

Lane County Planning Commission Briefing Memo



September 27, 2022

(Date of Memo)

October 4, 2022

(Date of Work Session)

TO: Lane County Planning Commission

DEPARTMENT: Public Works/Land Management Division, Planning

PRESENTED BY: Lindsey Eichner, Principal Planner
Rebecca Gershow, Senior Planner, Project Manager, City of Eugene

AGENDA ITEM TITLE: Work Session / Proposed Eugene Urban Reserves – Adoption Package Review

I. AGENDA ITEM SUMMARY

At this work session, staff will provide the Lane County Planning Commission with an overview on the Proposed Eugene Urban Reserves adoption package in preparation for a joint public hearing on October 18, 2022.

II. BACKGROUND

Staff first brought this project to the Lane County Planning Commission (LCPC) on May 15, 2018. Since the project kickoff, staff have come before the LCPC six times to present on updates and request feedback (May 15, 2018, June 5, 2018, May 21, 2019, August 4, 2020, August 18, 2020, and June 15, 2021). All of the materials and meeting recordings are published to our website:

www.lanecounty.org/LCPC

III. ACTION

No action requested; this is an update only on proposed land use policies for Urban Reserves.

A. Next Steps

The Urban Reserves project team will be bringing the complete adoption package to the Lane County and City of Eugene Planning Commissions for a joint public hearing on October 18, 2022.

IV. ATTACHMENTS

1. City of Eugene's Agenda Item Summary, dated October 4, 2022

FOR MORE INFORMATION

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AGENDA ITEM SUMMARY
October 4, 2022

To: Lane County Planning Commission

From: Rebecca Gershow, City of Eugene Planning Division

Subject: Proposed Eugene Urban Reserves-- Adoption Package Review

ISSUE STATEMENT

Lane County and City of Eugene have been working jointly on urban reserve planning since January 2018. After thorough analysis, coordination, documentation and legal review, an adoption package has been assembled and is ready for the public hearing process. At this meeting, staff will provide the Lane County Planning Commission with an update on the proposed Eugene urban reserves, including an overview of the complete adoption package developed for consideration, in advance of a joint public hearing with the Eugene Planning Commission, scheduled for October 18, 2022. No action is requested at this time.

BACKGROUND

Urban Reserves is a special status, allowed by state law, to be assigned to lands outside the urban growth boundary (UGB) that can be considered as a first priority for expansion if and when a city needs to expand its UGB for a growing population. The goal of Urban Reserves planning is to identify an appropriate supply of land for possible expansion, so that Eugene and Lane County are prepared to address Eugene's growth in a way that meets the community's needs when the time is right. It also provides landowners in the rural areas surrounding Eugene with realistic expectations when making plans for the future use of their properties. Urban reserve land is likely to become part of the City's urban growth boundary by 2059, while other land will likely remain in rural use. The process for designating urban reserves is steeped in fairly prescriptive state law.

The City and County most recently established Eugene's UGB in 2018, with enough land to meet a growing population through 2032. State laws allows for the adoption of urban reserves to meet the need for 10 to 30 years of population growth beyond Eugene's UGB. Based on direction from the Lane County Board of Commissioners and the Eugene City Council, the proposed Eugene urban reserves include enough land to meet projected needs of 27 years of growth beyond 2032, and are shown on Attachment A.

Oregon law allows cities and counties to establish urban reserves to provide more ease and certainty when UGB expansions are needed. Urban reserves are not subject to new or different regulations. They remain in their rural use, and cannot be urbanized, until the County and City include them in Eugene's UGB. Expansion of the UGB is a highly prescriptive process governed by state law that includes first looking at growth monitoring results to determine if there is a need to expand, then considering efficiency measures (such as changes to land use regulations or the addition of

development incentives) to grow more efficiently inside the current boundary, before expansion can be considered.

Lane County has been very involved in the identification of lands for Urban Reserves. Lane County staff serve on the Urban Reserves Project Management Team. Collectively, staff has met with the Lane County and Eugene Planning Commissions, City Council, and Lane County Board of Commissioners twenty-two times since the project began. Other project partners include Envision Eugene Technical Advisory Committee (EETAC) and a diverse list of interested parties.

Lane County residents that may be affected by this proposal have also been involved. The project's public engagement has included:

- Project [web page](#)
- Monthly e-newsletter
- Five in-person public meetings primarily for study area (County) residents
- A month-long virtual open house (from June 26-July 26, 2020) with over 1,500 visitors
- Four rounds of postcards mailed to all residents within the Urban Reserves study area
- Emails to project interested parties providing updates at various times over the project phases
- Three interactive GIS story maps
- Mailed notice of the Joint Planning Commission Public Hearing to 4,000 households

Please see the **Eugene Urban Reserves Public Engagement Summary (Exhibit F, Appendix 1)** for a full description of project engagement.

EUGENE URBAN RESERVES PROCESS

Urban Reserves planning has been organized into five phases; each building on the previous one, as shown below, and all of which entailed public engagement. The project is now in the last phase, the formal adoption process.



Following is a brief summary of work to date on Urban Reserves:

1. Technical Analysis

The Technical Analysis phase was a multi-step process focused on developing a study area, identifying the amount of land needed for Urban Reserves; identifying land in the study area that has the attributes needed to make it developable at urban levels; and determining how many homes or jobs could be accommodated on that developable land.

2. Suitability Analysis

While state and local policies provide guidance for where to grow, there is no ‘perfect’ area for Eugene to grow into. All areas have trade-offs. The purpose of the suitability analysis was to consider and balance a list of factors, prescribed by state rules, then dismiss land that would be unsuitable for urban development. The analysis went through multiple rounds of review by City and County staff, service providers, and the Envision Eugene Technical Advisory Committee (EETAC).

3. Option Development and Direction

Land identified as potentially suitable for Urban Reserves was then considered for inclusion based on its land classification, with non-farm and non-forest land (such as rural residential, industrial and commercial and marginals lands) being prioritized over high-value farm and forest land, per state law. Since State law allows the County and City to plan for between 10 and 30 years of population growth, several options were developed and refined with the help of the Envision Eugene Technical Advisory Committee and input from the general public and moved forward to decision-makers: the largest possible Urban Reserve size (30-year), the smallest possible Urban Reserve size (10-year) and two options in between that protect the highest-class soils.

After receiving recommendations from the Lane County Planning Commission and the Eugene Planning Commission, the Eugene City Council (on [October 21, 2020](#)), and the Lane County Board of Commissioners (on [November 10, 2020](#)), both passed motions to begin a public review and adoption process to consider the establishment of Urban Reserves as described in the 27-year option, which falls three years short of the maximum allowed planning period (30-years) because this option preserves the highest value farmland and additional properties with higher value soils. Specifically, this 27-year option allows the County and City to exclude from urban reserves otherwise suitable lands that are agricultural properties with predominant Class 1 soil and the directly adjacent agricultural properties with predominant Class 2 soil.

4. Formal Adoption Process

After receiving direction to proceed as described above, work began on developing the adoption package, including a very in-depth review of the initial suitability analysis, documenting compliance with state law and local code and policies, drafting plan amendments, developing legally required intergovernmental agreements (IGAs) between service providers, Lane County and City of Eugene, writing legal findings, and summarizing the project’s public engagement and technical analysis.

On September 13, 2022, the County and City sent the Department of Land Conservation Development formal notice of the planning commissions’ hearing on the proposed urban reserves. Following, on September 16, 2022, a Notice of the Joint Planning Commission Public Hearing was mailed to almost 4,000 owners or residents of property within or partially within the proposed urban reserves, nearby the proposed urban reserves, within the initial study area, and other interested parties. Testimony received in response to the public notice will be forwarded to the Planning Commissions in advance of the public hearing.

A complete adoption package has been assembled for the Lane County and City of Eugene Planning Commissions for review and recommendations, before proceeding to the Board of Commissioners and City Council for their consideration, including a joint public hearing and separate actions.

The **components of the Urban Reserves adoption package** specific to Lane County are attached to this memo by links and include:

- Draft Lane County **Ordinance** establishing urban reserves for the City of Eugene
- **Plan Amendments** related to establishment of Eugene urban reserves and regulation of land within Eugene urban reserves until it is brought into Eugene's urban growth boundary
 - Eugene-Springfield Metropolitan Area Plan Amendments
 - Lane County Rural Comprehensive Plan Amendments
 - Eugene-Springfield Metropolitan Area Public Facilities and Services Plan Amendments
 - Envision Eugene Comprehensive Plan
- **Intergovernmental Agreements** regarding coordinated planning between Lane County, City of Eugene and service providers within the proposed urban reserves
- **Legal Findings** in support of the establishment of Eugene urban reserves, including the following:
 - Eugene Urban Reserves **Public Engagement Summary**
 - Eugene Urban Reserves **Study**
 - Eugene Urban Reserves Suitability Analysis Subarea Reports (18 reports)
 - Eugene Urban Reserves Serviceability Analysis Report
 - Eugene Urban Reserves **Technical Memo**
 - Eugene Urban Reserves Land Need Model
 - Eugene Urban Reserves Map Documentation of Undevelopable Land
 - List of Tax Lots Within the Eugene Urban Reserves

Eugene will consider adoption of the same exhibits, except for the Rural Comprehensive Plan amendments.

Staff welcomes questions on any component of the adoption package (outlined above). We anticipate that the Lane County Planning Commission will be most interested in the way in which urban reserves land is regulated, prior to its inclusion in the Eugene UGB. This is addressed in the Proposed Plan Amendments.

As previously discussed with the Lane County Planning Commission at a work session on June 15, 2021, the State rules require Lane County to take measures to “ensure that development and land divisions in exception areas and nonresource lands will not hinder the efficient transition to urban land uses and the orderly and efficient provision of urban services.” To accomplish this, the following policies are proposed for inclusion in the Eugene-Springfield Metropolitan Area Plan and Lane County Rural Comprehensive Plan:

- *The areas identified as Eugene urban reserves on the Eugene Urban Reserves map adopted as part of the Metro Plan and the Lane County Rural Comprehensive Plan shall be given priority*

consideration, consistent with Oregon law, for inclusion within the Eugene UGB when a UGB expansion is considered. (Metro Plan Policy 32, RCP Policy 18)

- *Lane County shall continue to allow the siting of a single-family dwelling on a lawfully established unit of land after it has been included in Eugene urban reserves if the County's regulations would have allowed the single-family dwelling on the land prior to the land's inclusion in Eugene urban reserves. (Metro Plan Policy 33, RCP Policy 19)*
- *Lane County shall continue to plan and zone land identified as Eugene urban reserves for rural uses and shall do so in a manner that ensures a range of opportunities for the orderly, economic and efficient provision of urban services and that will not hinder the efficient transition to urban land uses when these lands are included in the Eugene urban growth boundary as follows:*
 - *Lane County shall not approve a change to its plans, land use code or zoning that would allow a more intensive use (including a higher residential density) on exception or nonresource land that is included in Eugene urban reserves than the use allowed on that land before the land was included in Eugene urban reserves. (Metro Plan Policy 34 a, RCP Policy 28 a)*
 - *Lane County shall not approve a change that would allow resource land that is included in Eugene urban reserves to be rezoned or redesignated to a non-resource zone or designation, except for land awarded state or federal investment for the development of rail-related infrastructure near existing railways. (Metro Plan Policy 34 b, RCP Policy 28b)*
- *Eugene, in coordination with Lane County, shall initiate a review of the sufficiency of Eugene's urban reserves no later than 10 years after Eugene's first UGB expansion following the initial adoption of urban reserves. (Metro Plan Policy 35)*

No development code amendments are proposed.

PLANNING COMMISSION ROLE

The Lane County Planning Commission has already had an important role throughout the project. At this stage, the commission's role is to review the proposal, participate in a public hearing and make a recommendation on the adoption package to the Lane County Board of Commissioners.

NEXT STEPS

A joint public hearing with the Eugene Planning Commissions on the Eugene urban reserves adoption is scheduled for October 18, 2022. Lane County Planning Commission deliberations and recommendation to the Lane County Board of Commissioners is scheduled for November 15, 2022.

Following the completion of planning commission recommendations, the Lane County Board of Directors and the Eugene City Council will hold a joint public hearing and take subsequent action.

ATTACHMENTS

A. Map of Proposed Eugene Urban Reserves

B. Links to Ordinance and Exhibits:

- [Lane County Ordinance](#)
- [Exhibit A-1: Amendments to Eugene-Springfield Metropolitan Area General Plan](#)
- [Exhibit A-2: Amendments to Eugene-Springfield Metropolitan Area General Plan – Eugene Urban Reserves \(Digital Map\)](#)
- [Exhibit B: Amendments to Envision Eugene Comprehensive Plan](#)
- [Exhibit C: Amendments to Eugene-Springfield Metropolitan Area Public Facilities and Services Plan](#)
- [Exhibit D: Intergovernmental Agreements](#)
- [Exhibit E: Amendments to Lane County Rural Comprehensive Plan](#)
- [Exhibit F: Findings in Support of the Establishment of Urban Reserves for the City of Eugene](#)
 - [Exhibit F: Findings, Appendix 1 – Public Engagement Summary](#)
 - [Exhibit F: Findings, Appendix 2 – Eugene Urban Reserves Study](#)

Exhibit F Findings Appendix 2a – Study Suitability Analysis Subarea Reports:

[1 – Game Farm](#)

[2 – McKenzie](#)

[3 – Beacon River Loop](#)

[4 – Awbrey](#)

[5 – Highway 99](#)

[6 – Airport North](#)

[7 – Airport](#)

[8 – Clear Lake](#)

[9 – Airport South](#)

[10 – Royal](#)

[11 – Fisher](#)

[12 – West 11th / Greenhill](#)

[13 – Crow](#)

[14 – Bailey / Gimpl Hill](#)

[15 – Crest / Chambers](#)

[16 – South Willamette / Fox Hollow](#)

[17 – Dillard](#)

[18 – Russel Creek](#)

- [Exhibit F: Findings, Appendix 3 – Serviceability Analysis Report](#)
- [Exhibit F: Findings, Appendix 4 – Technical Memo](#)
- [Exhibit F: Findings, Appendix 4a – Land Need Model](#)
- [Exhibit F: Findings, Appendix 4b – Map Documentation of Undevelopable Land](#)
- [Exhibit F: Findings, Appendix 5 – Tax Lots Within the Eugene Urban Reserves](#)

FOR MORE INFORMATION

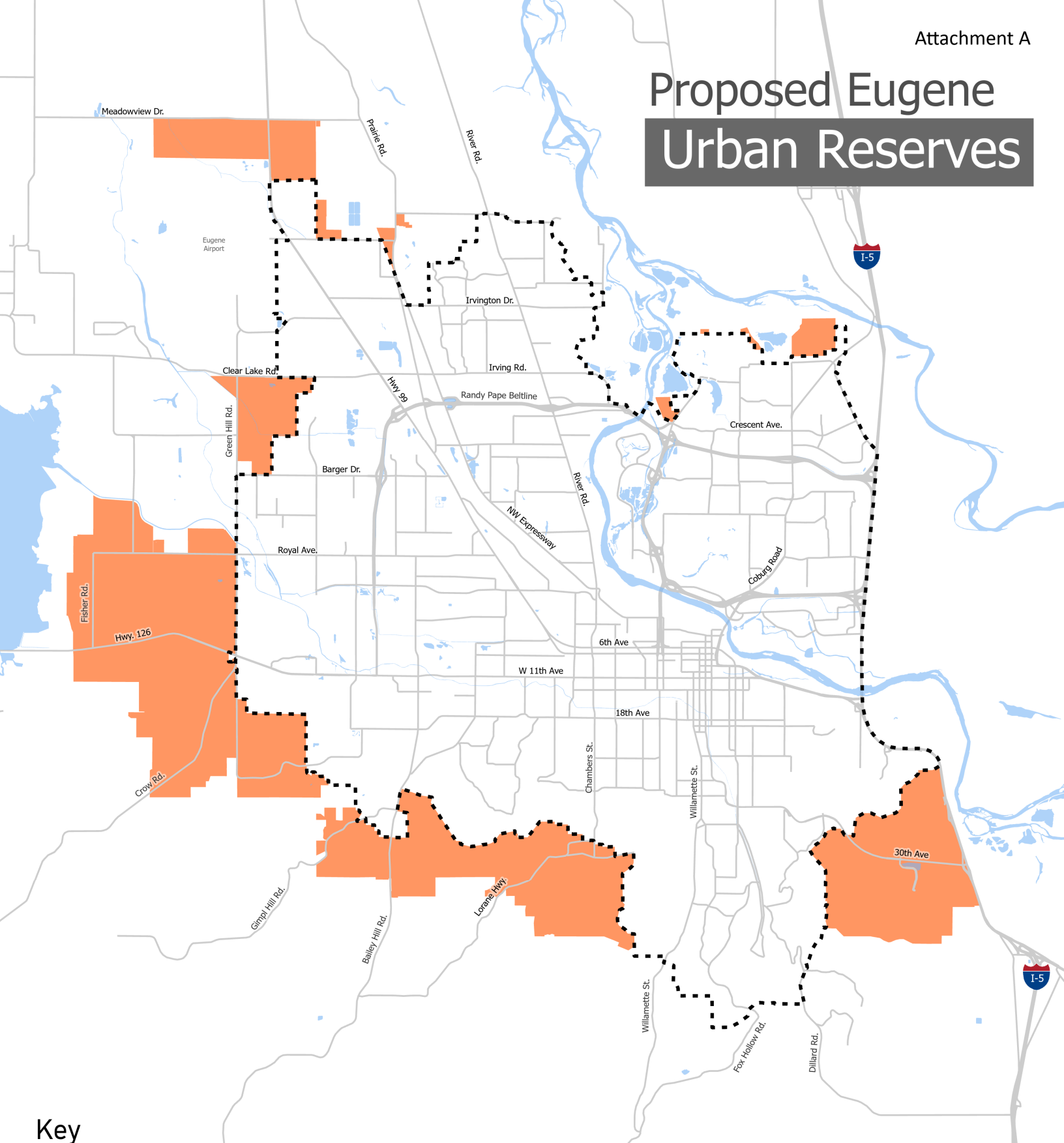
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Project page: <https://www.eugene-or.gov/Urban-Reserves>

Proposed Eugene Urban Reserves



Key

- Eugene Urban Reserves
- Eugene Urban Growth Boundary
- Rivers and Waterways
- Roads

The Eugene urban reserves boundary aligns with tax lot lines from November 2018. Tax lot boundaries may shift slightly over time, but the Eugene urban reserves boundary will remain static. There is some imprecision in how tax lot lines are shown; if you would like clarification on whether your property is included in Eugene urban reserves, please reach out to staff at UrbanReserves@eugene-or.gov.

The dataset was compiled relative to numerous data sources (e.g. tax parcel boundaries) and the quality may be variable. Boundaries on the map represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. This map is not suitable for legal, engineering, or surveying purposes and in no way attempts to predict, determine, or require what happens on individual lots.

0 0.5 1 2 Miles

