



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/25/2011

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Lane County Plan Amendment
DLCD File Number 001-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, August 08, 2011

This amendment was not submitted to DLCD for review prior to adoption pursuant to OAR 660-18-060, the Director or any person is eligible to appeal this action to LUBA under ORS 197.830 to 197.845.

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Mark Rust, Lane County
Jon Jinings, DLCD Community Services Specialist

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FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
STAMP

DEPT OF

JUL 19 2011

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Lane County**

Local file number: **Ord. No. PA 1260**

Date of Adoption: **5/4/2011**

Date Mailed: **7/15/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Amendment to Functional Plan**

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amendments to the City of Springfield Public Facilities and Services Plan, a functional plan of the adopted Metro Plan. The amendments update and revise the lists and maps of significant stormwater projects. The City of Springfield unilaterally adopted amendments to this plan for project only impacting areas inside the city limits. This amendment includes projects outside the city limits. The Cities local project number is LRP 2008-00016.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Lane County

Local Contact: **Mark Rust, AICP, Associate Planner** Phone: **(541) 682-4541** Extension:
Address: **125 E. 8th Avenue** Fax Number: - -
City: **Eugene** Zip: **97401-** E-mail Address: **mark.rust@co.lane.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

Ordinance No. PA 1260) In The Matter Of Amending The Eugene-Springfield
) Metropolitan Area General Plan (Metro Plan) Consistent With
) Policy G.3 In Chapter III, Section G, Public Facilities And
) Services Element; Amending Table 6, Table 18, Table 19, Map 3
) And Map 8 Of The Public Facilities And Services Plan (PFSP);
) And Adopting Savings And Severability Clauses (Metro Plan
) Amendment) (Applicant; Springfield)

WHEREAS, Chapter IV of the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* sets forth procedures for amendment of the Metro Plan, which for Lane County are implemented by provisions of Lane Code 12.200 through 12.245; and

WHEREAS, the *Metro Plan* identifies the *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (Public Facilities and Services Plan)* as a refinement plan that forms the basis for the *Public Facilities and Services Element* of the *Metro Plan* and guides the provision of public facilities and services in the metropolitan area; and

WHEREAS, the *Public Facilities and Services Plan* serves the goals, objectives and policies of the *Metro Plan* by addressing the provision of public facilities and services within the urban growth boundary (UGB), services to areas outside the UGB, locating and managing public facilities outside the UGB, and financing public facilities; and

WHEREAS, the current *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan*, adopted in 2001 and amended in 2004, 2006 and 2008, is in need of modification to update the significant stormwater management projects that have been completed, eliminated, or re-configured as detailed in the City of Springfield's adopted *Stormwater Facility Master Plan*; and

WHEREAS, at the conclusion of a joint public hearing with the Springfield Planning Commission on June 30, 2009, both the Lane County and Springfield planning commissions recommended the *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan*, Table 6, Table 18, Table 19, Map 3 and Map 8, be amended to reflect completed, eliminated and modified stormwater management projects, and that these same amendments be adopted into the *Eugene-Springfield Metropolitan Area General Plan* consistent with Policy G.3, Chapter III, Section G *Public Facilities and Services Element* of the *Metro Plan*; and

WHEREAS, the Board of County Commissioners has conducted a public hearing 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 *Public Facilities and Services Plan* and the *Metro Plan*.

FILED

MAY 19 2011

COUNTY CLERK
 BY

NOW, THEREFORE, the Board of County Commissioners of Lane County ordains as follows:

Section 1. The Eugene-Springfield Metropolitan Area Public Facilities and Services Plan (PFSP) is modified and amended to insert the map (Maps 3 and 8) and table (Tables 6, 18 and 19) changes or additions as set forth in Exhibit A (maps) and B (tables) attached and incorporated herein, which amendments are hereby adopted.

Section 2. The *Public Facilities and Services Element* (Section III-G) of the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* is further modified and amended consistent with Policy G.3 to include the modifications and amendments to the PFSP Tables 6, 18 and 19, and Maps 3 and 8 as set forth in Exhibits A and B attached and incorporated herein, which amendments are hereby also adopted as part of the *Metro Plan*. Project timing and estimated costs are not adopted as policy.

FURTHER, although not part of the Ordinance, the Board of County Commissioners adopts the findings set forth in the attached Exhibit "C" in support of this action.

The prior designations and provisions repealed by this Ordinance shall remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.

If any section, subsection, sentence, clause, phrase or portion of this 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.

ENACTED this 4th day of MAY, ²⁰¹¹~~2009~~

Faye Stett

Chair, Lane County Board of Commissioners

Melissa A. Z...

Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 7-1-2009 Lane County

Stephen J. Washburn
OFFICE OF LEGAL COUNSEL

Map 3

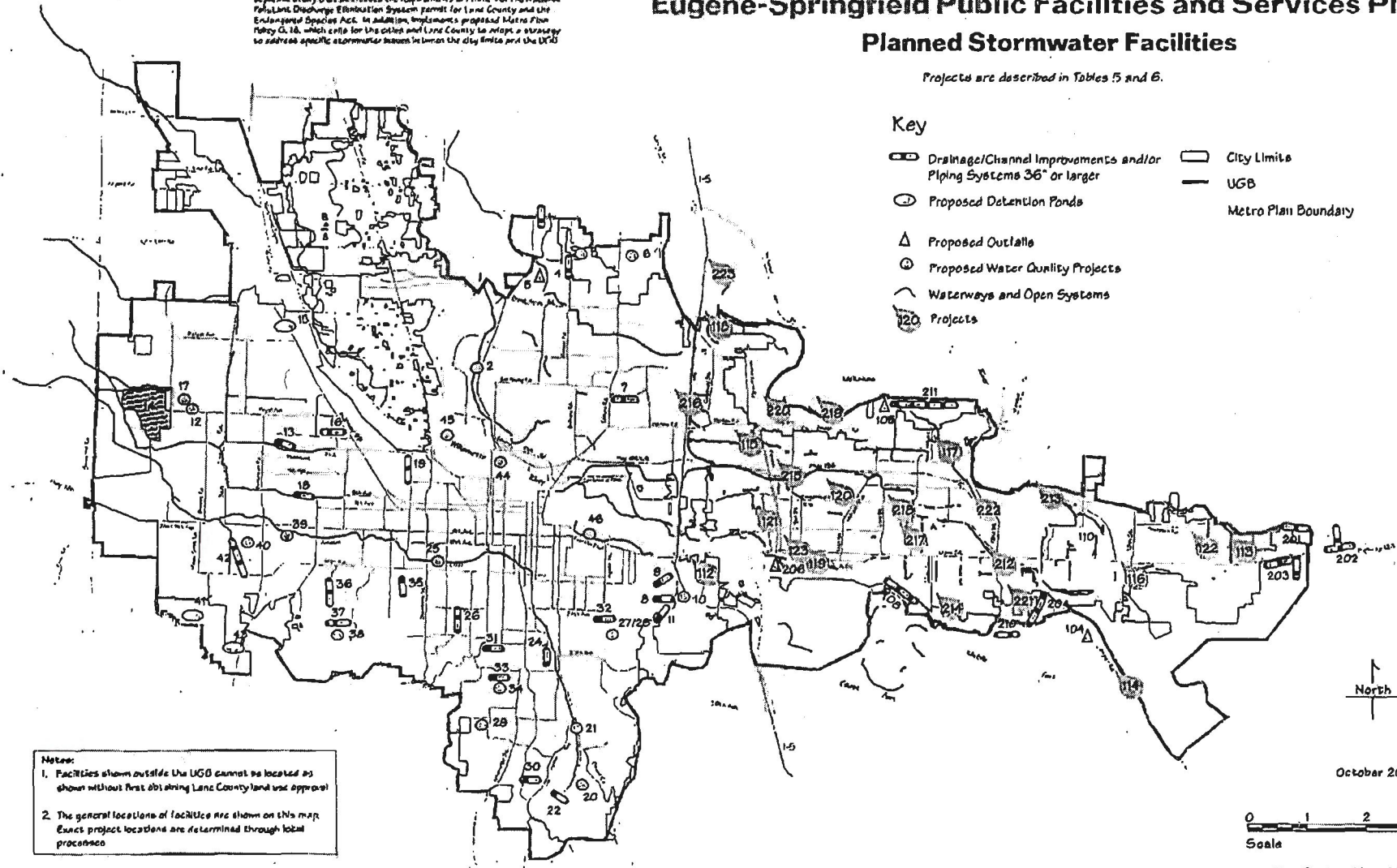
Eugene-Springfield Public Facilities and Services Plan Planned Stormwater Facilities

Projects are described in Tables 5 and 6.

Stormwater projects for this area will be identified through a separate study that addresses the requirements of Phase V of the National Pollutant Discharge Elimination System permit for Lane County and the Endangered Species Act. In addition, implement proposed Metro Plan Policy G.16, which calls for the cities and Lane County to adopt a strategy to address specific stormwater issues between the city limits and the UGB.

Key

- Drainage/Channel Improvements and/or Piping Systems 36" or larger
- Proposed Detention Ponds
- Proposed Outfalls
- Proposed Water Quality Projects
- Waterways and Open Systems
- 120 Projects
- City Limits
- UGB
- Metro Plan Boundary



- Notes:
1. Facilities shown outside the UGB cannot be located as shown without first obtaining Lane County land use approval.
 2. The general locations of facilities are shown on this map. Exact project locations are determined through local processes.

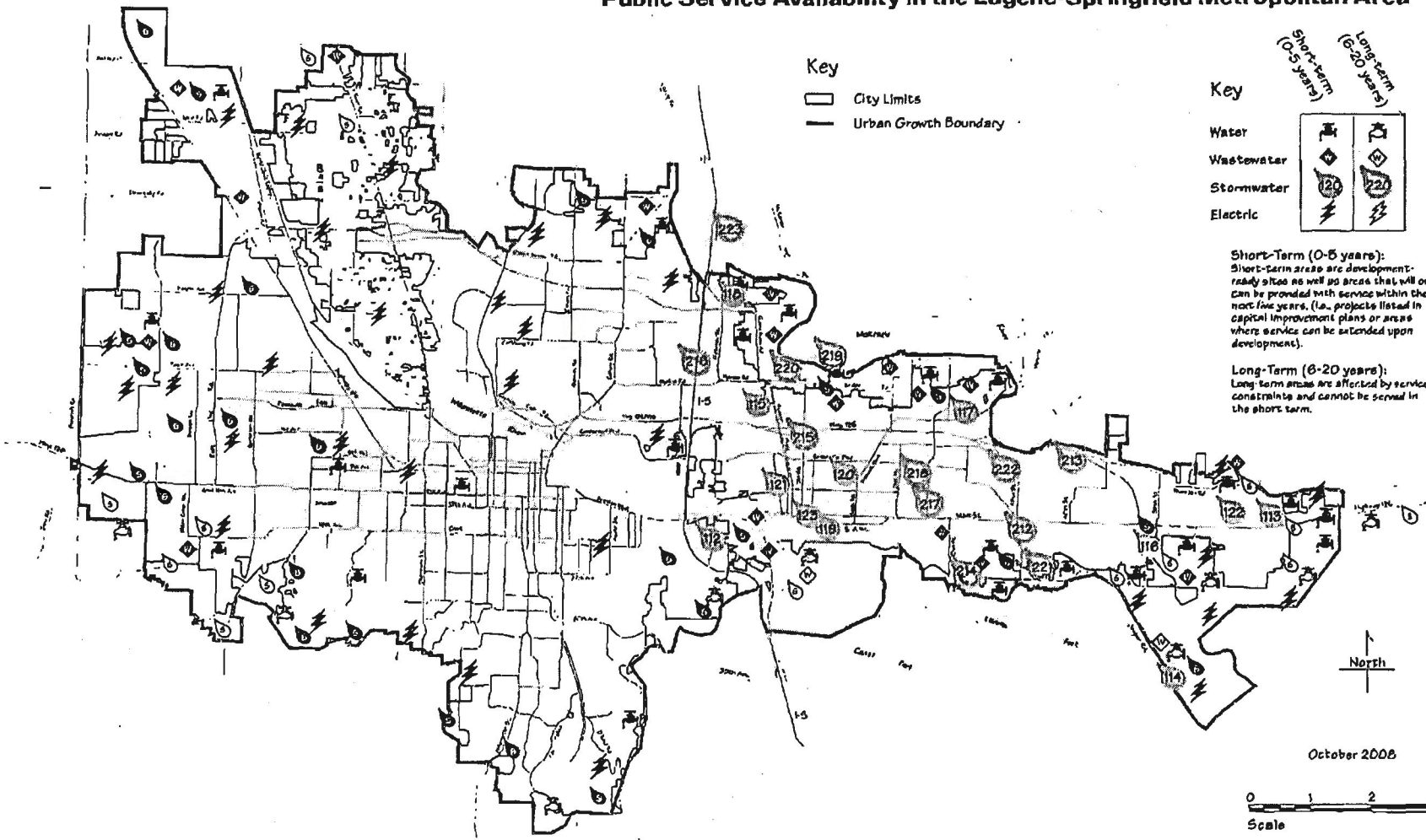
October 2008

0 1 2 3 miles
Scale

Map Produced by LCOG

Exhibit A

Map 8
Eugene-Springfield Public Facilities and Services Plan
Public Service Availability in the Eugene-Springfield Metropolitan Area



Short-Term (0-5 years):
Short-term areas are development-ready sites as well as areas that will or can be provided with service within the next five years. (i.e., projects listed in capital improvement plans or areas where service can be extended upon development).

Long-Term (6-20 years):
Long-term areas are affected by service constraints and cannot be served in the short term.

Exhibit A

Table 6
City of Springfield Stormwater System Improvement Projects

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number
	<i>Short-Term</i>	
100	Sports Way detention pond	
101	Maple Island Slough Outfall	
102	Deadmond Ferry Outfall	
103	Aster Street system	
104	Jasper Slough Outfall	n/a
105	20 th Street Outfall	n/a
106	T Street detention pond	
107	Pierce Industrial Park drainage	
108	Mill Race Enhancements, including new intake	n/a
109	Jasper/Natron outfalls and associated pipe systems	
110	Highway 126/I-105 drainage improvements	n/a
111-A	Cedar Creek: 69 th Street Channel improvements	
111-B	Cedar Creek: 72 nd Street Channel Improvements	
112	Glenwood Channel & Pipe Improvements	1
113	Gray Creek Channel & Pipe Improvements	2
114	Jasper Natron Channel & Pipe Improvements	3
115	Channel 6 Detention Pond, Channel & Pipe Improvements	4
116	59 th & Aster and Daisy Street Parallel Pipe	5
117	Irving Slough Channel Improvements	6
118	North Gateway – Sports Way Flood Control Water Quality Facility	10
119	McKenzie Forest Products Mill Pond Water Quality Facility	12
120	Central Over-Under Channel & Pipe Improvements	15
121	Island Park Water Quality Facility	16
122	69 th Street Open Channel	18
123	Lower Mill Race Water Quality & Riparian Enhancements	21
	<i>Long-Term</i>	
200-A	Cedar Creek: Outfall/Detention at Lively Park/McKenzie River	
200-B	Cedar Creek: Thurston Middle School Channel Improvements	
200-C	Cedar Creek: 66 th Street Outfall	
200-D	Cedar Creek: 75 th Street Outfall	
200-E	Cedar Creek: Gessler Bank control project	
200-F	Cedar Creek: Diversion System	
200-G	Cedar Creek: East Thurston Road/Hwy 126 Outfall and Associated Piping	

Table 6 Continued
City of Springfield Stormwater System Improvement Projects

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number
201	Thurston Road Interceptor	n/a
202	Highway 126 and 87 th Interceptor and Outfall	n/a
203	South 79 th Street System	n/a
204	Rocky Point Drive System and Outfall	n/a
205	Rosboro Detention Pond	
206	Borden Outfall Upgrade	n/a
207	Ash Street Outfall	
208	Manor Drive Outfall	
209	16th Street Outfall	
210	Jasper Slough Improvements	n/a
211	Hayden Bridge Road Interceptor	n/a
212	42 nd & McKenzie Hwy Pipe Improvements	24
213	I-105 Channel Improvements	26
214	Jasper Slough Culvert Crossing Improvements	27
215	Q Street Channel Riparian Enhancements	28
216	I-5 Open Channel Riparian Enhancements	29
217	Q Street Floodway East of 28 th Water Quality	31
218	28 th Street Main to North Water Quality Temperature TMDL	32
219	Open Channel Improvements North of Riverglen Subdivision	33
220	Chateau St Outfall	34
221	Clearwater Lane & Jasper Water Quality	37
222	42 nd Channel Improvements	42
223	Maple Island Slough Channel Enhancement & Water Quality Improvements	43

**Table 18
City of Springfield
Stormwater System Improvements, Estimated Costs, and Timing**

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number	Cost (\$000)	Estimated Completion Year
	<i>Short-Term</i>			
100	Sports Way Detention Pond		400	2008-2013
101	Maple Island Slough Outfall		1,500	2008-2013
102	Deadman Ferry Outfall		150	2008-2013
103	Aster Street System		500	2008-2013
104	Jasper Slough Outfall		210	2008-2013
105	20 th Street Outfall		350	2008-2013
106	T Street Detention Pond		150	2008-2013
107	Pierce Industrial Park Drainage		300	2008-2013
108	Mill Race Enhancements, including new intake	n/a	7,800	2008-2013
109	Jasper/Natron Outfalls and associated pipe systems		1,500	2008-2013
110	Hwy 126/I-105 Drainage Improvements	n/a	640	2008-2013
111-A	Cedar Creek - 69 th Street Channel improvements		500	2008-2013
111-B	Cedar Creek - 72 nd Street Channel Improvements		250	2008-2013
112	Glenwood Channel & Pipe Improvements	1	4,670	2008-2013
113	Gray Creek Channel & Pipe Improvements	2	4,650	2008-2013
114	Jasper Natron Channel & Pipe Improvements	3	2,800	2008-2013
115	Channel 6 Detention Pond, Channel & Pipe Improvements	4	1,250	2008-2013
116	59 th & Aster and Daisy St Parallel Pipe	5	2,100	2008-2013
117	Irving Slough Channel Improvements	6	2,150	2008-2013
118	North Gateway - Sportsway Flood Control Water Quality Facility	10	520	2008-2013
119	McKenzie Forest Products Mill Pond Water Quality Facility	12	60	2008-2013
120	Central Over-Under Channel & Pipe Improvements	15	2,500	2008-2013
121	Island Park Water Quality Facility	16	60	2008-2013
122	69 th St Open Channel	18	2,500	2008-2013
123	Lower Mill Race Water Quality & Riparian Enhancements	21	60	2008-2013

Table 18
City of Springfield
Stormwater System Improvements, Estimated Costs, and Timing (continued)

Project Number	Project Name/Description	Stormwater Facility Master Plan Project Number	Cost (\$000)	Estimated Completion Year
	<i>Long-Term</i>			
200-A	Cedar Creek Outfall/Detention at Lively Park/McKenzie River		250	2005-2010
200-B	Cedar Creek Thurston Middle School Channel Improvements		100	2005-2010
200-C	Cedar Creek: 66 th Street Outfall		450	2005-2010
200-D	Cedar Creek: 75 th Street Outfall		250	2005-2010
200-E	Cedar Creek: Gessler Bank control project		1,500	2005-2010
200-F	Cedar Creek: Diversion System	n/a	2,100	2010+
200-G	Cedar Creek: East Thurston Road/Hwy 126 Outfall and Associated Piping	n/a	350	2010+
201	Thurston Road Interceptor	n/a	570	2013-2018
202	Hwy 126 and 87 th Interceptor and Outfall	n/a	570	2010+
203	South 79 th Street System	n/a	1,425	2013-2018
204	Rocky Point Drive System and Outfall	n/a	420	2013-2018
205	Rosboro Detention Pond		300	2013-2018
206	Borden Outfall Upgrade	n/a	140	2013-2018
207	Ash Street Outfall		150	2013-2018
208	Manor Drive Outfall		250	2013-2018
209	16 th Street Outfall		250	2013-2018
210	Jasper Slough Improvements	n/a	500	2013-2018
211	Hayden Bridge Road Interceptor	n/a	500	2013-2018
212	42 nd & McKenzie Hwy Pipe Improvements	24	300	2013-2018
213	I-105 Channel Improvements	26	1,610	2013-2018
214	Jasper Slough Culvert Crossing Improvements	27	200	2013-2018
215	Q St Channel Riparian Enhancements	28	500	2013-2018
216	I-5 Open Channel Riparian Enhancements	29	500	2013-2018
217	Q St Floodway East of 28 th Water Quality	31	200	2013-2018
218	28 th St Main to North Water Quality Temperature TMDL	32	60	2013-2018
219	Open Channel Improvements North of Riverglen Subdivision	33	30	2013-2018
220	Chateau St Outfall	34	240	2013-2018
221	Clearwater Lane & Jasper Water Quality	37	350	2013-2018
222	42 nd Channel Improvements	42	200	2013-2018
223	Maple Island Slough Channel Enhancement & Water Quality Improvements	43	250	2013-2018

Table 19
Existing Financing Sources

	User fees	Assessments	Development fees	Property tax	Grants/loans	Bonds	Short-term debt	Private finance
Water								
EWEB								
O&M	X							
Rehabilitation	X		X			X	X	
Expansion	X		X			X	X	X
SUB								
O&M	X							
Rehabilitation	X		X					
Expansion	X		X					X
Rainbow								
O&M	X							
Rehabilitation	X							
Expansion	X							X
Wastewater								
City of Eugene								
O&M	X							
Rehabilitation	X		X		X		X	
Expansion	X	X	X	X	X	X	X	X
City of Springfield								
O&M	X							
Rehabilitation	X		X				X	
Expansion	X	X	X	X	X	X	X	X
MWMC								
O&M	X							
Rehabilitation	X		X					
Expansion	X		X	X				
Stormwater								
City of Eugene								
O&M	X							
Rehabilitation	X		X				X	
Expansion	X		X					X
City of Springfield								
O&M	X							
Rehabilitation	X		X		X	X	X	
Expansion	X	X	X	X	X	X	X	X
Lane County								
O&M								
Rehabilitation					X			
Expansion					X			

Staff Report and Findings of Compliance with the Metro Plan and Statewide Goals and Administrative Rules

File LRP 2008-00016 Amendments to the *Metro Plan* and *Public Facilities and Services Plan*

Applicant

City of Springfield, Public Works Department

Nature of the Application

The applicant proposes to amend the *Eugene-Springfield Metropolitan Area General Plan (Metro Plan)* and the *Public Facilities and Services Plan (PFSP)* to: (1) add 24 significant projects to Table 6 of the *Public Facilities and Services Plan* including those with stormwater lines 36-inches in diameter or larger, detention basins, water quality facilities, or new outfalls; (2) delete three projects from Table 6 that have been completed; (3) modify 15 projects on Table 6 that have been re-configured or eliminated; (4) modify 18 projects on Table 18 that have been re-configured or eliminated; (5) modify Table 19 to reflect the current available funding sources for the stormwater projects; and, (6) update Map 3 and Map 8 in the *Public Facilities and Services Plan* to indicate the general location of the projects added to or removed from Table 6. The proposed amendments are consistent with the City of Springfield's recently-adopted *Stormwater Facility Master Plan*, which updates and improves upon previous master plans for the city's stormwater management system.

Background

Metro Plan-PFSP-Local Facilities Plan Context

Oregon state land use law (Goal 11, OAR 660-011) requires all cities with a population over 2,500 to develop and adopt a public facilities plan for the area within the city's urban growth boundary. The public facilities plan is a support document or documents to a comprehensive plan. Certain elements of the public facility plan also shall be adopted as part of the comprehensive plan; these elements include a list of public facility project titles (excluding the descriptions or specifications of those projects if so desired by the jurisdiction); a map or written description of the public facility projects' locations or service areas; and the policies or urban growth management agreement designating the provider of each public facility system (OAR 660-011-0045).

In 2001, the governing bodies of Eugene, Springfield and Lane County repealed the 1987 *Public Facilities and Services Plan* and replaced it with the *Eugene-Springfield Metropolitan Area Public Facilities and Services Plan*, December 2001 (subtitled: *A Refinement Plan of the Eugene-Springfield Metropolitan Area General Plan*). One of the results of this action is described in the PFSP as follows: "Chapter II of this plan recommends text amendments to the *Metro Plan* which are adopted as part of, and are incorporated into, the *Metro Plan*. The project lists and maps in Chapter II are also adopted as part of the *Metro Plan* but are physically located

in this refinement plan. If there are any inconsistencies between this plan and the *Metro Plan*, the *Metro Plan* prevails” (Page 1, Introduction, PFSP).

This text confirms that the *Public Facilities and Services Plan* is a refinement plan of the *Metro Plan*; that both the PFSP and the *Metro Plan* “co-adopted” the project lists, maps and policies as required by OAR 660-011-0045; that the project lists and maps do not physically appear in the published *Metro Plan* but, instead, are to be found in the PFSP; and that amendment of the project list, maps or policies, require identical amendment to both documents if changes are made because they are co-adopted into both the *Metro Plan* and PFSP.

The City of Springfield adopted a new *Stormwater Facility Master Plan* in 2008. The *Stormwater Facility Master Plan* is intended to supplement - but not replace - the policies and provisions of the adopted *Public Facilities and Services Plan*. Therefore, all recommendations of the adopted *Stormwater Facility Master Plan* do not have to be incorporated into the PFSP. However, certain recommendations and 24 proposed and completed Capital Improvement Projects are considered significant by Oregon Administrative Rule 660-011-0045; these projects require amendments to the adopted PFSP.

On October 20, 2008, Springfield City Council initiated site-specific amendments to the adopted *Metro Plan* and PFSP to add, modify or remove various stormwater management system projects within Springfield’s urban growth boundary (UGB), consistent with the recommendations contained in the recently completed *Stormwater Facility Master Plan*. The adopted *Stormwater Facility Master Plan* improves upon the existing master plans and supplements the PFSP by implementing Policy G.3 of the *Metro Plan*: “Use local facility master plans, refinement plans, and ordinances as the guide for detailed planning and project implementation”.

The adopted *Stormwater Facility Master Plan* recommends the addition of 24 significant projects to the PFSP project list. These significant projects include those with pipes greater than 36-inches in diameter, detention basins, water quality facilities, or new outfalls. Three projects on the PFSP list have been completed, and 15 projects have been reconfigured or eliminated. The completed and eliminated projects should be removed from the PFSP tables and maps. All of these projects are part of the City’s stormwater management system, but may drain areas extending outside the UGB or discharge to waterways that pass outside the UGB. Notwithstanding the single jurisdiction service purpose of these new projects, the *Metro Plan* (Page V-4, Public facility projects: (c) Stormwater) requires *all* drainage/channel improvements and/or piping systems 36-inches or larger, proposed detention ponds, outfalls, water quality projects, and waterways and open systems to be identified in the project lists and maps. Because the *Metro Plan* “prevails” if there are any inconsistencies between the *Metro Plan* and the PFSP, the PFSP project lists and maps must show the significant projects.

Stormwater Facility Master Plan – 2008

The City’s *Stormwater Facility Master Plan* is a citywide public infrastructure plan that evaluates existing and future demand on the stormwater management system within the current urban growth boundary (UGB) including some contiguous drainage areas outside the UGB, and makes recommendations for system improvements (capacity, water quality protection, and

efficiency). The *Stormwater Facility Master Plan* was initiated by City Council to update and replace various stormwater master plans prepared nearly 30 years ago, and to assist in the implementation of recommendations prepared by URS Corp for updating and improving the City's stormwater management system.

The City's *Stormwater Facility Master Plan* is not a substitute for the stormwater systems planning that appears in Chapter III of the *Metro Plan* or throughout the PFSP; Oregon Administrative Rule 660-011-0010 identifies the constituent components of public facility plans including how these state requirements relate to other public facilities planning that may be prepared by cities and authorized service providers:

“(3) It is not the purpose of this division to cause duplication of or to supplant existing applicable facility plans and programs. Where all or part of an acknowledged comprehensive plan, facility master plan either of the local jurisdiction or appropriate special district, capital improvement program, regional functional plan, similar plan or any combination of such plans meets all or some of the requirements of this division, those plans, or programs may be incorporated by reference into the public facility plan required by this division. Only those referenced portions of such documents shall be considered to be a part of the public facility plan and shall be subject to the administrative procedures of this divisions and ORS Chapter 197.”

This rule provision is intended to allow cities to adopt existing public facilities documents, rather than prepare new ones, where those documents satisfy the standards of OAR 660-011. This rule provision does not invalidate other elements of these local planning efforts that do not address provisions of the rule; it simply qualifies those elements of local planning documents that can be used to meet this rule and, in so doing, obligates such elements to the requirements of ORS 197 (goals compliance; post-acknowledgment plan amendment procedures). The City is not proposing to reference any elements of the *Stormwater Facility Master Plan* as provided in OAR 660-011-0010, but does contend that the development and application of the *Stormwater Facility Master Plan* is consistent with the following *Metro Plan* policy:

“G.2 Use the planned facilities maps of the Public Facilities and Services Plan for water, wastewater, stormwater, and electrical projects in the metropolitan area. Use local facility master plans, refinement plans, and ordinances as the guide for detailed planning and project implementation.” [Emphasis added]

The *Stormwater Facility Master Plan* recommends a variety of projects and programs to achieve the primary objective of the plan, which is “to provide a guiding document in order to plan for more comprehensive, efficient, and multi-objective management of the city's stormwater resources”. The adopted *Stormwater Facility Master Plan* also describes proposed capital improvement projects (CIPs) for flood control and water quality, and recommends changes to existing stormwater standards and codes that will support the implementation of Springfield's goals and policies related to stormwater management.

The following project recommendations need to be included in the lists and maps in the *Metro Plan* and PFSP:

For inclusion in Table 6:

- Project #112 – Glenwood Channel and Pipe Improvements
1,600 feet of pipe and 3,000 feet of open channel improvements for flood control in the Glenwood development and redevelopment areas. Water quality elements will be included with the new construction.
- Project #113 – Gray Creek Channel and Pipe Improvements
New construction to serve the development area in east Springfield.
Approximately 2,000 feet of pipe and 6,500 feet of open drainage ways.
- Project #114 – Jasper Natron Channel and Pipe Improvements
3,800 feet of conceptually located open channels to serve the Jasper Natron area.
- Project #115 – Channel 6 Detention Pond, Channel and Pipe Improvements
A combination of detention pond, channel improvements and piping to serve the area north of the Eugene-Springfield Highway from 18th Street westerly to I-5.
- Project #116 – 59th and Aster and Daisy Street Parallel Pipe
Pipe improvements along Daisy Street from 48th Street to 59th and Aster Streets for flood control.
- Project #117 – Irving Slough Channel Improvements
Open channel improvements along the Irving Slough from 42nd Street northwesterly to a discharge point along the McKenzie River.
- Project #118 – North Gateway – Sports Way Flood Control Water Quality Facility
Construct a combination flood control/water quality facility at the north end of Sports Way in and adjacent to the City owned Gateway Natural Resource Area.
- Project #119 – McKenzie Forest Products Mill Pond Water Quality Facility
Develop a water quality facility on a City owned parcel north of the Booth-Kelly mill pond to serve the south Springfield industrial area along the Northern Pacific Railroad corridor.
- Project #120 – Central Over-Under Channel and Pipe Improvements
Various pipe and channel improvements from Willamalane Park at 14th and G Streets to the confluence with the Q Street channel near Moffitt elementary school.
- Project #121 – Island Park Water Quality Facility
Green pipe improvements and an offline water quality facility at Island Park to serve the existing discharge from the downtown commercial area.

- Project #122 – 69th Street Open Channel
Construct an over-under pipe system or green pipe open channel and an offline water quality treatment facility along 69th Street from D Street to Cedar Creek north of Thurston Road.
- Project #123 – Lower Mill Race Water Quality and Riparian Enhancements
Construct a daylight or diversion pretreatment structure, an offline water quality treatment facility (pond or wetland), and green pipe open channel improvements from the Booth Kelly site to the Willamette River.
- Project #212 – 42nd and McKenzie Highway Pipe Improvements
Pipe improvements near 42nd and McKenzie Highway to control observed localized flooding problems.
- Project #213 – I-105 Channel Improvements
Channel improvements north of I-105 near of 52nd Street for flood control.
- Project #214 – Jasper Slough Culvert Crossing Improvements
Road crossing improvements along Jasper Slough from 32nd Street to east of Clearwater Lane for flood control.
- Project #215 – Q Street Channel Riparian Enhancements
Channel enhancements along the channel from 28th Street to I-5 for water quality and shading to address temperature issues identified in the Willamette River TMDL.
- Project #216 – I-5 Open Channel Riparian Enhancements
Channel enhancements along the channel from Gateway Mall to the Eugene Springfield Highway for water quality, bank stability and shading.
- Project #217 – Q Street Floodway East of 28th Water Quality
Channel improvements for flood control and water quality along 30th and 28th Streets from north of Main Street to near Olympic Street.
- Project #218 – 28th Street Main to North Water Quality Temperature TMDL
Pipe and outfall improvements along 28th Street for flood control and temperature reduction prior to discharge into the Q Street Floodway.
- Project #219 – Open Channel Improvements North of River Glen Subdivision
Channel improvements for large flood events and water quality improvements from 7th Street to Harvest Lane and vicinity.
- Project #220 – Chateau Street Outfall
System improvements from Hayden Bridge Road to the existing Lane County outfall to the McKenzie River for flood control and water quality.

Project #221 – Clearwater Lane and Jasper Water Quality
Pipe improvements for flood control north of Jasper Road and construction of a water quality facility prior to discharge into the Middle Fork of the Willamette River.

Project #222 – 42nd Channel Improvements
Water quality improvements at the northerly end of the 42nd Street pipe system prior to discharge into the Kaiser Slough.

Project #223 – Maple Island Slough Channel Enhancement and Water Quality Improvements
Channel and riparian improvements for water quality along the Maple Island Slough from Corporate Way to the outfall near the McKenzie River.

For deletion from Table 6:

Project #100 – Sports Way Detention Pond
Project completed

Project #101 – Maple Island Slough Outfall
Reconfigured within Project #223

Project #102 – Deadmond Ferry Outfall
Reconfigured within Project #223

Project #103 – Aster Street System
Included in Project # 116

Project #106 – T Street Detention Pond
Included in Project #115

Project #107 – Pierce Industrial Park Drainage
To be constructed with the Marcola Meadows site development

Project #109 – Jasper/Natron Outfall and Associated Pipe Systems
Reconfigured within Project #114

Project #111A – Cedar Creek: 69th Street Channel Improvements
Reconfigured within Project #122

Project #111B – Cedar Creek: 72nd Street Channel Improvements
Reconfigured within Project #113

Project #200A – Cedar Creek: Outfall/Detention at Lively Park/McKenzie River
Lively Park project completed

Project #200B – Cedar Creek: Thurston Middle School Channel Improvements
Not identified as necessary in the Stormwater Facility Master Plan

Project #200C – Cedar Creek: 66th Street Outfall
Not identified as necessary in the Stormwater Facility Master Plan

Project #200D – Cedar Creek: 75th Street Outfall
Reconfigured within Project 113

Project #200E – Cedar Creek: Gossler Bank Control Project
Project completed

Project #205 – Rosboro Detention Pond
Project pipe reduced to 24” diameter which is below PFSP criteria.

Project #207 – Ash Street Outfall
The engineering study project does not meet PFSP criteria

Project #208 – Manor Drive Outfall
Reconfigured within Project #220

Project #209 – 16th Street Outfall
Project completed

NOTE: Table 18 contains the same projects found in Table 6 proposed for inclusion or deletion; in addition, Table 18 provides cost estimates and completion year estimates for each project.

Metropolitan Area General Plan Amendment Criteria

The proposed amendments are considered to be Type II *Metro Plan* amendments because they are site specific amendments to Plan project lists and maps. Type II *Metro Plan* amendments inside the city limits shall be approved by the Home City; Type II *Metro Plan* amendments between the city limits and the Plan Boundary shall be approved by the Home City and Lane County. Some of the projects are located partially or entirely outside the city limits (or manage stormwater originating from outside the city limits), and all discharge stormwater to watercourses that eventually flow outside of the city limits. Therefore, Lane County must co-adopt these amendments.

Springfield and Lane County adopted identical *Metro Plan* amendment criteria into their respective implementing ordinances and codes. Springfield Development Code (SDC) Chapter 5, Section 5.14-135.C.1&2 and Lane Code 12.225(2) (a & b) require that the amendment be consistent with relevant statewide planning goals and that the amendment not make the *Metro Plan* internally inconsistent. These criteria are addressed as follows:

- (a) ***The amendment must be consistent with the relevant statewide planning goals adopted by the Land Conservation and Development Commission;***

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The two cities and the county have acknowledged land use codes that are intended to serve as the principal implementing ordinances for the *Metro Plan*. Chapter 5 of the SDC, *Metro Plan Amendments - Public Hearings*, prescribes the manner in which a Type II *Metro Plan* amendment must be noticed. Citizen involvement for a Type II *Metro Plan* amendment not related to an urban growth boundary amendment requires: Notice to interested parties; notice to properties and property owners within 300 feet of the proposal; published notice in a newspaper of general circulation; and notice to the Department of Land Conservation and Development (DLCD) at least 45 days before the initial evidentiary hearing (Planning Commission).

Notice of the joint Planning Commission hearing was mailed on June 19, 2009; notice was published in the Register-Guard on June 13, 2009. Notice of the first evidentiary hearing was provided to DLCDC on December 2, 2008. Lane County is participating in this matter; Eugene was sent a referral on April 20, 2009.

Requirements under Goal 1 are met by adherence to the citizen involvement processes required by the *Metro Plan* and implemented by the Springfield Development Code, Chapter 5 and Lane Code Sections 12.025 and 12.240.

Goal 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Implementation Measures – are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

The current version of the *Metro Plan* was last adopted in 2004 (Springfield Ordinance No. 6087; Eugene Ordinance No. 20319; and Lane County Ordinance No. 1197) after numerous public meetings, public workshops and joint hearings of the Springfield, Eugene and Lane County Planning Commissions and Elected Officials.

Subsequent to these *Metro Plan* adoption proceedings, Eugene, Springfield and Lane County considered amendments to Chapter III-G Public Facilities and Services Element and Chapter V Glossary of the *Metro Plan*. These amendments were reviewed at public meetings, public workshops and joint hearings of the Springfield, Eugene and Lane County Planning Commissions and Elected Officials, and adopted by all three jurisdictions in 2004.

The currently proposed amendments to the PFSP arise from recommendations of the city's *Stormwater Facility Master Plan*, which was adopted by the Springfield Common Council on October 20, 2008 after opportunity for public review and comment, and a public hearing process.

The *Metro Plan* is the "land use" or comprehensive plan required by this goal; the Springfield Development Code and the Lane Code are the "implementation measures" required by this goal. Comprehensive plans, as defined by ORS 197.015(5), must be coordinated with affected governmental units. Coordination means that comments from affected governmental units are solicited and considered.

Goal 3 – Agricultural Lands

To preserve and maintain agricultural lands.

The changes do not affect *Metro Plan* or PFSP consistency with this goal and this goal does not apply within adopted, acknowledged urban growth boundaries. None of the proposed projects are intended to provide urban stormwater management service to properties outside the UGB (although management of drainage originating from and discharging to watercourses outside the UGB is considered). Instead, the projects were recommended in the *Stormwater Facility Master Plan* to meet the City of Springfield's projected population and employment growth through the (2025) planning year.

Goal 4 – Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

The changes do not affect *Metro Plan* or PFSP consistency with this goal and this goal does not apply within adopted, acknowledged urban growth boundaries. None of the proposed projects are intended to extend urban stormwater management service to properties outside the UGB (although management of drainage originating from and discharging to watercourses outside the UGB is considered); the projects were recommended in the *Stormwater Facility Master Plan* to meet the city of Springfield's projected population and employment growth within the existing UGB.

Goal 5 – Open Spaces, Scenic and Historic Areas, and Natural Resources

To protect natural resources and conserve scenic and historic areas and open spaces.

The City has finished all work required under Goal 5 during the most recent Periodic Review (completed in 2007). Sixteen of the proposed project additions and modifications are located within the City's protected Goal 5 resource sites: eight within or adjacent to riparian resource areas, and eight within or adjacent to delineated wetland resource areas. One proposed project overlaps both types of natural resource areas (Irving Slough Channel Improvements). The proposed projects affecting or within riparian resource areas include: #112 – Glenwood Channel and Pipe Improvements; #117 – Irving Slough Channel Improvements; #121 – Island Park Water Quality Facility; #123 – Lower Mill Race Water Quality and Riparian Enhancements; #213 – I-105 Open Channel Riparian Enhancements; #214 Jasper Slough Improvements; #219 – Open Channel Improvements North of River Glen Subdivision; #220 – Chateau Street Outfall; and #223 – Maple Island Slough Channel Enhancement and Water Quality Improvements. The proposed projects affecting or within wetland natural resource areas include: #113 – Gray Creek Channel and Pipe Improvements; #114 – Jasper Natron Channel and Pipe Improvements; #115 – Channel 6 Detention Pond, Channel and Pipe Improvements; #116 – 59th and Aster and Daisy Parallel Pipe; #117 – Irving Slough Channel Improvements; #119 – McKenzie Forest Products Mill Pond Water Quality Facility; #122 – 69th Street Open Channel; and #222 – 42nd Channel Improvements. The proposed project areas are depicted on a Capital Improvement Plan map, which is attached to this staff report. The map depicts the City's mapped natural resource areas and shows where significant stormwater projects are located with respect to these resources. These proposed projects include improvements to existing outfalls and riparian enhancements to meet state and federal regulatory requirements. The City will obtain any necessary permits for each project from appropriate jurisdictions as required. The proposed projects were not designed nor intended to allow urban development to occur within a protected resource site; the presence of urban services does not invalidate Goal 5 inventories or protection measures even if the new urban service becomes available to any of these sites; and, these Goal 5 sites were identified and protected because they qualified under city or state laws, not because of a lack of available services. The changes do not adversely affect the City's acknowledged Goal 5 inventories, so this proposal does not create an inconsistency with the goal.

Goal 6 – Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

This goal is primarily concerned with compliance with federal and state environmental quality statutes, and how this compliance is achieved as development proceeds in relationship to air sheds, river basins and land resources.

The Federal Water Pollution Control Act, P.L. 92-500, as amended in 1977, became known as the Clean Water Act (33 U.S.C. 1251 et seq.). The goal of this Act was to eliminate the discharge of pollutants into the navigable waters. ORS 468B.035 requires the Oregon Environmental Quality Commission (EQC) to implement the Federal Water Pollution Control Act. The primary method of implementation of this Act is through the issuance of a National Pollutant Discharge Elimination System (NPDES) permit prior to

the discharge of any wastes into the waters of the state (ORS 468B.050). Among the “pollutants” regulated by the EQC are temperature (OAR 340-041-0028) and toxic substances (OAR 340-041-0033).

Previously, the Plan was amended to ensure that the *Metro Plan* and the PFSP accurately reflect stormwater management system needs as imposed by Federal and State regulation. Additionally, the PFSP notes that:

“Existing policies and plans in the Eugene-Springfield area support water quality and quantity improvements through site planning for new construction, public education, use of natural systems, preservation of natural drainageways, and reduction of street-related runoff problems. To summarize, stormwater management policies developed through local plans:

- Establish and support stormwater administration and management programs that include natural resource protection;
- Protect significant natural resources to serve multiple objectives, including stormwater storage and conveyance;
- Use constructed wetlands, wetland enhancement, and waterways for stormwater treatment, storage and conveyance;
- Create and protect a connected natural stormwater system;
- Use a comprehensive wetlands mitigation program to guide planning future stormwater systems;
- Create a comprehensive stormwater monitoring and maintenance program to serve multiple stormwater management objectives; and,
- Develop a plan for financing the stormwater management program.”

This amendment takes the next step in bringing the plan current by incorporating those significant facilities in Springfield which are required to adequately and efficiently convey stormwater to the receiving water bodies, while adhering to federal and state mandates for pre-treatment (wherever possible), temperature abatement, removal of sediment and suspended solids, and protection of water quality. The proposed amendment is intended to update the list of significant stormwater projects (Table 6 of the PFSP) to account for projects that have already been completed, and the recommendations for new or modified projects described in the City’s *Stormwater Facility Master Plan* adopted in October, 2008.

Goal 7 – Areas Subject to Natural Disasters and Hazards

To protect people and property from natural hazards.

The *Metro Plan* and the City’s Development Code are acknowledged to be in compliance with all applicable statewide land use goals, including Goal 7. Some of the proposed projects are located within mapped floodplain areas, but their presence does not have any adverse effect on existing policies or procedures adopted by the City of Springfield for application in floodplain areas. In accordance with Section 4.3-117 of the City’s Development Code, the maintenance, expansion, restoration or rehabilitation of natural and constructed waterways is contemplated (if not encouraged), provided there is

mitigation of upstream flooding and original or improved design flow capacity is maintained. Furthermore, the proposed projects that are located in floodplain areas are intended to provide mitigation of flood events and, correspondingly, to protect life and property from damage due to flood impacts.

Goal 8 – Recreational Needs

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

All of the proposed projects are intended to improve or expand current facilities, or to accommodate future growth in population and employment. What is meant, but not stated in this general concept of “future growth in population and employment” is that it includes ancillary activities as well. The *Metro Plan* anticipates up to 32% of residential designation will be occupied by these ancillary activities: “In the aggregate, non-residential land uses consume approximately 32 percent of buildable residential land. These non-residential uses include churches, day care centers, parks, streets, schools, and neighborhood commercial” (Page III-A-4, *Metro Plan*). Determination of pipe sizes and capacity, and implementation of water quality protection “best management practices”, contemplates the presence of these land uses. Additionally, the Willamalane Park and Recreation Master Plan includes future park sites needed to keep pace with residential growth.

Goal 9 – Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The *Metro Plan* cites the provision of adequate public facilities and services as necessary for economic development. Objective 10, at page III-B-4 states: “Provide the necessary public facilities and services to allow economic development”. Policy B25, at Page III-B-6, states: “Pursue an aggressive annexation program and servicing of designated industrial lands in order to have a sufficient supply of ‘development ready’ land”. Policy B26, at page III-B-6, states: “In order to provide locational choice and to attract new campus industrial firms to the metropolitan area, Eugene and Springfield shall place as a high priority service extension, annexation, and proper zoning of all designated special light industrial sites”.

All of these policies are served by the proposed amendments to the *Metro Plan* and PFSP as these projects are intended to meet future demand generated by population and employment growth. Additionally, it is the provision of key urban services that typically determines suitability of land to be converted from rural to urban and to be annexed into the city limits: “Land within the UGB may be converted from urbanizable to urban only through annexation to a city when it is found that: a. A minimum level of key urban facilities and services can be provided to the area in an orderly and efficient manner; b. There will be a logical area and time within which to deliver urban services and facilities. Conversion of urbanizable land to urban shall also be consistent with the *Metro Plan*”

(Page II-C-4, *Metro Plan*). The proposed amendment will update the list of projects that, in part, facilitate urban stormwater system extension to these areas so that planned development may occur.

Goal 10 – Housing

To provide for the housing needs of citizens of the state. Goal 10 Planning Guideline 3 states that “[P]lans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.”

OAR 660–008–0010 requires that “[S]ufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection.” Goal 10 defines buildable lands as “...lands in urban and urbanizable areas that are suitable, available and necessary for residential use.” 660–008–0005(13), in part, defines land that is “suitable and available” as land “for which public facilities are planned or to which public facilities can be made available.”

Similar to Goal 9, adequate public facilities are necessary to accomplish the objectives of this goal and applicable administrative rules (OAR Chapter 660, Division 008). The purpose of the proposed amendments is to provide the capacity for future development of residential (population) and commercial and industrial (employment) use consistent with the comprehensive plan.

Goal 11 – Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

OAR Chapter 660, Division 011, implements Goal 11. OAR 660–011–0030(1) requires that the public facility plan list the proposed projects and identify the general location of the project on a map. The proposal will add 24 projects to Tables 6 and 18; delete 15 projects that have been reconfigured or eliminated from these same tables; delete three projects that have been completed from these same tables; modify Table 19 to identify existing funding sources for the proposed projects; and show the location of all proposed projects on Maps 3 and 8. These tables and maps are adopted as part of the *Metro Plan*, but are located in, and are a part of the PFSP.

OAR 660–011–0035(1) requires that the public facility plan include a rough cost estimate for sewer public facility projects identified in the facility plan. In conformity with this requirement, Table 18 includes rough cost estimates for all 38 proposed stormwater projects. These costs are derived from the work performed during the preparation of previous stormwater master plans, and further refined by the recently adopted *Stormwater Facility Master Plan*.

OAR 660–011–0045 requires certain elements of the public facility plan to be adopted as part of the comprehensive plan. These elements include the list of public facility project titles (Table 6); the map or written description of the public facility projects locations or

service areas (Maps 3 and 8); and policies or urban growth management agreements designating the provider of each public facility system. No policy amendments are proposed in this action. The notice of proposed amendment sent to DLCD, the notice of the hearing on these amendments, and the applicable criteria are consistent with the provisions for a land use decision and the post-acknowledgment procedures of ORS 197.610.

Goal 12 - Transportation

To provide and encourage a safe, convenient and economic transportation system.

The transportation system plan is not dependent upon, or influenced by the stormwater management system plan. Land development cannot occur in the absence of infrastructure and that includes stormwater management and transportation; but neither the goals nor the OARs require a corollary analysis of each of these services when the city is proposing one or both of these plans for post-acknowledgment amendment. All of the proposed amendments are needed to upgrade (expand the capacity or water quality enhancement provisions of) existing facilities. In each case, the planned transportation facilities are: 1) already in place; 2) under construction; 3) in design; or, 4) planned. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 13 – Energy Conservation

To conserve energy.

3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.

All of the projects are upgrades, enhancements, or expand the capacity of existing systems. Such a strategy maximizes the efficiency of the existing system (sunk cost) and provides for infill and redevelopment opportunities that couldn't go forward without these improvements. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 14 – Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

The amendments do not affect the existing UGB; they will allow capacity expansion of existing facilities to enable projected planned population and employment growth within the existing UGB. If these stormwater projects do not occur, projected population and employment growth will need to be accommodated beyond the existing UGB. The proposed amendments will potentially delay when UGB adjustments must be taken and may reduce the acreage necessary to accommodate projected growth. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 15 – Willamette River Greenway

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

There are four projects located in close proximity to the Willamette River: Glenwood Channel and Pipe Improvements, Borden Outfall Upgrade, Island Park Water Quality Facility, and Lower Mill Race Water Quality and Riparian Enhancements. The presence of these facilities, and the necessary upgrades, will allow planned development of these areas to occur, but not at the exclusion of any other rules or standards that may be applicable to even permitted development. For example, development within the Greenway Boundary is permitted, but is subject to SDC 3.3-300 regardless of the presence or absence of infrastructure. The changes do not affect *Metro Plan* or PFSP consistency with this goal.

Goal 16 Estuarine Resources, Goal 17 Coastal Shorelands, Goal 18 Beaches and Dunes, and Goal 19 Ocean Resources

These goals do not apply to the Eugene-Springfield Metropolitan Area.

(b) *Adoption of the amendment must not make the Metro Plan internally inconsistent.*

The project lists and maps contained in the PFSP were adopted as part of the *Metro Plan* in 2004, 2006 and 2008. The project lists in the PFSP, in the form of tables, include significant stormwater projects with pipes 36-inches or larger, detention basins, water quality facilities, or new outfalls; the maps show the general location or service area of the projects. The proposed amendments include detention basins, water quality facilities, new outfalls, project descriptions, and changes to the maps to show the general location of each project. These same amendments are applied to the same project lists (Tables 6 and 18) and maps (Maps 3 and 8) in the PFSP that are specifically adopted as part of the *Metro Plan*. This action constitutes the ideal test of consistency. Therefore, the proposed changes, as presented, will not create internal inconsistencies within the *Metro Plan*.

In addition to the foregoing, the proposed amendments are consistent with the following *Metro Plan* policies:

“Extend the minimum level and full range of key urban facilities and services in an orderly and efficient manner consistent with the growth management policies in Chapter II – C, relevant policies in this chapter, and other *Metro Plan* policies” (Page III-G-4, Policy G.1).

“Use the planned facilities maps of the *Public Facilities and Services Plan* to guide the general location of water, wastewater, stormwater, and electrical projects in the metropolitan area. Use local facility master plans, refinement plans, and ordinances as the guide for detailed planning and project implementation” (Page III-G-4, Policy G.2). [Emphasis added]

“Modifications and additions to or deletions from the project lists in the *Public Facilities and Services Plan* for water, wastewater, and stormwater public facility projects or significant changes to project location, from that described in the *Public Facilities and Services Plan* planned facilities Maps 1, 2 and 3, requires amending the *Public Facilities and Services Plan* and the *Metro Plan...*” (Page III-G-4, Policy G.3). [Emphasis added]

“Use annexation, provision of adequate public facilities and services, rezoning, redevelopment and infill to meet the 20-year projected housing demand.” (Page III-A-5, Policy A.4)

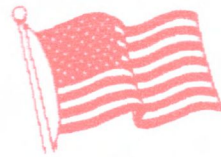
“Endeavor to provide key urban services and facilities required to maintain a five-year supply of serviced, buildable residential land.” (Page III-A-6, Policy A.7)

“Coordinate higher density residential development with the provision of adequate infrastructure and services, open space, and other urban amenities” (Page III-A-7, Policy A.12).

“Coordinate local residential land use and housing planning with other elements of this plan, including public facilities and services, and other local plans, to ensure consistency among policies” (Page III-A-13, Policy A.35).



**PUBLIC WORKS DEPARTMENT
LAND MANAGEMENT DIVISION
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**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**