

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. PA 1290

IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN TO CONTINUE APPLYING CERTAIN INVENTORIES, POLICIES AND FINDINGS OF THE EUGENE SPRINGFIELD METROPOLITAN AREA GENERAL PLAN TO THOSE SPECIFIED LANDS REMOVED FROM THE METRO PLAN BY ORDINANCE NO. PA 1281 AND ADOPTING SAVINGS AND SEVERABILITY CLAUSES.

WHEREAS, through Ordinance No. PA 1281, the partners of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) have jointly modified the boundaries of the Metro Plan; and

WHEREAS, on lands being removed from the Metro Plan pursuant to Ordinance No. PA 1281, policies and applicable findings related to inventoried Goal 5 resources are required to provide necessary protections and policy guidance; and

WHEREAS, the previously adopted Goal 5 inventories, policies and findings contained in the Metro Plan for Riparian Areas, Wetlands, Wildlife Habitat, Mineral and Aggregate Resources and Open Space provide necessary protections and policy direction for those Goal 5 resources on lands that are being removed from the Metro Plan; and

WHEREAS, Lane County and the City of Springfield have agreed to provide opportunity to the City to review and be a decision maker on proposed Post Acknowledgment Plan Amendments (PAPAs) to the Rural Comprehensive Plan for areas within sensitive ground water 2 year time of travel zones as depicted in the Springfield Drinking Water Protection Plan more specifically identified in Exhibit B; and

WHEREAS, necessary Rural Comprehensive Plan findings and policies must exist to provide decision makers a reasonable basis to formulate decisions pertaining to such PAPAs, which may potentially impact sensitive ground water sources; and

WHEREAS, findings and policies currently exist within the Metro Plan and Rural Comprehensive Plan, which the City of Springfield finds will be appropriate to address aforementioned need; and

WHEREAS, the proposal was reviewed at a joint public hearing with the Lane County Planning Commission, the City of Springfield Planning Commission and the City of Eugene Planning Commission on July 19, 2011, and August 16, 2011; and

WHEREAS, the proposal was also reviewed at a joint public hearing with elected officials of Lane County, the City of Springfield and the City of Eugene on March 13, 2012; and

WHEREAS, evidence exists in the record indicating that the proposal meets the requirements of Lane Code and applicable state law; and

WHEREAS, the Board of County Commissioners is now ready to take action.

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

Section 1. The Goal 5 policies of the Rural Comprehensive Plan are amended as reflected in Exhibit A attached and incorporated herein by this reference to;

- A. Continue applying the acknowledged Goal 5 inventories, policies and findings of the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) to all lands removed from the Metro Plan by Ordinance No. PA 1281; and
- B. Incorporate additional findings and policies contained within the Metro Plan and the Lane County Rural Comprehensive Plan to continue providing a basis for future decisions made by the City and County regarding PAPA applications within sensitive ground water time of travel zones as depicted in the Springfield Drinking Water Protection Plan and more specifically identified in Exhibit B attached and incorporated herein by this reference.

Section 2. The prior policies, plan and zone diagram designations repealed or changed by this Ordinance remain in full force and effect to authorize prosecution of persons in violation thereof prior to the effective date of this Ordinance.


Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings in support of this action as set forth in Exhibit "E" to Ordinance No. PA 1281, incorporated here by this reference.

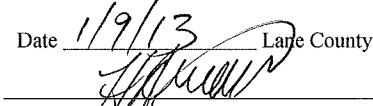
ENACTED this 4th day of June, 2013.



Sid Leiken, Chair
Lane County Board of Commissioners



Recording Secretary for this Board Meeting

APPROVED AS TO FORM
Date 1/9/13 Lane County


OFFICE OF LEGAL COUNSEL

Exhibit A to Ordinance No. PA 1290

4. The County shall protect the sites of hydroelectric resources through conditional or special use provisions of its resource zones. Sites for which a license has been applied for with federal and state authorities, or for which water impoundments of more than 100 acre – feet are proposed, or which will generate power in excess of 75 KW, shall be shown on the Plan as a special designation, an Exception to applicable LCDC Goals taken if necessary, and a special zoning district applied. At that time, the Goal 5 rule conflict analysis shall also be carried out.
5. For additional energy policies see Goal 3.

Water Resources

1. State policy normally promotes multiple use of surface waters throughout Lane County. Under such policy, use conflicts can and do occur. As the first step in addressing this problem, the County urges the Oregon Water Policy Review Board and the Department of Environmental Quality to update the existing water basin plans and establish priorities among the various beneficial uses for specific water areas. The economic, social, environmental and energy consequences of each use should be considered in establishing priorities and resolving any identified conflicts. Lane County will cooperate to the maximum extent practicable in such a program.
2. The County supports congressional reauthorization of upper Willamette basin reservoirs, to reflect actual use priorities. To the extent practicable, the County will cooperate with the Corps of Engineers in resolving existing use conflicts and accommodating the needs of competing uses.
3. Adequacy of water supply, particularly those relying on groundwater sources, shall be a major concern in reviewing major land use changes. For the purpose of applying this policy, major land use change shall be any application reviewed by the Hearings Official or the Planning Commission.
4. The primary means of evaluating groundwater resources for land use planning purposes shall be through the land division review process. The Little Butte Volcanics, Eugene Formation, Fisher Formation, Spencer Formation, Flourney Formation, Alluvium and Older Dunes geological units shall be designated as quality and/or quantity limited aquifers. As such the provisions of Chapter 13, Lane Code (Land Divisions) regarding areas so designated will apply.
5. Land use designations in the Comprehensive Plan and implementing zoning shall be commensurate with groundwater aquifer capacities.

Lands Removed from the Eugene- Springfield Metropolitan Area General Plan

1. For those lands located outside of the City of Springfield's Urban Growth Boundary that were removed from the Eugene-Springfield Metropolitan Area General Plan (Metro Plan) by Ordinance No. PA 1281, the above listed RCP Goal 5 policies shall not apply. Instead, the Goal 5 inventories, policies and findings of the Metro Plan for Riparian Corridors, Wetlands, Wildlife Habitat, Mineral and Aggregate Resources and Open Space shall continue to be applicable to those lands by this policy to the same extent they were applicable when those lands were included in the Metro Plan.
2. In reviewing Post Acknowledgment Plan Amendment (PAPA) applications for lands located within sensitive 2- Year Time of Travel Zones identified in the Springfield Drinking Water Protection Plan and further specifically depicted on Exhibit B of Ordinance No. PA 1290 the following Metro Plan and Lane County Rural Comprehensive Plan findings and policies shall be considered:

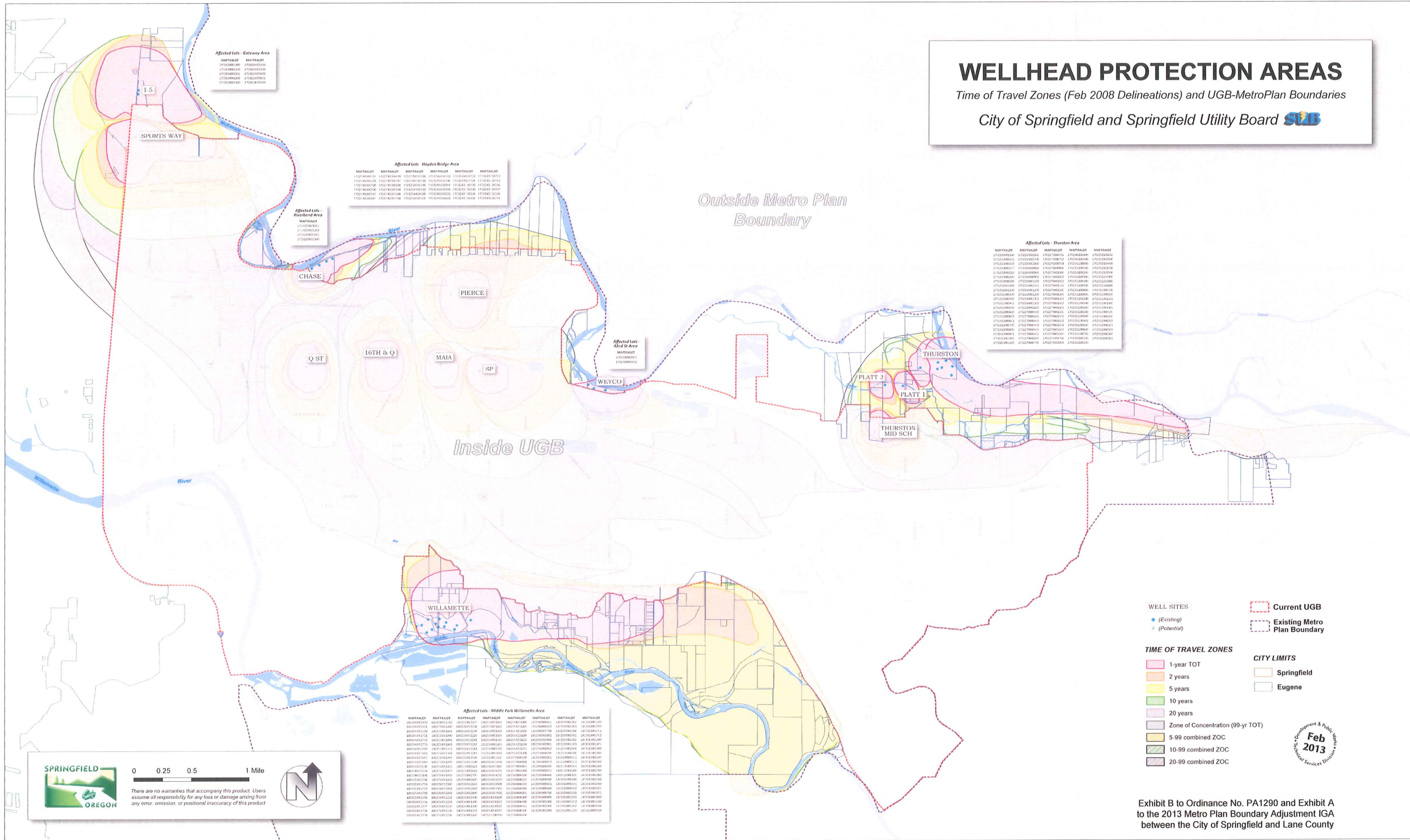
Exhibit A to Ordinance No. PA 1290

1. Metro Plan, The Fundamental Principles Chapter of the Metro Plan including Metropolitan Goals, Environmental Resources, paragraphs 1, 2, 3 and 4,
2. Metro Plan, Metropolitan Goals, Public Facilities, paragraph 1,
3. Metro Plan, Environmental Resources Element, Agricultural Lands (Goal 3), Policies 1-4,
4. Metro Plan, Environmental Resources Element, Riparian Corridors Wetlands and Wildlife Habitat (Goal 5), Policy 8,
5. Metro Plan, Environmental Resources Element, Mineral and Aggregate Resources (Goal 5), findings 12, 13, 14,
6. Metro Plan, Willamette River Greenway, River Corridors and Waterways Element, Goal and Policies D5, D6 and D 10,
7. Metro Plan, Public Facilities and Services Element, Policy G3,
8. Metro Plan, Public Facilities and Services Element, Services to Development with the Urban Growth Boundary: Water, Findings 11, 12 and 13 Policies 9, 10, 11 and 12,
9. Metro Plan, Public Facilities and Services Element, Locating and Managing Public Facilities Outside the Urban Growth Boundary, Finding 36,
10. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Mineral and Aggregate Resources, Policies 1-11,
11. Lane County Rural Comprehensive Plan, Goal 5 Open Spaces, Scenic and Historic Areas and Natural Resources, Water Resources, Policies 1-4,
12. Lane County Rural Comprehensive Plan, Goal 6 Air, Water and Land Resources, Water Quality, Policies 1-7

WELLHEAD PROTECTION AREAS

Time of Travel Zones (Feb 2008 Delineations) and UGB-MetroPlan Boundaries

City of Springfield and Springfield Utility Board 



Affected Lots - Gateway Area

M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT
1713100001	1713100002	1713100003	1713100004
1713100005	1713100006	1713100007	1713100008
1713100009	1713100010	1713100011	1713100012

Affected Lots - Hayden Bridge Area

M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT
1712100001	1712100002	1712100003	1712100004	1712100005	1712100006
1712100007	1712100008	1712100009	1712100010	1712100011	1712100012
1712100013	1712100014	1712100015	1712100016	1712100017	1712100018

Affected Lots - Riverbend Area

M/PAFALOT
1712100019
1712100020
1712100021

Affected Lots - Thurston Area

M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT
1712100022	1712100023	1712100024	1712100025	1712100026
1712100027	1712100028	1712100029	1712100030	1712100031
1712100032	1712100033	1712100034	1712100035	1712100036

Affected Lots - Middle Fork Willamette Area

M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT	M/PAFALOT
1812100001	1812100002	1812100003	1812100004	1812100005	1812100006
1812100007	1812100008	1812100009	1812100010	1812100011	1812100012
1812100013	1812100014	1812100015	1812100016	1812100017	1812100018



0 0.25 0.5 1 Mile

There are no warranties that accompany this product. Users assume all responsibility for any loss or damage arising from any error, omission, or positional inaccuracy of this product.



Exhibit B to Ordinance No. PA1290 and Exhibit A to the 2013 Metro Plan Boundary Adjustment IGA between the City of Springfield and Lane County