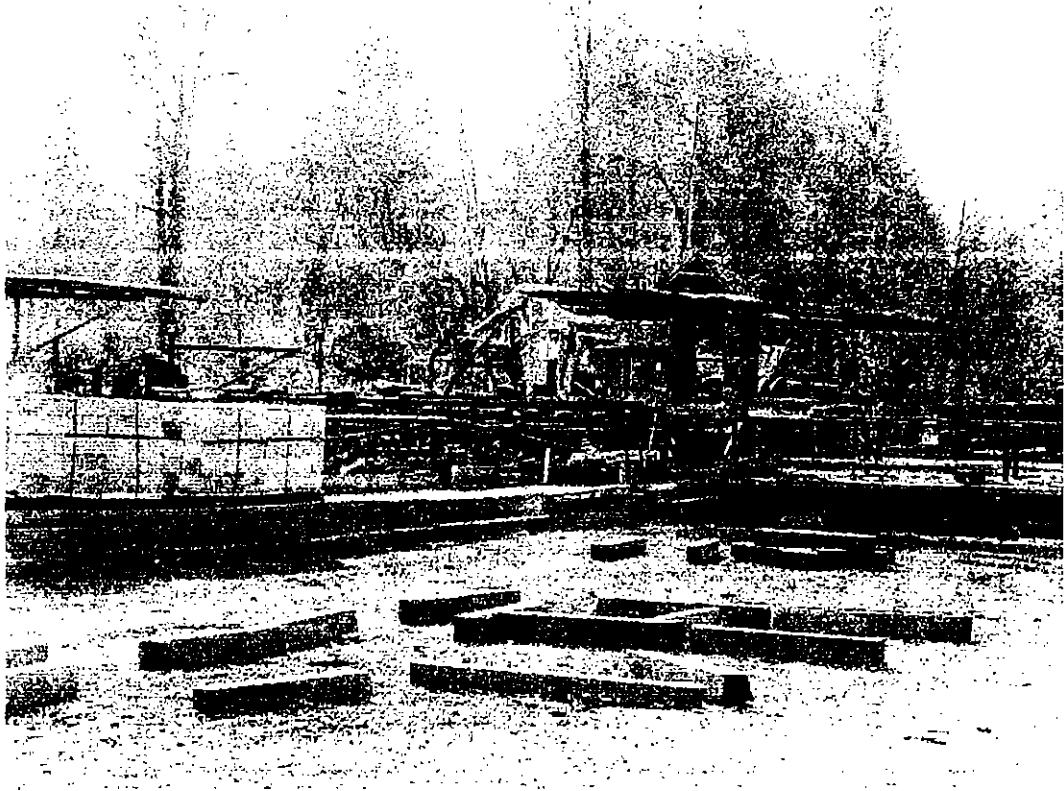
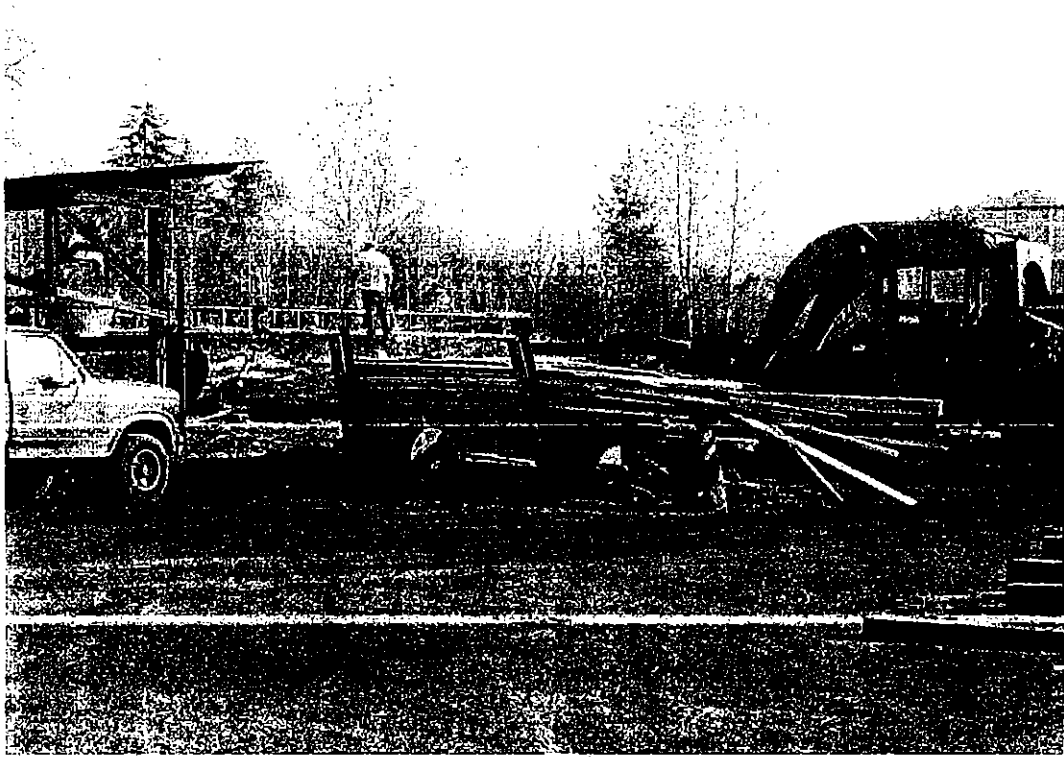


Trent Church of Christ



Guistina Sort Yard





D. Fall Creek (Rural Community)

Exception Area: Plot 527, Area 1
TRS: 18-01-33

The Rural Community of Fall Creek is located five miles east of the rural community of Jasper and less than three miles northwest of the incorporated city of Lowell. The Jasper-Lowell Road is the connecting transportation route between the two terminus bearing its name. Fall Creek straddles and is clustered around the old route. The flow of Big Fall Creek defines the western and eastern thirds of the community and bisects the center.

Primarily stock-raising and some timber interests were the catalyst for commerce and development in Fall Creek beginning in the 1880's. The first U. S. Post Office was established in 1880.

Fall Creek includes two sites and buildings on the Oregon State Inventory of Historic Sites and Buildings:

- "Frank Kintzley House" Map P-41; and
- Fall Creek Christian Church, Map P-42.

The "Frank Kintzley House" is a log home erected in 1906 for Frank E. Blair by George Warriar and P. S. Kelley and became the residence of Frank Kintzley in 1930. Mr. Blair also opened a general store in Fall Creek in 1891 which is no longer there.

The Fall Creek Christian Church was originally the Fall Creek School. The building was erected around 1907 to replace an earlier school structure and was subsequently purchased and remodeled by the congregation whose membership dated back to the 1880s.

To the north of the church property on a separate parcel is located Fire Station #2 of the Lowell Rural Fire Protection District. The three-bay station houses a pumper truck and ambulance.

The community also includes two commercial buildings and uses in the center of the community and on the south shoulder of Jasper-Lowell Road. The Fall Creek Market provides small market conveniences as well as a delicatessen of daily soups and sandwiches. Next door to the east within what was originally the local gas station and auto repair shop, the Fall Creek Espresso provides coffees and teas.

In 1989, LCDC acknowledged the "community" of Fall Creek as comprising 145 acres divided amongst 48 parcels with an average parcel size of 3.02 acres. At the time there were 46 residences in the community with the core of the community being built upon during the 1920-1950 period. Outlying areas were developed in the 1960s-1970s.

A 1998 analysis by the Land Management Division (Mann-Hoglund) found that Fall Creek included 45 residences and 10 vacant parcels had the potential for residential development through infill.

Services are provided to the community of Fall Creek (Levy Code 071-06) by:

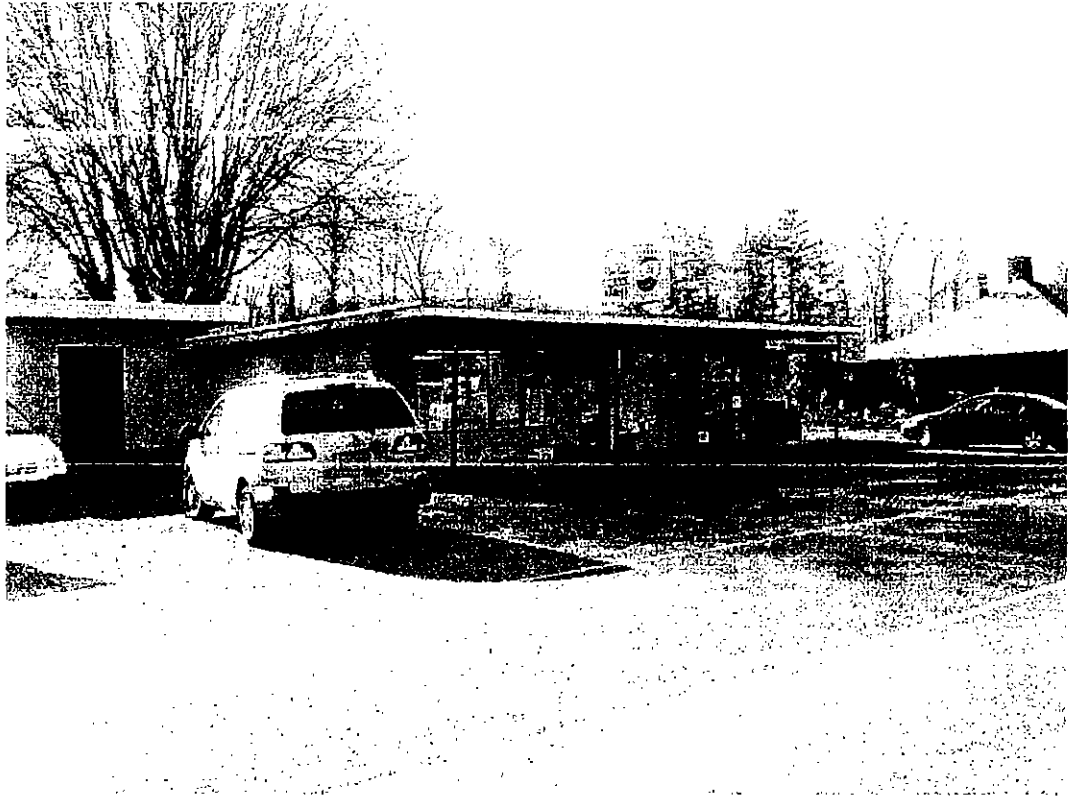
OAR Compliance Report
April 2005

Electricity: Emerald People's Utility District
Schools: Lowell School District #71
Fire: Lowell Rural Fire Protection District
Ambulance: Lowell Rural Fire Protection District
Police: Lane County Sheriff
Oregon State Police

All development is supported by individual onsite water and subsurface disposal systems.

For the reasons mentioned above, the designation of Fall Creek as an unincorporated rural community complies with the OAR 660-22-010(7) definition of an unincorporated rural community.

Fall Creek Market



Fall Creek Espresso



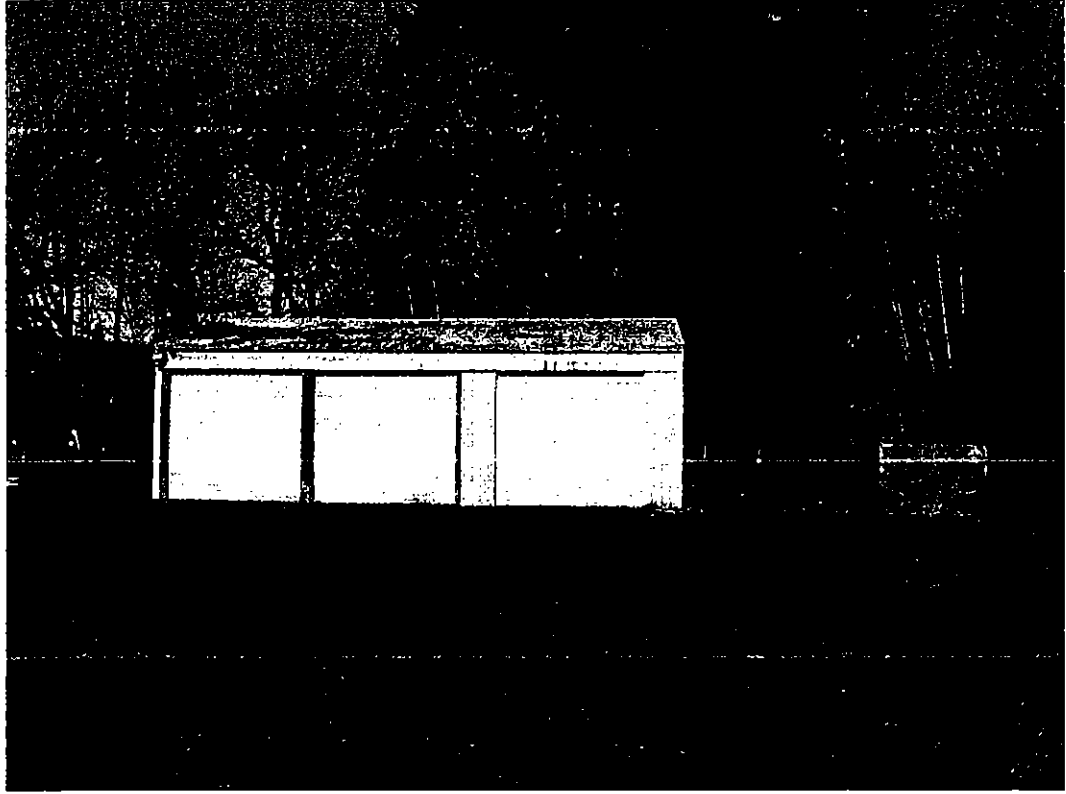
Frank Kintzley House



Fall Creek Christian Church



Fire Station #2 – Lowell RFPD



E. Dexter (Urban Unincorporated Community)

Exception Area: Plot 529, Area 1
TRS: 19-01-16, 19-01-17, 19-01-21

Dexter is located southwest across Dexter Reservoir from the incorporated City of Lowell and for the most part is south of Willamette Highway 58 with a small portion to the north of Highway 58 and west of Dexter Reservoir. It is a densely populated community with five manufactured home parks that were all established in the early 1950s:

- Highway 58 MH Park with 15 spaces;
- Lakeside Trailer Park with 17 spaces;
- Mountain View Mobile Court with 10 spaces;
- Dexter Shores MH Park with 25 spaces; and
- Dexter Oaks MH Park with 25 spaces.

In 1989, LCDC acknowledged Dexter as containing 288 acres divided into 147 parcels. The largest parcel was 29.3 acres and the average parcel size was 1.96 acres. Because of the high density of development and types of residential uses, portions of the community were appropriately given three residential densities: Suburban Residential (RA) with no minimum parcel size and Rural Residential (RR1), (RR2) and (RR5) with one-acre, two-acre and five-acre division standards, respectively.

The Suburban Residential (RA) designation was applied to the two parcels with a combined acreage of 7.7 acres west of Lost Creek Road and south of Dexter Road that included the Lakeside Trailer Park with 17 manufactured home spaces and the Mountain View Mobile Court. This designation is being amended to Rural Residential (RR1) to comply with OAR 660 Division 22 *Unincorporated Communities*.

Rural Residential (RR1) was applied within the historical core of the community that is defined by Barbre Road and Minnick Road on the west, Rogers Lane on the south, Lost Creek Road on the east and Highway 58 to the north. The areas includes the Lost Creek Park Subdivision (1947), Hart Park Subdivision (1948) and the Normandy Park Subdivision (1966). The Dexter Oaks manufactured home park is within this area as well.

Rural Residential (RR2) was applied in the area of the Skeeter Bee Loop Subdivision (1985). All other residential use in the outlying areas with larger existing lots or parcels were zoned Rural Residential (RR5).

In summary, RR densities were initially applied to represent the existing development and parcelization that had been created in part by recorded subdivision plats and partitions.

<u>Date Recorded</u>	<u>Filing</u>	<u>Name of Subdivision</u>	<u>Lots</u>
June 27, 1947	Book 13 Page 22	Lost Creek Park	56
August 21, 1948	Book 14 Page 20	Hart Park	51
October 5, 1966	Book 49 Page 28	Normandy Park	6
April 9, 1985	File 73 Slide 588	Skeeter Bee Loop	5

The Lost Creek Park and Hart Park subdivisions lots were very small and many have been consolidated under land sales for development as larger tracts.

Between 1975 and 1998, seven partitions contributed 16 parcels and greater density within the community: 1975 (1 partition, 2 parcels), 1977 (1 partition, 2 parcels), 1978 (2 partitions, 4 parcels), 1989 (1 partition, 3 parcels), 1994 (1 partition, 2 parcels), and 1998 (1 partition, 3 parcels).

Today, Dexter provides several professional services and public facilities:

- Dexter Rural Fire Protection District - station #1
- The Lakeside Clinic (medical clinic)
- Cascade Foothills Library
- United States Post Office

Three churches are active in the area with two being inside the community boundaries:

- Saint Henry's Catholic Church
- Open Bible Church
- The Dexter Baptist Church is outside the community boundaries to the northwest on Dexter Road in Developed & Committed Exception Area Plot 518. The church was constructed at the turn of the 20th century and is listed on the Oregon State Inventory of Historic Sites and Buildings, Map #22.

Dexter also includes a variety of commercial businesses, some of which are:

- The Dexter Market (General Store) which is on the Oregon State Inventory of Historic Sites and Buildings, Map P-43. The first U.S. Post Office in Dexter was established in 1875 and had a long history as part of the store which was constructed in 1890.
- Dexter Lake Club and Cafe
- Buck Horn Tavern
- Dexter Hardware
- Dexter Liquor & Video Store

Industrial uses are located outside the community boundaries to the northwest along Dexter Road and to the south on Lost Creek Road.

Dexter has seven public drinking water systems (PWS) permitted and operating within the community boundaries. Five of these PWS serve residential development:

PWS ID #	PWS Name	Population	Spaces
4100998	Dexter Oaks Mobile Home Park	75	25
4100997	Dexter Shores Mobile Home Park	55	25
4101279	Highway 58 Trailer Park	35	15
4100999	Lakeside Mobile Home Park	56	17
4194653	Mountain View Mobile Court	22	<u>10</u>
			92

Between single family dwellings on individual lots or parcels and manufactured homes in the mobile home parks, Dexter has in excess of 200 dwelling units, four public services (churches, fire station, post office) and more than ten commercial uses inside the community boundaries which exceeds the first two requirements of *OAR 660-022-0010 (9) a.* and *(9) b.* to qualify as an urban unincorporated community:

"Urban Unincorporated Community" (OAR 660-022-0010(9)) means, "An unincorporated community which has the following characteristics:

- a. Includes at least 150 permanent dwelling units including manufactured homes;*
- b. Contains a mixture of land uses including three or more public, commercial or industrial uses;*
- c. Includes areas served by a community sewer system; and*
- d. Includes areas served by a community water system."*

OAR 660-022-0010 defines the latter two requirements, *(9) c.* and *(9) d.* as follows:

"Community Sewer System" means a sewage disposal system which has service connections to at least 15 permanent dwelling units, including manufactured homes, within the unincorporated community.

"Community Water System" means a system that distributes potable water through pipes to at least 15 permanent dwelling units, including manufactured homes within the unincorporated community.

Four of the public drinking water systems identified above serve 15 or more permanent residences. Qualifying as having one or more community water systems sets the stage for Dexter to be considered for status as an urban unincorporated community under the final consideration: *"community sewer system"*.

The Dexter Sanitary District provides sewer service for over 300 connections within the "community" boundaries of Dexter. All of the residential (including manufactured home park sites), commercial and public facilities listed on the prior page are connected to the District's system. It should also be noted that for a period of time in the 1990s, some limited development within the community was supported by individual onsite subsurface disposal systems.

The District operates the "Septic Tank Effluent Gravity" STEG sewer system primarily from two sites.

- The pump station that moves the effluents to the drainfield is located in the southeastern corner of the parcel at the intersection of Dexter Road right-of-way and the Willamette Highway 58 right-of-way identified as TRS map 19-01-16.4.2, tax lot 100. The two-pump station is located in a triangle measured along the northeastern exposure as 100 feet from the pump station next to Dexter Road to the right-of-way of Highway 58; then 102 feet along the southern property line parallel to Highway 58, then 80 feet west to the point of beginning and the pump station.
- The processing plant and drainfield have operated for decades on a five-acre site located north of Highway 58 within Dexter State Park on U. S. Army Corps of

Engineer land. The site was conveyed without monetary consideration from the U. S. Department of Army to the Dexter Sanitary District by quitclaim deed on October 30, 2002, to be held in public ownership and used for wastewater treatment purposes, in perpetuity.

For the past five to six years, the design capacity of the system has been exceeded due to groundwater infiltration and inflows to the system due to leaking septic tanks and building sewers. On September 14, 2004, the Dexter Sewer District Board of Commissioners enacted Resolution No. 9-2004 imposing a temporary moratoria on new sewer connections. All existing connections continue to be served. In February-March 2004, the District negotiated a Mutual Agreement and Order with the Oregon Department of Environmental Quality for a work program to correct the deficiencies in the sewer system in two phases. On February 10, 2004, the District approved a Resolution authorizing issuance of revenue bonds in the amount of \$300,000.00 to finance Phase I of the correction program.

Other services are provided to the community of Dexter (Levy Codes 001-10, 001-16, 001-18, and 001-19) by:

Electricity:	Emerald People's Utility District
Sewer:	Dexter Sanitary District (001-18, 001-19)
Schools:	Pleasant Hill School District #1
Fire:	Dexter Rural Fire Protection District
Ambulance:	Dexter Rural Fire Protection District
Police:	Lane County Sheriff Oregon State Police

OAR 660-022-0020 *Designation of Community Areas* (6) expresses the following:

(6) Communities which meet the definitions in both OAR 660-022-0010(6) and (9) shall be classified and planned as either resort communities or urban unincorporated communities.

Dexter complies with the requirement to have the minimum number of 15 permanent residences connected to a community sewer system and a community water system(s) as well as exceeding the minimum number of 150 residential units, and commercial or public facility uses, therefore the County is required to re-designation Dexter as an urban unincorporated community.

Some of the advantages of being designated as an urban unincorporated community (UUC) are:

- OAR 660-022-0030(5)(b) provides for "*New motels and hotels up to 35 units may be allowed in an urban unincorporated community . . . if the unincorporated community is at least 10 miles from the urban growth boundary of any city adjacent to Interstate Highway 5, regardless of its proximity to any other UGB*";
- OAR 660-022-0030(10) allows a greater development standard for "*a small-scale, low impact commercial use . . . in an urban unincorporated community in a building or buildings not exceeding 8,000 square feet of floor space.*" Individual commercial

uses on a parcel in rural communities are more restrictive and limited to 4,000 square feet of floor space; and

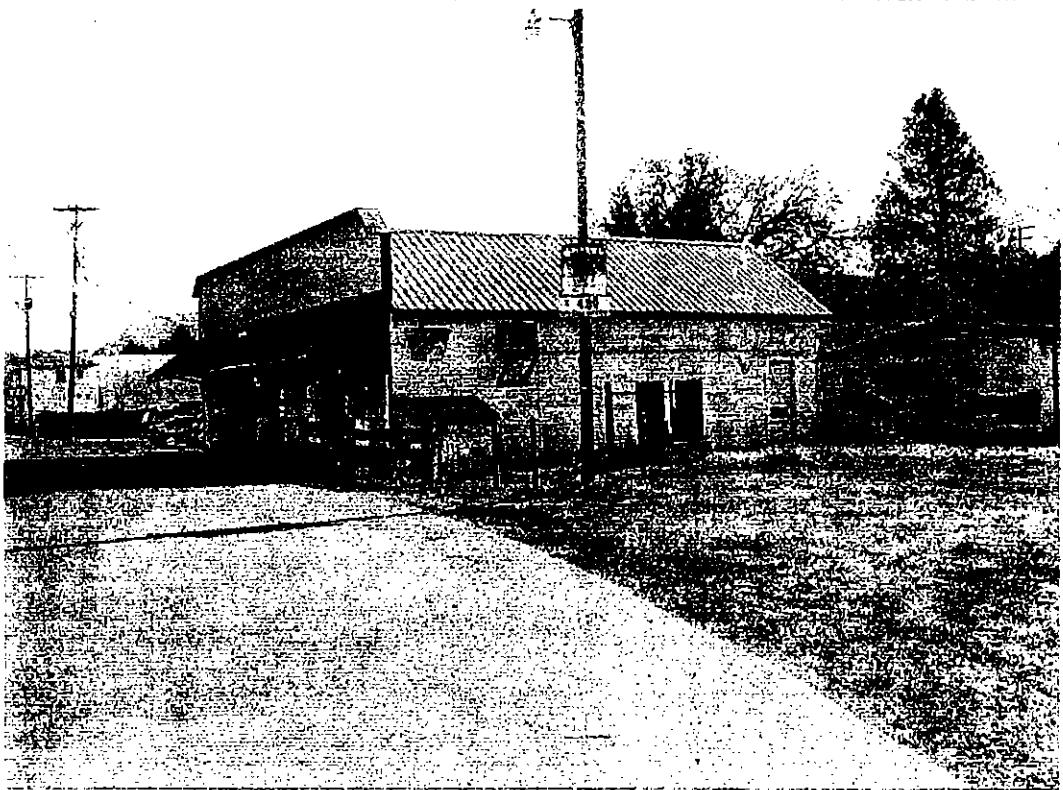
- OAR 660-022-0030(11) allows a greater development standard for “*a small-scale, low impact industrial use . . . in an urban unincorporated community in a building or buildings not exceeding 60,000 square feet of floor space.*” Industrial uses on a parcel in rural communities are more restrictive and limited to 40,000 square feet of floor space.

In some instances, an urban unincorporated community also has the option to expand the boundaries of the UUC to include developable land to meet a demonstrated long-term need for housing and employment. Any such expansion would be limited to residential land and require extension of both community sewer and water services to the new residential development. The restrictions on this option for Dexter are found in OAR 660-022-0040(2)(a) and (b):

- (a) *The UUC is at least 20 road miles from an urban growth boundary with a population over 25,000; and*
- (b) *The UUS is at least 10 road miles from an urban growth boundary with a population of 25,000 or less.*

Dexter does not qualify for expansion of its community boundaries to include new developable land in the rural residential designation because it is approximately eight miles from the UGB of Springfield and less than three miles from the UGB of Lowell.

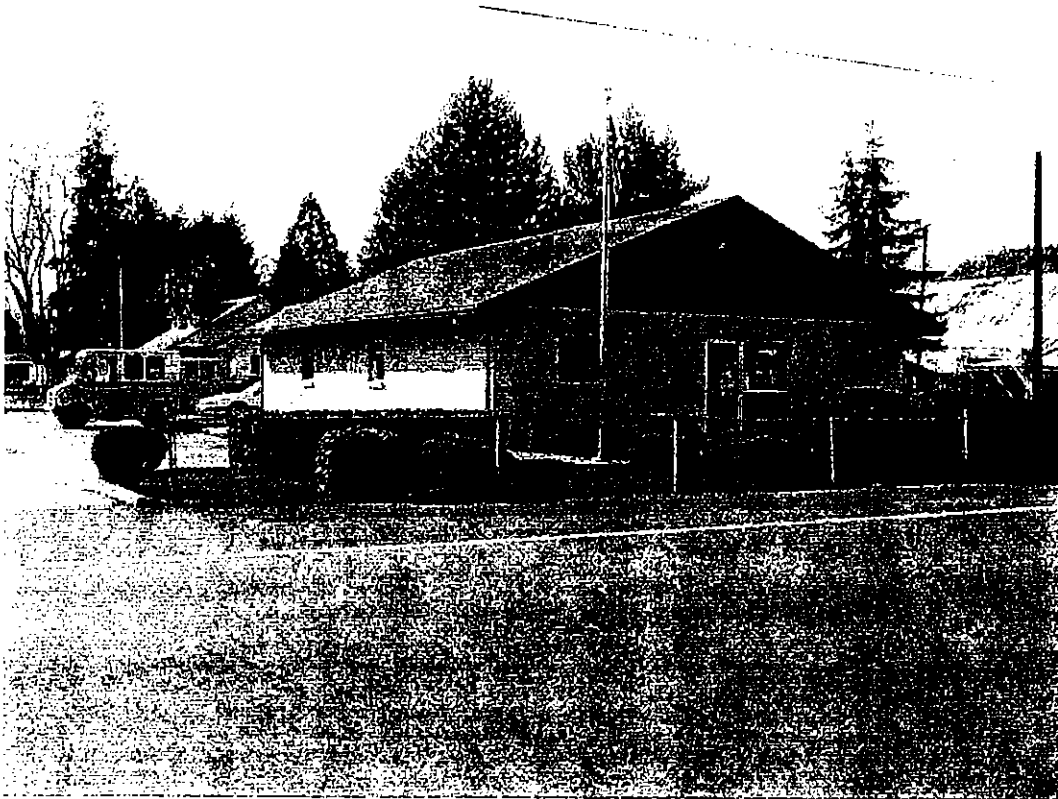
Dexter Market (General Store)



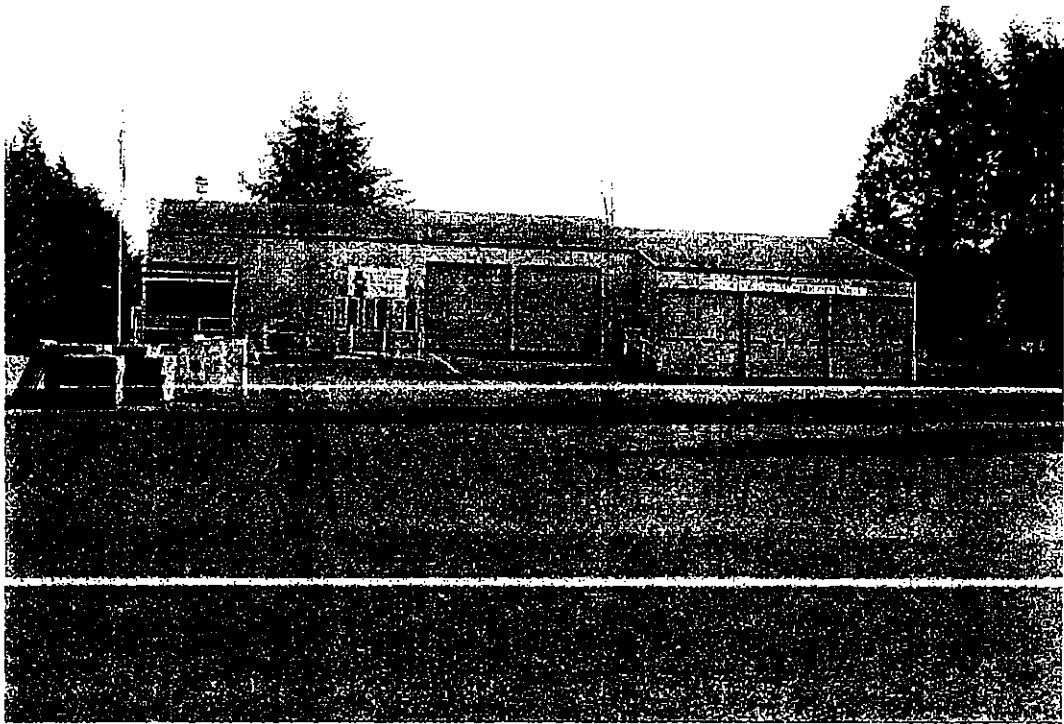
The Lakeside Clinic



U. S. Post Office



Dexter Rural Fire Protection District – Station #1



Cascade Foothills Library (Dexter Library)



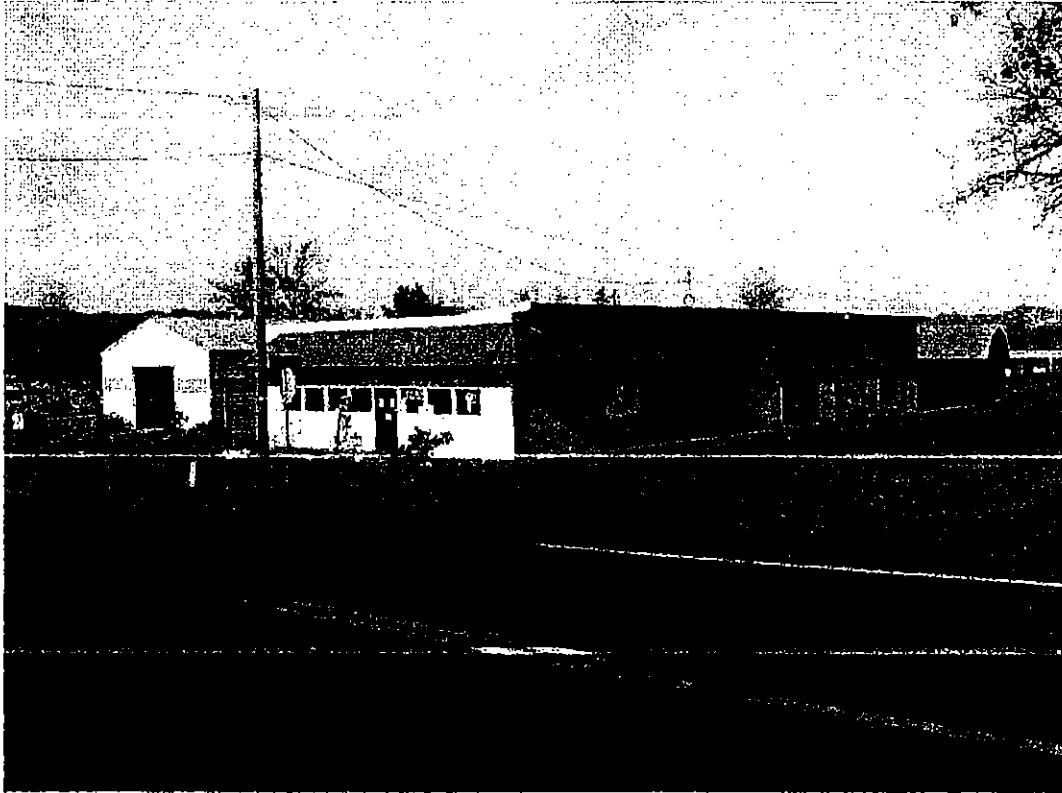
Dexter Liquor & Video



The Buckhorn Tavern



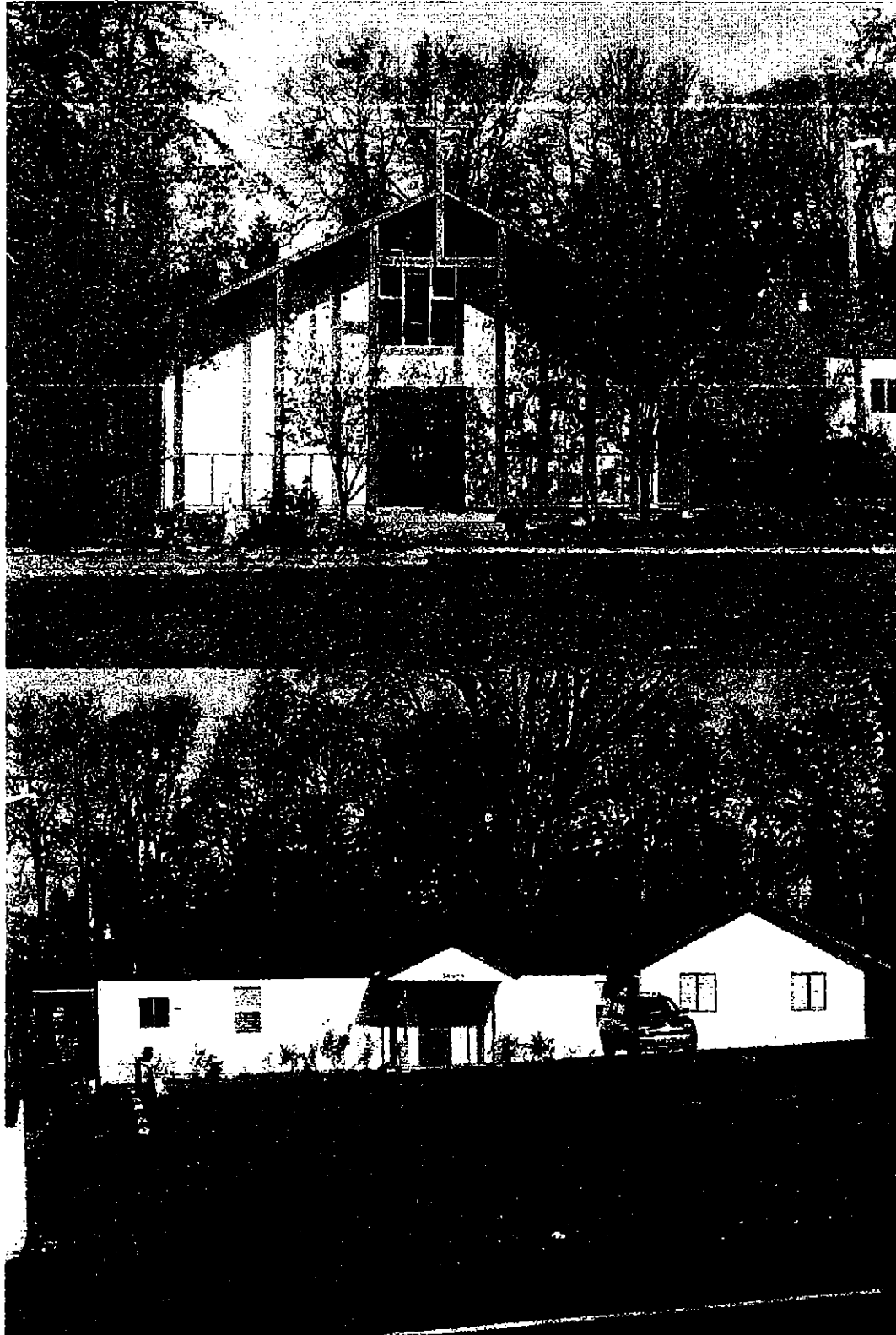
Dexter Hardware



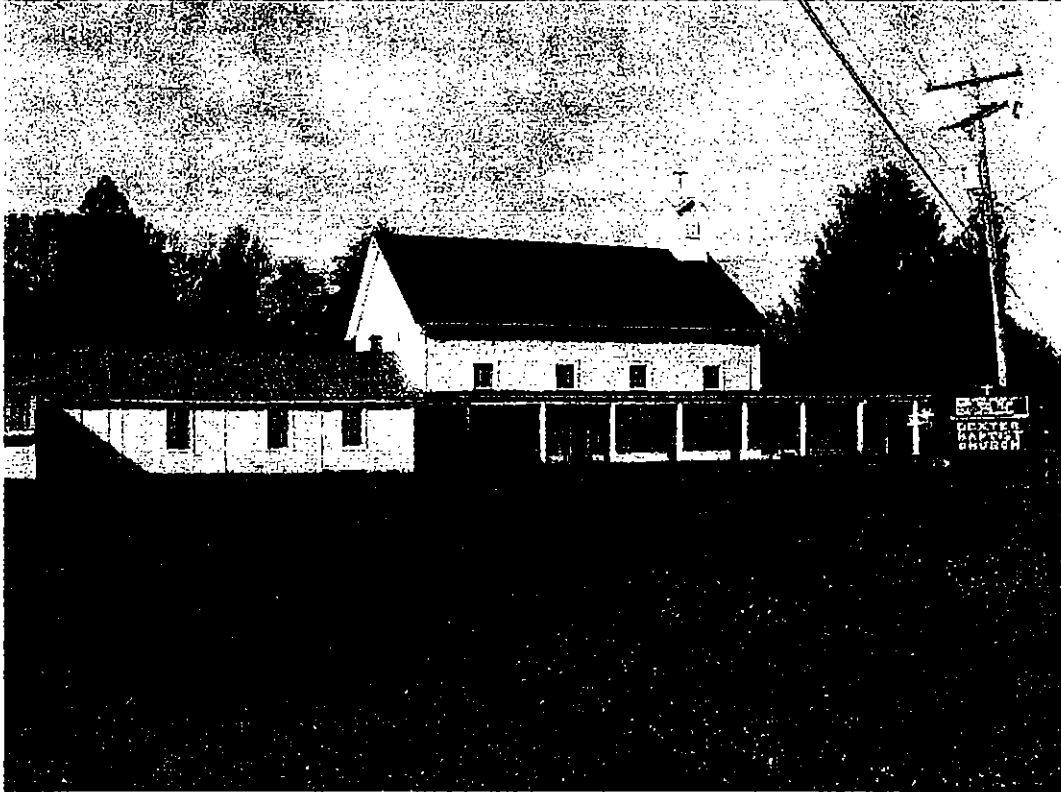
Dexter Lake Club – Café



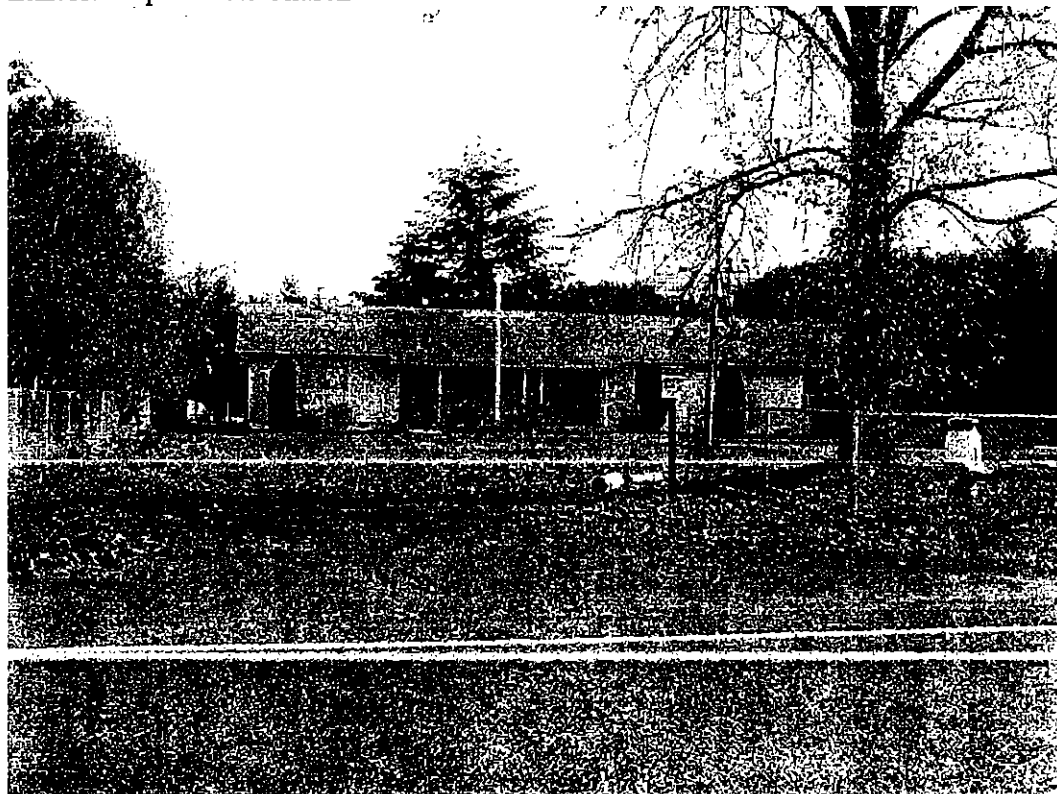
Saint Henry's Catholic Church



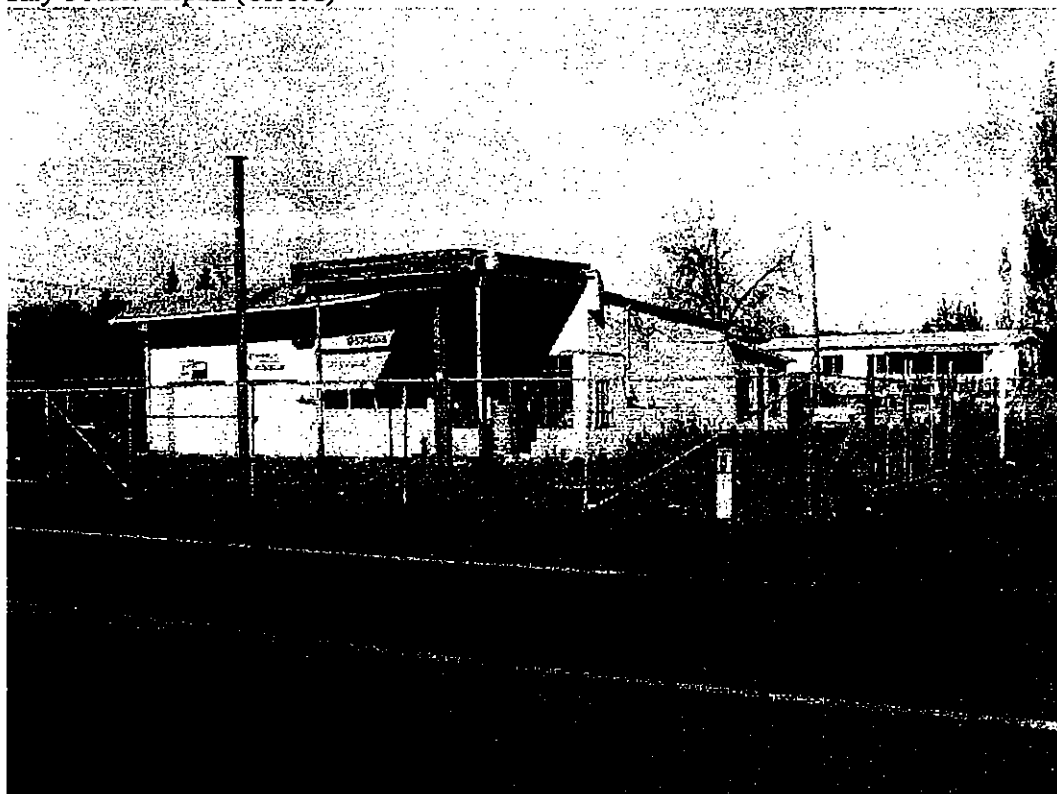
Dexter Baptist Church (west of Community #518)



Lakeside Open Bible Church



Ray's Auto Repair (Closed)



Dexter Sanitary District Facility and Drainfield (Dexter Park U.S. reservation)



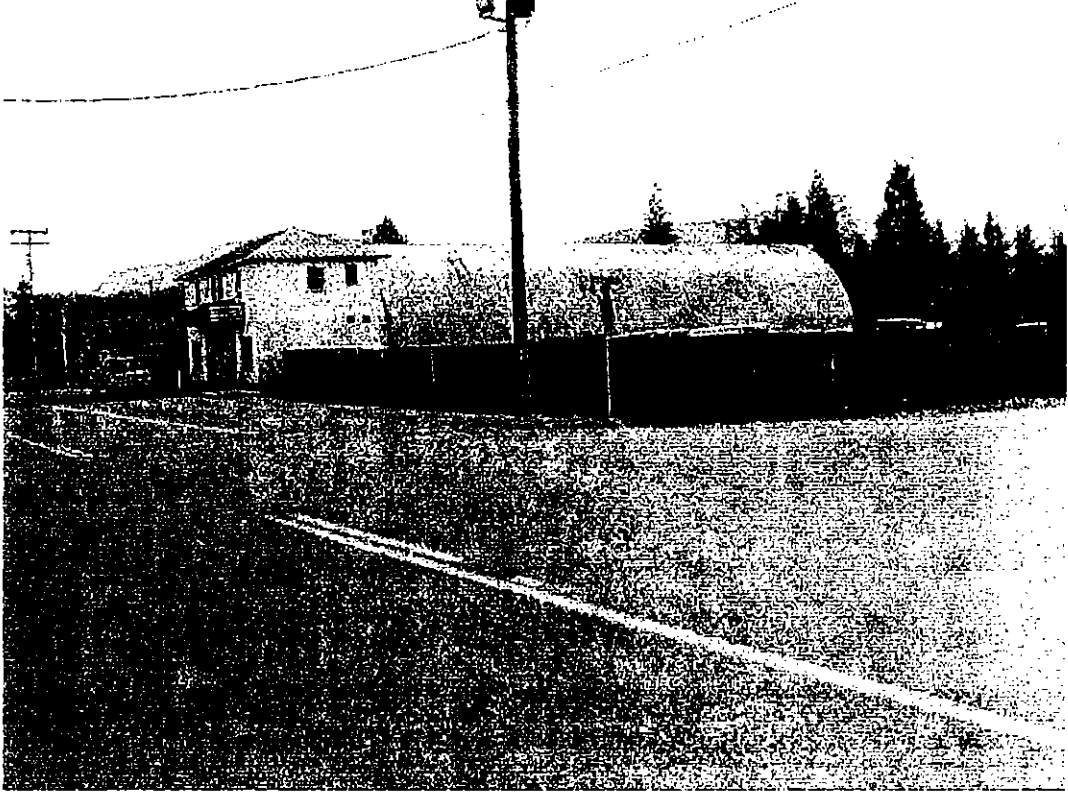
Dexter Sanitary District facility and drainfield (Dexter Park -- U.S. reservation)



Dexter Sanitary District – pump station (west of Hwy 58, north of Dexter Road)



Old Theatre – (closed business site)



6. Attachments

This report is essentially a summary of a number of separate and related actions by Lane County to comply with the referenced Tasks of the Work Program and to implement changes in the rural communities that were intended to foster citizen's individual and community visions. It serves as the Planning Commission's findings and conclusions on the FY 2002-2003 Work Program accomplishments in conformity with the *Unincorporated Community Rule*. Attachments to this report include:

- A. Official Plan Diagrams for unincorporated communities.
 - Coast Fork - Willamette Watershed:
 - Goshen: Plots 413-1, 414-1, 426-3, 427-2
 - Saginaw: Plot 403-1, 403-2 (proposed)
 - London: Plot 375-1
 - Dorena: Plot 509-1
 - Culp Creek: Plots 509-2, 520-1, 532-1
 - Middle Fork - Willamette Watershed:
 - Pleasant Hill: Plots 449-1, 460-1, 473-1 (proposed)
 - Jasper: Plot 483-1
 - Trent: Plot 506-1
 - Fall Creek: Plot 527-1
 - Dexter: Plot 529-1
- B. Official Zoning Diagrams for unincorporated communities.
 - Coast Fork - Willamette Watershed:
 - Goshen: Plots 413-1, 414-1, 426-3, 427-2
 - Saginaw: Plots 403-1, 403-2 (proposed)
 - London: Plot 375-1
 - Dorena: Plot 509-1
 - Culp Creek: Plots 509-2, 520-1, 532-1
 - Middle Fork - Willamette Watershed:
 - Pleasant Hill: Plots 449-1, 460-1, 473-1 (proposed)
 - Jasper: Plot 483-1
 - Trent: Plot 506-1
 - Fall Creek: Plot 527-1
 - Dexter: Plot 529-1
- C. Inventory of Rural Industrial (RI), Rural Commercial (RC), and Rural Public Facility (RPF) properties in:
 - Coast Fork – Willamette River Watershed (Excel spread sheet)
 - Middle Fork – Willamette River Watershed (Excel spread sheet)
- D. Index Map of Official Plan and Zoning Plots in Lane County.
- E. Rural Residential Zone (RR, RCP) Lane Code 16.290
- F. Rural Commercial Zone (RC, RCP) Lane Code 16.291
- G. Rural Industrial Zone (RI, RCP) Lane Code 16.292
- H. Rural Public Facility Zone (RPF, RCP) Lane Code 16.294
- I. Rural Parks & Recreation Zone (RPR, RCP) Lane Code 16.295

W. S. F.

AGENDA COVER MEMO

DATE: June 1, 2005

TO: LANE COUNTY BOARD OF COMMISSIONERS

**FROM : KENT HOWE, LANE COUNTY PLANNING DIRECTOR
LAND MANAGEMENT DIVISION**

ORDINANCE NO. PA 1221 -- IN THE MATTER OF AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN POLICIES TO CLARIFY AND PROVIDE GREATER FLEXIBILITY FOR PUBLIC SAFETY SERVICE DELIVERY IN THE EUGENE/SPRINGFIELD METROPOLITAN AREA (METRO PLAN, *GROWTH MANAGEMENT, POLICY 15*).

I. MOTION:

Move approval of Ordinance No. PA 1221.

II. ISSUE OR PROBLEM

The Board of County Commissioners initiated a Eugene/Springfield Metro Plan (*Metro Plan*) amendment (Order 04-8-25-8) to Chapter II Growth Management Policy 15 that would provide greater flexibility for public safety service delivery in the Eugene/Springfield Metro Area.

On April 19, 2005, the Joint Elected Officials conducted a public hearing on this matter. On May 16, 2005, the Springfield City Council, by a 3 – 2 vote, adopted the proposed amendment to *Metro Plan* Chapter II, Growth Management Policy 15. On May 23, 2005, the Eugene City Council, by a 5-4 vote, voted to deny the proposed amendment.

Deliberations on Ordinance No. PA 1221 are scheduled for the Board of County Commissioners on June 1, 2005. Attached, to assist you in your deliberations, are Ordinance No. PA 1221 Exhibit A, which contains the revised language addressing payment for the effects of full compression loss to taxing districts, the Ordinance adopted by the Springfield City Council, and the motion passed by the Eugene City Council.

ATTACHMENTS:

1. Ordinance No. PA 1221 Exhibit A
2. Ordinance adopted by the Springfield City Council
3. Motion passed by the Eugene City Council

Ordinance No. PA 1221 - Exhibit A

Amend the Metro Plan, *Growth Management, Policy 15* to add a new subsection "f." (existing Metro Plan page II-B-5/Periodic Review revised Metro Plan page II-C-5) to read as follows:

"15. Creation of new special service districts or zones of benefit within the Plan Boundary of the *Metro Plan* shall be considered only when all of the following criteria are satisfied:

- a. There is no other method of delivering public services which are required to mitigate against extreme health hazard or public safety conditions.
- b. The three metropolitan area general purpose governments concur with the proposal to form the service district or zone of benefit.
- c. The district or zone of benefit is an interim service delivery method, and there are legal assurances, such as annexation agreements, to ensure that annexation to the appropriate city occurs within the planning period.
- d. The servicing city is not capable of providing the full range of urban facilities and services in the short term, although it is recognized that urban facilities and services will be provided by a city consistent with adopted public facilities plans and capital improvement programs.
- e. The district or zone of benefit will contract with the appropriate city for interim service delivery until annexed to the appropriate city.
- f. Notwithstanding the above provisions of this policy and all other related policies and text in this Plan, a district or zone of benefit may be created and maintained to provide preventive and reactive public safety services, including but not limited to, adult and youth corrections services, crime prevention, prosecution, detention, supervision, mental health and alcohol and drug services, victim services, drug court, interagency narcotics enforcement, patrol, investigation and arrest. The district shall pay for effects of full compression loss to taxing districts, not withstanding the loss as the result of urban renewal or enterprise zones"

ORDINANCE NO. 6129

AN ORDINANCE AMENDING THE EUGENE-SPRINGFIELD METROPOLITAN AREA GENERAL PLAN (METRO PLAN) TO CLARIFY AND PROVIDE GREATER FLEXIBILITY FOR PUBLIC SAFETY SERVICE DELIVERY IN THE EUGENE-SPRINGFIELD METROPOLITAN AREA (METRO PLAN, *GROWTH MANAGEMENT. POLICY 15*).

WHEREAS, on August 25, 2004, the Lane County Board of Commissioners initiated an amendment to the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) Growth Management Policy 15 to clarify and provide greater flexibility for public safety service delivery to the citizens of the Eugene-Springfield metropolitan area within the Metro Plan boundary; and

WHEREAS, Chapter IV of the Metro Plan sets forth procedures for amendment, which for Springfield are implemented by the provisions of Article 7 METRO PLAN AMENDMENTS of the Springfield Development Code; and

WHEREAS, the current Metro Plan, as adopted in 1982 and subsequently amended, contains fundamental principles and growth management policies in Chapter II that apply to the delivery of public services to the citizens of the metropolitan area, including policies applicable to the creation of new special service districts; and

WHEREAS, the proposed amendment to Metro Plan, *Growth Management, Policy 15* would allow the creation of a special service district providing public safety services within the Metro Plan boundary and clarify the distinction between services provided by the cities to accommodate "urban levels of development" and the described public safety services traditionally provided by Lane County; and

WHEREAS, following a joint public hearing with the Eugene and Lane County Planning Commissions on February 1, 2005, the Springfield Planning Commission recommended adoption to the Springfield City Council of the proposed amendment to provide flexibility for basic, on-going county public safety services provided that this amendment was limited to a single countywide public safety district, by action taken at the continued hearing held by the Planning Commission on March 1, 2005; and

WHEREAS, the Eugene planning commission recommended adoption by the Eugene City Council of the proposed Metro Plan amendment with revisions to make it clear that the policy would apply to a single countywide public safety service district; and

WHEREAS, the Lane County planning commission recommended adoption of the proposed Metro Plan amendment without change to the Lane County Board of Commissioners; and

WHEREAS, the City Council has conducted a public hearing jointly with the Eugene City Council and the Lane County Board of Commissioners on April 19, 2005,

and is now ready to take action based upon the above recommendations and the evidence and testimony already in the record as well as the evidence and testimony presented at the public hearing held in the matter of amending the Metro Plan.

NOW THEREFORE, the Common Council of the City of Springfield does ordain as follows:

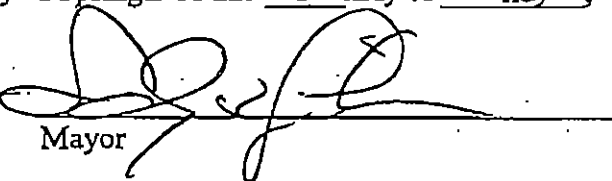
Section 1: The Metro Plan Growth Management Policy, Policy 15 is hereby amended by addition of subsection "F" as set forth in Exhibit "A" attached and incorporated herein, which new sub section is hereby adopted as an amendment to the Metro Plan.

Section 2: If any section, subsection, sentence, clause, phrase or portion of the Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3: Notwithstanding the effective date of ordinances as provided by Section 2.110 of the Springfield Municipal Code 1997, this Ordinance shall become effective 30 days from the date of passage by the City Council and approval by the Mayor, or upon the date of its acknowledgement as provided by ORS 197.625, whichever date is later, provided that by that date the Eugene City Council and the Lane County Board of Commissioners have adopted ordinances containing identical provisions to those described in Section 1 above of this Ordinance.

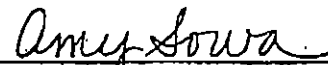
Adopted by the Common Council of the City of Springfield this 16th day of May, 2005 by a vote of 3 in favor and 2 against. (1 absent)

Approved by the Mayor of the City of Springfield this 16th day of May, 2005.



Mayor

ATTEST:



City Recorder

REVIEWED & APPROVED
AS TO FORM

2005-12-14 Lority
DATE: 4/13/05
OFFICE OF CITY ATTORNEY

**Exhibit A to Ordinance amending Metro Plan Text, Growth Management Policy
15.f.**

- "f. Notwithstanding the above provisions of this policy and all other related policies and text in this Plan, a district or zone of benefit may be created and maintained to provide preventive and reactive public safety services, including but not limited to adult and youth corrections services, crime prevention, prosecution, detention, supervision, mental health and alcohol and drug services, victim services, drug court, interagency narcotics enforcement, patrol, investigation and arrest. The District shall pay for effects of full compression loss to taxing districts, notwithstanding the loss as the result of urban renewal or enterprise zones."

Motion approved by the Eugene City Council:

“I move to direct the City Manager to prepare an ordinance denying the Metro Plan amendment and to comprehensively explore with Springfield and Lane County mutually acceptable revenue-generating initiatives for restoring statutorily mandated and other prevention and intervention public safety services.”