



Memorandum Date: January 12, 2024

Meeting Date: January 30, 2024

TO: Board of County Commissioners

DEPARTMENT: Public Works, Land Management Division, Planning

PRESENTED BY: Rachel Serslev, Senior Planner

AGENDA ITEM TITLE: REPORT/ 2023 Lane County Planning Commission Annual Report

I. AGENDA ITEM SUMMARY

The Lane County Planning Commission (LCPC) serves as a volunteer advisory committee to the Board of County Commissioners (BCC) on land use matters. Pursuant to Article II, Section 4 of the LCPC Bylaws, a report must be provided to the BCC on an annual basis documenting specific activities of the LCPC over the previous year.

The purpose of this agenda item is to present to the BCC the 2023 Lane County Planning Commission Annual Report.

II. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Historically, LMD staff present this report to the Board on an annual basis in the early part of the calendar year, after review by the LCPC. The LCPC reviewed this report on December 19, 2023, at which time they recommended forwarding it to the BCC.

B. Policy Issues

There are no policy issues for this item; this is a report of actions taken over the last year by the LCPC.

C. Board Goals

Priority 1: Safe, Healthy County. Through review of and recommendation on land use applications to the Board, the LCPC applies applicable land use regulations and criteria related to compatibility and safety of the built and natural environments.

Priority 2: Vibrant Communities. Through review of and recommendation on land use applications to the Board, the LCPC strives to create a vibrant community within the perimeters of local and state regulations.

Priority 3: Robust Infrastructure. The LCPC reviews Transportation System Plans for Lane County as well other jurisdictions within Lane County. This helps ensure that the proper transportation infrastructure is safe and well planned.

D. Financial and/or Resource Considerations

The LCPC is a volunteer advisory committee. The limited costs associated with the LCPC primarily include travel reimbursements and dinners that are provided to members during evening work sessions. In recent years, LMD has taken measures to further reduce costs associated with the LCPC including conversion to digital packets and digital minutes, which have reduced printings costs and eliminated the need to hire an external minutes recorder. In 2023, LCPC meetings were held remotely and in a hybrid format. Therefore, costs normally associated with LCPC functions were further reduced.

E. Health Implications

None.

F. Analysis

None. The 2023 Annual Report is provided as **Attachment 1**.

G. Alternatives/Options

Not applicable.

III. RECOMMENDATION/ACTION

No action is required by the Board.

IV. ATTACHMENTS

1. Lane County Planning Commission 2023 Annual Report (9 pages)

Lane County Planning Commission 2023 Annual Report

Report for:

Lane County Board of Commissioners

Prepared by:

Lane County Land Management Division
3050 North Delta Hwy
Eugene, OR 97408



December 2023

Reason for this Report

Article II, Section 4 of the Lane County Planning Commission (LCPC) Bylaws requires that an annual report be provided to the Lane County Board of Commissioners (BCC) that documents specific activities of the LCPC. This report must provide summary information for a number of categories of LCPC duties, including review of Rural Comprehensive Plan and Metro Plan revisions and miscellaneous studies and reports, and progress of ongoing projects.

Functions of the Planning Commission

The Lane County Planning Commission (LCPC) is a volunteer advisory committee appointed by the Board of County Commissioners to advise the Board of County Commissioners on land use matters. Pursuant to its purpose and function as stated in Article II, Sections 1 and 2 of the Lane County Planning Commission Bylaws, the LCPC has spent this last year reviewing land use projects and proposals and providing recommendations to the BCC on ordinances intended to carry out the purpose and principles of the Rural Comprehensive Plan (RCP), including recommendations to the Board with regard to the orderly development of the territory within Lane County. In addition, the Commission functions as the citizen involvement advisory committee for Lane County pursuant to ORS 197.160 in all aspects of comprehensive planning.

Meeting the Needs of the Community

The Lane County Planning Commission (LCPC) addresses the needs of the community by providing a forum for the careful review and analysis of local priority issues of land use and environmental concern. Issues identified through the Planning Commission's public hearing process help to develop a complete and accurate public record for use by the Board of County Commissioners in their deliberations. Additionally, the recorded minutes of LCPC meetings are a critical avenue by which topics of community concern are brought to the attention of the Board of County Commissioners.

Public Participation

Public involvement is an integral part of the Lane County Planning Commission (LCPC) process. By conducting public hearings on land use proposals in accordance with state and local procedures, the LCPC considers testimony from interested parties, affected agencies, and neighbors prior to making recommendations to the Board of County Commissioners. In this capacity, the LCPC fulfills a vital role in the "citizen involvement" process as articulated by Statewide Planning Goal 1. In addition to holding public hearings, the LCPC serves in a critically important advisory role, reviewing and commenting on land use and transportation planning related projects.

To further encourage public involvement, the LCPC added in 2016 a new section to their meeting agendas labeled "public comment," at which time the public may speak to the LCPC on any land use matter not on the agenda for that meeting.

On May 31, 2022, the LCPC voted to return to in-person meetings, with a hybrid option as mandated by House Bill 2560. The remaining LCPC meetings in 2022 were held in a hybrid format, with in person and virtual access and attendance options.

In total, 44 community members testified during public comment or public hearings before the Planning Commission in 2023. Of these 44 community members, 15 testified during a joint public hearing with the LCPC and the City of Eugene Planning Commission.

2023 Planning Commission Members

Table 1 below provides a summary of Planning Commission membership throughout 2023.

2023 Officer Appointments

LCPC officers for 2023 were Eliza Kashinsky serving as Chair and Jeffery Choate serving as Vice Chair. The Planning Commission By-laws require an election for chair and vice-chair to occur in October each year. At the December 5, 2023 meeting, the first regular (not joint) meeting after October, Jeffery Choate was voted as Chair and Stephen Snider was voted as Vice Chair.

Outgoing Planning Commission Members

Commissioner Charlcie Kaylor's term expired on September 30, 2023. Commissioner Kaylor served two terms on the Planning Commission from 2015 to 2023, Commissioner Kaylor served as Vice Chair in 2018 and as Chair in 2019.

Incoming Planning Commission Members

On December 14, 2022, Kathy Smith submitted her resignation from the Planning Commission and the vacancy was posted shortly after and was filled in 2023. Markus Lay, appointed by Board Order 23-04-04-09, filled Commissioner Smith's vacant position.

Michelle Hanks, who was appointed to the Planning Commission by Board Order 23-09-19-04, filled Commissioner Charlcie Kaylor's vacant position.

Table 1:

MEMBER	PROFESSION	TERM	TERM EXPIRES	CITY	GEOGRAPHIC REQUIREMENT
Stephen Dignam	Retired	2nd	9/30/2024	OUT	East Lane
Charlcie Kaylor	Retired	2nd	9/30/2023	IN	Eugene
Christian Wihtol	Writer/Editor/Retired	1st	9/30/2024	OUT	East Lane
Bruce Hadley	Retired	1st	9/30/2025	OUT	West (Coastal)
Eliza Kashinsky	Human Resources Analyst	1st	9/30/2025	IN	South Eugene
Jonnie Peacock	Controller	1st	9/30/2025	IN	South Eugene
Stephen Snider	Engineering Manager	1st	9/30/2025	OUT	West
Jeffery Choate	Safety/training/Loss Prevention Manager	1st	09/30/2026	OUT	East
Markus Lay	Firefighter/paramedic	Cont. of term	9/30/2024	OUT	East
Michelle Hanks	CEO of non-profit	1st	9/30/2027	OUT	West

2023 Attendance Record

From January 17, 2023, to December 19, 2023, the Lane County Planning Commission met 14 times. A summary of the attendance at these meetings is provided in **Table 2**.

Table 2:

LCPC Member	Meetings Attended	Number of Meetings as Active Commissioner
Stephen Dignam	11	13
Markus Lay	7	10
Charlcie Kaylor	9	10
Michelle Hanks	3	3
Christian Wihtol	10	13
Bruce Hadley	13	13
Eliza Kashinsky	12	13
Jonnie Peacock	5	13
Stephen Snider	12	13
Jeffery Choate	13	13

2023 Accomplishments

The LCPC met 13 times and held eight public hearings or continued public hearings in 2023, five of which were joint public hearings with either the City of Springfield or City of Eugene Planning Commissions. There were three meetings for other work session topics not directly related to public hearing items. A complete account of all 2023 LCPC meetings is provided in **Table 3** below.

Highlights of 2023 include:

- Considered Springfield Development Code amendments in three joint public hearings with the City of Springfield Planning Commission and recommendations of approval were supported by the LCPC.
- Held a joint hearing with the City of Springfield on the Springfield Comprehensive Plan Map Clarification Project and recommended approval.
- Held a joint public hearing with the City of Eugene and City of Springfield Planning Commissions for a Metro Plan policy amendment for the extension of wastewater service to Goshen for the transfer of leachate from Short Mountain Landfill.
- Held work sessions on a Goal 5 Big Game topic, the City of Eugene River Road-Santa Clara Neighborhood Plan project, and the Transportation and Growth Management Blue River Complete Community Plan project.
- Held a joint hearing with City of Eugene on the River Road-Santa Clara Neighborhood Plan and Metro Plan Amendments and River Road-Santa Clara Neighborhood-Specific Code Amendments.
- Considered amendments to the Lane County floodway code in a public hearing with public testimony from 20 people provided at the hearing and made a recommendation.
- Held a continued hearing and provide a recommendation to the Board of County Commissioners on a Type IV Plan Amendment/Zone Change and Goal Exception application.

Table 3 – 2023 LCPC Meeting Summary	
Date	Item
1/17	Work Session / Discussion of Goal 5 (Flora & Fauna, Big Game Habitat) State Requirements, Case Law, and Lane County Program (e.g. RCP Goal 5 Policy 11), and Procedural Considerations for a Home Builders Association-Proposed Interpretation of RCP Goal 5 Policy 11 (continued from December 6, 2022).
2/7	Public Hearing / Amendments to Lane Code (LC) 15.070 to authorize the creation of special right-of-way setbacks by Order of the Board.
2/21	Continued Hearing for 509-PA20-05634 / A request for a Type IV Minor Plan Amendment to the Rural Comprehensive Plan to re-designate the subject property from “Agricultural” to “Rural Residential”, with concurrent rezoning of the property from Exclusive Farm Use (E-25) to Rural Residential (RR-10) and adoption of an “irrevocably committed” exception to Statewide Planning Goal 3.
4/4	Work Session and Joint Public Hearing with the City of Eugene and the City of Springfield for Ordinance No. PA 1389/509-PA23-05146 / In the matter of amending the Eugene-Springfield Metropolitan Area Plan (Metro Plan) to allow for wastewater service to be

	extended to the rural unincorporated community of Goshen and for transport of Leachate for Lane County's Short Mountain Landfill.
6/6	Work Session / River Road- Santa Clara Neighborhood Plan project update.
7/18	Work Session and Joint Public Hearing with the City of Springfield for 509-PA23-05396 / In the matter of adopting a Springfield Comprehensive Plan Map and a Land Use Element and proposing related amendments to the Eugene- Springfield Metropolitan Area General Plan (Metro Plan), Springfield Comprehensive Plan, Springfield Neighborhood Refinement Plans, and Springfield Development Code.
8/1	Work Session and Joint Public Hearing with the City of Springfield for 509-PA23-05415, 509-PA23-05416 and 509-PA23-05422 / Amendments to the Springfield Development Code (SDC) to comply with Oregon's Department of Environmental Quality (DEQ) requirements for the City to regulate post-construction site runoff and minimize barrier to low impact development and green infrastructure under the City's MS4 Permit; Amendments to the SDC to implement the parking component of the Climate Friendly and Equitable Communities (CFEC) rules; and Amendments to the SDC to make minor changes to correct errors and provide clarification on code language that was adopted as part of the 2022 Development Code Update Project.
8/15	Public Hearing for 509-PA23-05424 / Amendments to Lane Code (LC) 16.244(5)(b)(iv) and 10.271(5)(b)(iv) to define the term "footprint" as used in regards to the replacement repair, alteration, or modification of a structure in the floodway, and to allow expansion of a structure outside of the same footprint in the floodway.
9/5	Continued Joint City of Springfield Public Hearing for 509-PA22-05415 / Amendments to the Springfield Development Code (SDC) to comply with Oregon's Department of Environmental Quality (DEQ) requirements for the City to regulate post-construction site runoff and minimize barrier to low impact development and green infrastructure under the City's MS4 Permit.
9/19	Deliberations for 509-PA23-05424 / Amendments to Lane Code (LC) 16.244(5)(b)(iv) to define the term "footprint" as used in regards to the replacement, repair, alteration, or modification of a structure in the floodway, and to allow expansion of a structure outside of the same footprint in the floodway.
10/17	Joint Public hearing with the City of Eugene for 509-PA23-05532 / River Road-Santa Clara Neighborhood Plan and Metro Plan Amendments and River Road-Santa Clara Neighborhood-Specific Code Amendments.
12/5	Work Session / Transportation and Growth Management (TGM) Blue River Complete Community Plan Project Introduction and Review of Plan Alternatives
	Record Maintenance for 509-PA23-05532 / River Road-Santa Clara Neighborhood Plan
12/19	Work Session / LCPC 2023 Annual Report
	Deliberations for 509-PA23-05532 / River Road-Santa Clara Neighborhood Plan and Metro Plan Amendments and River Road-Santa Clara Neighborhood-Specific Code Amendments.

LCPC Recommendation / BCC Action Summary

The following tables depict the relationship between Planning Commission recommendations and final action by the Board of Commissioners. **Table 4.1** provides information on projects that were reviewed by the LCPC in and prior to 2022, but that the Board has not yet taken final action on. **Table 4.2** shows projects reviewed by the LCPC in 2022 that the Board took final action on this year. The last table, **Table 4.3**, describes the status of projects that the

LCPC held a hearing on in 2023.

Table 4.1 – Pending Files from 2022 and Earlier

File / Ord. No.	Proposal	# of LCPC Meeting	LCPC Recommendation	BCC Action
509-PA16-05291 Ord PA 1365	In the Matter of Amending The Rural Comprehensive Plan To Redesignate Land From "Forest Land" To "Marginal Land," To Rezone Land From "Impacted Forest Land (F-2)" To "Marginal Land (ML)."	2	Approval	Approved; Remanded by LUBA; Not scheduled yet – on hold per applicant
509-PA16-05832	Request for Minor Amendment to the Rural Comprehensive Plan from Residential (R) to Agricultural (A) and Zone Change from Rural Residential (RR-10) to Exclusive Farm Use (E-40)	2	Denial (unless requisite evidence is provided)	Not scheduled yet – on hold per Applicant
509-PA20-05670 Ord. No. PA 1383	In the matter of amending the Creswell Comprehensive Land Use Plan Section III Related to Goal 7: Natural Hazards.	1	Approval	No request from the city to schedule hearing
509-PA20-05671 Ord. No. PA 1384	In the matter of adopting the 2019 City of Creswell Housing Needs Analysis and incorporating it into the Creswell Comprehensive Land Use Plan Section III Related to Goal 10: Housing.	1	Approval	No request from the city to schedule hearing
509-PA20-05535 Ord. No. 1385	In the Matter of Amending the Lane County Rural Comprehensive Plan (RCP) to Add a Quarry to the Inventory of Significant Mineral and Aggregate Sites, Authorize Mining and Processing as Provided by Oregon Administrative Rules (OAR) 660-023-0180; Amending the RCP to Redesignate Land from Forest (F) to Natural Resource: Mineral (NR:M), and Rezone that Land From Non-Impacted Forest Land (F-1) Zone to Quarry and Mine Operations (QM) Zone; Requiring Site Review of the Proposed Mining Operations Pursuant to Lane Code 16.257(4)(a)-(j); Repealing Ordinance No. PA 1363 and Ordinance No. PA 1343.	0	Approval	Ordinance denied by BCC and LUBA affirmed denial on appeal

Table 4.2 - 2022 Projects Completed in 2023

File / Ord. No.	Proposal	# of LCPC Meeting	LCPC Recommendation	BCC Action
509-PA22-05378 Ord. No. 23-05	In the matter of amending Lane Code (LC) 16.290 to incorporate an allowance for accessory dwelling units (ADU) in rural residential zones as allowed by Senate Bill 391 and ORS 215.495, and an allowance for conversion of a historic dwelling to an ADU as allowed by House Bill 3012 and ORs 215.501.	1	Approval	Ordinance passed on August 29, 2023
509-PA22-05559 Ord. No. 23-01	City of Eugene Floodplain Regulation Update to Meet FEMA Minimum Standards for the National Flood Insurance Program.	2	Approval	Ordinance passed on March 21, 2023
509-PA22-05580 Ord. No. PA1388	In the Matter of Adopting an Ordinance Establishing Urban Reserves for the City of Eugene; Amending the Eugene-Springfield Metropolitan Area General Plan; Amending the Lane County Rural Comprehensive Plan; Amending the Envision Eugene Comprehensive Plan; Amending the Public Facilities and Services Plan.	3	Approval	Ordinance passed on April 11, 2023

Table 4.3 - 2023 Hearing Summary

File / Ord. No.	Proposal	# of LCPC Meeting	LCPC Recommendation	BCC Action
509-PA22-05812 Ord. No. 23-02	In the Matter of Amending Lane Code Chapter 15 "Roads" to Enable Right-of-Way Setbacks to be Established in a Board-Approved Design Concept and to Remove the Additional Setback Requirement from the Eastern Portion of Blue River Drive; and Recognize the Platted Rights-of-Way as the Planned Rights-of-Way for Building Setbacks in the "Downtown" Portion of the Blue River Community and Declaring an Emergency.	1	Approval	Ordinance Passed on April 25, 2023
509-PA20-05634	A request for a Type IV Minor Plan Amendment to the Rural Comprehensive Plan to re-designate the subject property from "Agricultural" to "Rural Residential", with concurrent rezoning of the property from Exclusive Farm Use (E-25) to Rural Residential (RR-10) and adoption of an "irrevocably committed" exception to Statewide Planning Goal 3.	3	Denial	On December 12, 2023, the Board tentatively approved the proposal and directed staff to return with an Ordinance

				adopting the amendment . Final Board action is pending.
509-PA23-05146 Ord. No. PA1389	In the matter of amending the Eugene-Springfield Metropolitan Area Plan (Metro Plan) to allow for wastewater service to be extended to the rural unincorporated community of Goshen and for transport of Leachate for Lane County's Short Mountain Landfill.	1	Deliberations scheduled for April 18, 2023, and then canceled; scheduling of a new deliberations date pending	NA
509-PA23-05396 Ord. No. 23-07 and PA1390	In the matter of adopting a Springfield Comprehensive Plan Map and a Land Use Element and proposing related amendments to the Eugene- Springfield Metropolitan Area General Plan (Metro Plan), Springfield Comprehensive Plan, Springfield Neighborhood Refinement Plans, and Springfield Development Code.	1	Approval	Scheduled for deliberations on January 9, 2024
509-PA23-05415 509-PA23-05416 509-PA23-05422 Ord. No. 23-08	In the Matter of Amending Lane Code 10.600-15 to Co-Adopt Amendments to the Springfield Development Code to Implement the Parking Component of the Climate Friendly and Equitable Communities Rules, to Comply with Oregon's Department of Environmental Quality (DEQ) Requirements for the City to Regulate Post-Construction Site Runoff and Minimize Barriers to Low Impact Development and Green Infrastructure Under the City's MS4 Permit, and to Make Minor Changes to Correct Errors and Provide Clarification on Code Language that was Adopted as Part of the 2022 Development Code Update Project.	2	Approval	Ordinance passed on December 12, 2023
509-PA23-05424 Ord. No. 24-01	In the Matter of Amending Lane Code (LC) 16.244(5)(b)(iv) and 10.271(5)(b)(iv) to Define the Term "Footprint" as Used in Regards to the Replacement, Repair, Alteration, or Modification of a Structure in the Floodway; and Adopting a Savings and Severability Clause.	2	Approval with modifications	Scheduled for public hearing on January 23, 2024
509-PA23-05532	Joint Public hearing with the City of Eugene for 509-PA23-05532 / River Road-Santa Clara Neighborhood Plan and Metro Plan Amendments and River Road-Santa Clara Neighborhood-Specific Code Amendments.	2	Deliberations continued to December 19, 2023	NA