

PASSED

IN THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY, OREGON

ORDINANCE NO. PA 1275

IN THE MATTER OF AMENDING THE LANE COUNTY RURAL COMPREHENSIVE PLAN (RCP) BY AMENDING TWO COORDINATED POPULATION FORECASTS FOR THE CITY OF COBURG (PA 10-5610).

WHEREAS, the Board of County Commissioners of Lane County, through enactment of Ordinance No. PA 883, has adopted the Lane County General Plan Policies document which is a component of the Lane County Rural Comprehensive Plan; and

WHEREAS, the Board of County Commissioners amended the Lane County Rural Comprehensive Plan to adopt countywide coordinated population forecasts for Lane County and each urban area within the county, through enactment of Ordinance No. PA 1255, to provide for long range planning and consideration for public infrastructure and community needs for the future consistent with state law; and

WHEREAS, Lane Code 12.050 and 16.400 set forth procedures for amendments of the Lane County Rural Comprehensive Plan; and

WHEREAS, the City of Coburg proposed revision to its coordinated population forecasts for 2020 and 2035 that would more closely follow the study prepared for the previous Board action on Ordinance No. PA 1255; and

WHEREAS, evidence exists in the record indicating that the proposal meets the requirements of Lane Code Chapters 12 and 16, and the requirements of applicable state and local law; and

WHEREAS, the Board of County Commissioners has conducted a joint public hearing with the Lane County Planning Commission, received its recommendation and is now ready to take action.

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

The Lane County Rural Comprehensive Plan, General Plan Policies, Introduction, Section D, adopted by Ordinance No. PA 883 and amended thereafter is further amended by revising the coordinated population forecast for the City of Coburg as set forth in Exhibit "A" attached and incorporated here as if fully set forth.

FURTHER, although not part of this Ordinance, the Board of County Commissioners adopts findings in support of this action as set forth in Exhibit "B" attached and incorporated here.

Prior coordinated population forecasts adopted by the Board of County Commissioners before enacting this Ordinance shall remain in full force and effect following the

effective date of this Ordinance until those plans are further updated or amended by the Board.

If any section, subsection, sentence, clause phrase of 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 effect the validity of the remaining portions thereof.

ENACTED this 26th day of OCTOBER, 2010.


Bill Fleenor, Chair
Lane County Board of County Commissioners


Melissa Zimmer, Secretary
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date 9-15-2010 Lane County


OFFICE OF LEGAL COUNSEL

Table 1.1: Coordinated Population Forecasts for Lane County and its Urban Areas

		Forecast Period:						
		2010	2015	2020	2025	2029	2030	2035
Lane County Small Cities	Coburg*	1,103	1,387	1,934	2,628	3,216	3,363	4,354
	Cottage Grove	9,957	10,616	11,424	12,261	12,737	12,856	13,542
	Creswell	5,647	6,802	8,263	9,758	10,799	11,060	12,172
	Dunes City	1,457	1,542	1,640	1,726	1,767	1,777	1,823
	Florence	11,212	12,355	13,747	15,035	16,065	16,323	17,434
	Junction City	6,567	9,343	10,799	12,067	12,922	13,136	13,887
	Lowell	1,043	1,228	1,459	1,714	1,960	2,022	2,345
	Oakridge	3,859	4,290	4,672	4,866	5,022	5,061	5,280
	Veneta	4,976	5,902	7,251	8,727	9,623	9,847	10,505
	Westfir	359	370	384	412	423	426	448
Metro Area	Eugene (city only)	156,844	166,609	176,124	185,422	192,536	194,314	202,565
	Springfield (city only)	58,891	62,276	66,577	70,691	73,989	74,814	78,413
	Metro Urban Area West of Interstate-5**	20,931	20,380	19,209	18,521	17,680	17,469	16,494
	Metro Urban Area East of Interstate-5**	8,140	7,926	7,470	7,202	6,875	6,794	6,415
Totals	Eugene/Springfield Total UGB Area	244,806	257,191	269,380	281,836	291,080	293,391	303,887
	Unincorporated Area Outside all UGBs	58,531	55,900	54,344	52,861	52,381	52,261	51,634
	Lane County Total	349,516	366,924	385,297	403,892	417,996	421,522	437,311
<p>* City of Coburg forecasts based upon analysis conducted by the firm Johnson Reid, testimony provided by City of Coburg representatives to the Lane County Board of Commissioners on June 3, 2009, and Johnson Reid memorandum dated June 16, 2009.</p> <p>** Forecast based upon a 72% allocation of the total Metro UTA West of I-5 and a 28% allocation of the total Metro UTA East of I-5.</p>								

Any updates or amendments to the forecasts included in Table 1.1 may only be initiated by Lane County. Any individual or interested cities, however, may make a request for the Board to initiate such an update or amendment. Requests must set forth compelling reasons as to why the update or amendment should be considered at the requested time, rather than in conjunction with a future periodic Plan update. An offer to participate in costs incurred by the County shall accompany the request. Amendments to these forecasts initiated by the Board shall follow general procedures outlined in Lane Code 16.400(6).

Communities

Unincorporated communities are treated differently. They are identified as "community" on the Plan Diagrams, but are not given official Urban Growth Boundaries. Instead, the probable limits of growth over the planning period are reflected in the area within the "community" designation. Since lands within these areas are under County jurisdictions, no Joint Agreements are required, but development there must be justified by "committed lands" exceptions.

Areas within rural Lane County qualifying as Exception areas on the basis of pre-committed uses are not necessarily "communities" as such, but do have some of the

Findings of Fact In Support of Ordinance No. PA 1275

The Lane County Board of Commissioners Initiated Updates To Lane Code and Lane County Rural Comprehensive Plan For Consistency and Clarity.

Finding: The proposed amendments to Lane Code and Lane County Rural Comprehensive Plan were directed by the Board to address changes in state laws and make appropriate corrections or clarifications.

Criteria

LC 12.005 Purpose.

(1) The board shall adopt a comprehensive plan. The general purpose of the comprehensive plan is the guiding of the social, economic, and physical development of the County to best promote public health, safety, order, convenience, prosperity and general welfare.

Finding

The proposed amendments does not impair the purpose of the Rural Comprehensive Plan as the guiding document for Lane County, it updates the implementing regulation requirements and follows the laws determined by State of Oregon to best promote the will of the people. Adoption of these amendments will bring the local plan and implementing regulations into compliance with state law, will promote consistency at the local level with the applicable state laws and will not affect compliance of the Rural Comprehensive Plan and implementing regulations with the Statewide Planning Goals or other applicable state law.

LC 12.050 Method of Adoption and Amendment

(1) The adoption of the comprehensive plan or an amendment to such plan shall be by an ordinance.

Finding

The proposed amendments to the Rural Comprehensive Plan and Lane Code will be adopted by ordinance when enacted by the Board.

(2) The Board may amend or supplement the comprehensive plan upon a finding of:

- (a) an error in the plan; or***
- (b) changed circumstances affecting or pertaining to the plan; or***
- (c) a change in public policy; or***
- (d) a change in public need based on a reevaluation of factors affecting the plan; provided, the amendment or supplement does not impair the purpose of the plan as established by LC 12.005 above.***

Finding

The proposed amendments directly implement changes to state law, and as such meet this provision under (b), (c), and (d) above upon adoption by the Board. They also provide additional clarification and correct errors in the current plan or implementation regulations where necessary.

LC 16.252 Procedures for Zoning, Re-zoning, and Amendments to Requirements.

(2) Amendments shall comply with this section and shall achieve the general purpose of this chapter and shall not be contrary to the public interest.

Finding

The proposed amendments address changes in state law and clarify or correct previous erroneous references or text to help implement the Lane County Rural Comprehensive Plan and Lane Code Chapters 13 and 16. Making the revisions will provide clarity and consistency with state and local law.

LC 16.400 Rural Comprehensive Plan Amendments.

(6) Plan Adoption or Amendment - General Procedures. The Rural Comprehensive Plan, or any component of such Plan, shall be adopted or amended in accordance with the following procedures:

(h) Method of Adoption and Amendment.

(i) The adoption or amendment of a Rural Comprehensive Plan component shall be by Ordinance.

Finding

The proposed amendments shall be adopted by ordinance when enacted by the Board.

(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:

(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.

Finding

The proposed amendments are necessary to correct identified errors in the current plan. Adoption of these amendments will not affect compliance of the Rural Comprehensive Plan and implementing regulations with the Statewide Planning Goals or other applicable state law.

(bb) For Major and Minor Amendments as defined in LC16.400(8)(a) below, the Plan amendment or component is:

(i-i) necessary to correct an identified error in the application of the Plan; or

(ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; or

(iii-iii) necessary to comply with the mandate of local, state or federal policy or law; or

(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements;
or

(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.

Finding

The proposed amendments are necessary to correct identified errors in the current plan, clarify and correct implementing regulations, and conform provisions to state law and as such meet this provision under (i-i), (ii-ii) and (v-v) above upon adoption by the Board.

Table 1.1: Coordinated Population Forecasts for Lane County and its Urban Areas

Forecast Period:		2010	2015	2020	2025	2029	2030	2035
Lane County Small Cities	Coburg*	1,103	1,387	1,394 1,934	2,628	3,216	3,363	4,254 4,354
	Cottage Grove	9,957	10,616	11,424	12,261	12,737	12,856	13,542
	Creswell	5,647	6,802	8,263	9,758	10,799	11,060	12,172
	Dunes City	1,457	1,542	1,640	1,726	1,767	1,777	1,823
	Florence	11,212	12,355	13,747	15,035	16,065	16,323	17,434
	Junction City	6,567	9,343	10,799	12,067	12,922	13,136	13,887
	Lowell	1,043	1,228	1,459	1,714	1,960	2,022	2,345
	Oakridge	3,859	4,290	4,672	4,866	5,022	5,061	5,280
	Veneta	4,976	5,902	7,251	8,727	9,623	9,847	10,505
	Westfir	359	370	384	412	423	426	448
Metro Area	Eugene (city only)	156,844	166,609	176,124	185,422	192,536	194,314	202,565
	Springfield (city only)	58,891	62,276	66,577	70,691	73,989	74,814	78,413
	Metro Urban Area West of Interstate-5**	20,931	20,380	19,209	18,521	17,680	17,469	16,494
	Metro Urban Area East of Interstate-5**	8,140	7,926	7,470	7,202	6,875	6,794	6,415
Totals	Eugene/Springfield Total UGB Area	244,806	257,191	269,380	281,836	291,080	293,391	303,887
	Unincorporated Area Outside all UGBs	58,531	55,900	54,344	52,861	52,381	52,261	51,634
	Lane County Total	349,516	366,924	385,297	403,892	417,996	421,522	437,207 437,311
<p>* City of Coburg forecasts based upon analysis conducted by the firm Johnson and Reed-Reid, testimony provided by City of Coburg representatives to the Lane County Board of Commissioners on June 3, 2009 and Johnson Reid memorandum dated June 16, 2009.</p> <p>** Forecast based upon a 72% allocation of the total Metro UTA West of I-5 and a 28% allocation of the total Metro UTA East of I-5.</p>								

Any updates or amendments to the forecasts included in Table 1.1 may only be initiated by Lane County. Any individual or interested cities, however, may make a request for the Board to initiate such an update or amendment. Requests must set forth compelling reasons as to why the update or amendment should be considered at the requested time, rather than in conjunction with a future periodic Plan update. An offer to participate in costs incurred by the County shall accompany the request. Amendments to these forecasts initiated by the Board shall follow general procedures outlines in Lane Code 16.400(6).

Communities

Unincorporated communities are treated differently. They are identified as "community" on the Plan Diagrams, but are not given official Urban Growth Boundaries. Instead, the probable limits of growth over the planning period are reflected in the area within the "community" designation. Since lands within these areas are under County jurisdictions, no Joint Agreements are required, but development there must be justified by "committed lands" exceptions.