

MINUTES

Springfield Planning Commission
Regular Session
Springfield City Hall--Jesse Main Room
225 Fifth Street--Springfield

March 1, 2005
7:00 p.m.

PRESENT: Steve Moe, Greg Shaver, Gayle Decker, Lee Beyer, Springfield Planning Commission members; Kent Howe, Lane County Planning staff; Joe Leahy, Springfield City Attorney; Greg Mott, City of Springfield

ABSENT:

Commissioner Moe called the meeting to order.

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

Commissioner Moe moved, seconded by Commissioner Shaver, to approve the minutes of the February 1, 2005, work session and regular session, as written.

3. REPORT OF COUNCIL ACTION

Commissioner Moe noted there was nothing to report.

4. BUSINESS FROM THE AUDIENCE

Commissioner Moe noted there was no one present from the public who wished to address the Planning Commission.

Joe Leahy stated that Council passed a new sidewalk ordinance to allow setting tables, etc. on the sidewalk and a revised vacation ordinance, with a fee equivalent to what Eugene charges, which relates to the improved value or enhanced value to the neighboring property. Council passed on both of those. These were talked about at the work session, but not yet enacted as ordinances. These topics will be scheduled for the next couple meetings.

5. METRO PLAN TEXT AMENDMENT

Commissioner Moe addressed Greg Mott to speak on the continuation of the Proposed Metro Plan Text Amendment.

Greg Mott stated that this is closed in terms of the record, so public testimony and any items that were to be put into the public record are now closed. Greg stated that the packets provided contain responses from County staff to the questions that were asked of staff at the joint planning commission hearing. He requested that if anybody tonight has any questions that are general in nature regarding this Ordinance that they be referred to Kent Howe from Lane County (in attendance tonight) since this topic effects Springfield/Eugene as well as Lane County.

Question was raised if the action being requested was a recommendation to the Council on the disposition of the County's amendment. Greg Mott responded that as stated in the cover memo, you can forward a recommendation in support of this as it has been proposed, in support of it but modified, without support for it, specifically not supporting it, or neutral.

Discussion continued regarding how this relate in terms of the Fire Service District/Public Safety. Greg Mott reminded those in attendance tonight that the proposal didn't go forward with a current Metropolitan Plan Text Amendment because it was our position at the time that it was not necessary. So the matter went directly to the Boundary Commission for Annexation. The Boundary Commission did not agree with our position so they denied the proposed Annexation of the City to the Willakenzie Fire District. Their denial was based on a belief that this was inconsistent with the Metro Plan.

Greg Mott stated that with the current proposed text, it is a very specific amendment to the Metro Plan and he didn't believe that you can conclude that this would address the Fire District question. It addresses the Public Safety and this is for a single purpose not for multiple purposes. If you wanted to address the utilization of Districts for the provision of Urban services within the Metro Plan jurisdiction, you would have to propose something different than this.

Joe Leahy summarized that the question being asked is really whether the underlying rationale for this amendment is transferable to the Fire District proposal that Springfield voted on last year. Joe Leahy concurred with Greg Mott, that if you make that recommendation to Council that it may require a reopening of the past record to address that.

Greg Mott explained that a Metro Plan text amendment can not create an inconsistency within the Metro Plan, so a fairly exhaustive analysis of all the other policies that might be connected to this proposal and evaluation of the language was done to ensure consistency with those other policies, analogous to what we did with the Fire District. They're comfortable that it does not create an internal conflict with the Metro Plan.

Kent Howe thanked Springfield Planning Commissioners for addressing this in deliberations tonight and stated that the Eugene Planning Commission did their deliberations on this yesterday. Kent Howe noted that this is an attempt to modify the Metro Plan policy so that it's not going to impact Springfield in any future Fire District special district efforts that you may have. This is not directed at trying to define whether these services are urban or rural. The emphasis here is that there's a policy that governs the formation of special districts in the Metro Plan. And this special district requires under Policy 15 of A through E, and you can't get there with this public safety district and so F is being proposed, notwithstanding the above. Eugene Planning Commission's recommendation had three areas of concern: One was the "notwithstanding" language, but they really couldn't come up with a solution to deal with that. They understand that it's an exception and it doesn't create an inconsistency. The second item was that they wanted more specificity. And where the language says "a district" they decided they would suggest, and they moved and unanimously approved to add "single county wide". So it would read "a single county wide district or zone of benefit". So, that's the amendment that the Eugene Planning Commission made to it, and has moved to the Eugene City Council with recommendation of approval. The third point that they had concern with, but again, couldn't come up with suggested language to improve was the "including but not limited to". They wanted to make sure that the services that were being provided by the County were defined well enough that something else couldn't creep in that would be inappropriate. The problem in the dialog was that most of these are almost completely mandated by statute or constitutional provisions or something like that, but there are some services that

aren't quite partially, but not wholly. For example, if you have services for corrections and the criminals that are going through rehab and the correction services and so forth, but there's also victim's services. Victim's services, is one of the uses that's listed here and it's not completely required by statute. That's why it's a little flexible with the language "including but not limited to". That is the update on what the Eugene Planning Commission did and where the County is at in trying to get this proposed policy amendment through the Metro Plan.

Commissioner Shaver suggested revising the language slightly to say "a single district within the County" that crosses the boundaries of our Metro Plan.

Greg Mott question what "notwithstanding" means, and whether that means "not in opposition to".

Kent Howe explained that he thought in this case it means regardless of whatever else was said prior to F. It's basically a legal way to say this is an exception to the rule.

Commissioner Decker moved to forward the County's recommendation with the City of Eugene's addition to the City Council with the stipulation that it does not create an internal conflict with the Metro Plan, and add the language that we recognize that this is primarily a budget issue that's appropriate for the elected officials to deal with.

Commissioner Shaver seconded the motion.

There was discussion of the motion.

Commissioner Shaver added that he would like to pass on as a side note to the City Council to consider and the County to consider is for the language to say something like "a single district within the County" as opposed to saying "a single County-wide district". He suggested this will perhaps avoid another appeal if there is an opt out. It's still limiting it to in the County, in a single district, but it's not saying it has to be County-wide.

The motion passed, 6:0, (6 votes for, and 0 votes against.), with the assumption that Commissioner Shavers comment is post-script and not a part of it.

6. BUSINESS FROM THE DEVELOPMENT SERVICES DIRECTOR

Nothing mentioned.

7. BUSINESS FROM THE COMMISSION

Commissioner Moe related an article from Planning Commissioner's Journal, regarding heat islands, and zoning changes they're making in Arizona to keep the heat down.

8. ADJOURN REGULAR

Commissioner Moe adjourned the meeting.

(Recorded by Greg Mott, transcribed by Linda Kurtz)