

LAND USE PLANNING

Service Description

Staff provides short-range land use planning services for the City, as well as the unincorporated area outside the City limits but within the urban growth boundary. Staff of this service is primarily responsible for the implementation of adopted land use plans through administration of the City's Land Use Code, and serve as project managers for land use applications.

Land use applications include a variety of land use or development requests, such as zone changes, planned unit developments, conditional use permits, subdivisions, code amendments, and amendments to neighborhood and community planning documents. The land use application process typically involves pre-application meetings with the applicant, coordination with other affected City departments, public agencies and neighborhood groups, review and evaluation of the application, response to public inquiries, and preparation of a staff report for a decision or recommendation based on the approval criteria and other applicable regulations. Decisions are made either administratively by the Planning Director or through a public hearing process by a Hearings Official, the Planning Commission, or City Council. Decisions can also be appealed to the Eugene Hearings Official or Planning Commission, who provide oversight for local land use decisions.

Land Use Planning also provides staffing to the Planning Counter at the City's Permit and Information Center (PIC). Staff assists citizens requesting information about zoning, provisions of the Land Use Code and other City regulations, adopted plans, and pending land use applications; developers and design professionals seeking guidance on development options; and those submitting land use applications.

The Land Use Planning section of the Planning Division is staffed by a total 10.5 FTE. Of the total, 4.0 FTE are administrative and management positions, 6.0 FTE are land use planners serving as project managers, and the remaining 0.5 FTE is devoted to a new GIS position. The FY06 approved budget for this service is \$1,126,659 with estimated revenues of \$437,178.

Historic Perspective

1925 Eugene Planning Commission established.
1948 First Eugene Comprehensive Zoning Ordinance established.
1959 First *Eugene-Springfield Development Plan* adopted.
1968 First comprehensive revision to Zoning Ordinance.
1972 *Eugene-Springfield Metropolitan Area 1990 General Plan* adopted.
1973 Senate Bill 100 established Statewide Land Use Planning Program.
1974 First Eugene Hearings Official hired.

1974 Land Conservation and Development Commission required Urban Growth Boundaries to be established.
1982 *Eugene-Springfield Metropolitan Area General Plan* adopted.
1990 17% fee support approved by Council Committee on Development Services.
1993 Eugene Decisions process doubled fee support to 24-32% in response to Measure 5 impacts on City finances.
1994 *West Eugene Wetlands Plan* adopted.
1998 Eugene City Council adopted Growth Management Policies.
2001 *Transplan* adopted by Eugene, Springfield and Lane County.
2001 Eugene City Council adopted updated Land Use Code (LUCU). Fees also increased to achieve greater cost recovery.
2003 Eugene City Council adopted post-LUCU code amendments.
2004 Measure 37 passed by Oregon voters into state law.
2005 Application fees increased to 40% actual cost recovery based upon Land Use Permit Fee Study.

Citizen Involvement and Customer Input

Public involvement is a major component of this service. Notices of pending land use applications, public hearings and appeals are sent to affected neighborhood associations, owners and occupants of the subject property and the surrounding area, and other interested parties. Comments received from the public, whether in writing or orally at public hearings, are considered in making a decision on each land use application. In addition to public hearings before the Hearings Official, the Planning Commission and City Council conduct public hearings for certain land use actions.

In combination with increased public notice implemented as part of the City's Land Use Code update, recent website improvements have facilitated increased accessibility and citizen involvement in the land use application process. Public notices, decision documents, forms and a variety of information related to the land use application process are also posted on the City's website to enable more timely and efficient public participation. Pre-application conferences between staff and applicants have also facilitated early public awareness and involvement, as well as increased coordination with affected parties.

Customer input has also been received through citizen and applicant focus groups conducted as part of an organizational audit of the Planning Division, performed by an outside consultant (Zucker Systems) in May 2003. Many of the audit recommendations have been implemented resulting in positive customer feedback.

Mission

Land Use Planning staff facilitates the orderly development and conservation of land, and promotes a more livable and sustainable community, by implementing adopted plans, policies and codes through the land use application process. Land Use Planning staff strives to balance and respond to both public and private interests, and provide accurate, consistent and timely information and land use decisions.

Outcomes

- Implement growth management policies.
- Manage development to maintain and increase community livability and promote sustainability.
- Balance community and development expectations in processing land use applications.
- Facilitate meaningful public participation in the land use application process.
- Facilitate development that incorporates quality urban design and protection of historic and natural resources.
- Ensure that development standards of the Land Use Code are met with each development.

Operating Principles

- We value meaningful public participation in the land use planning process and related aspects of our work.
- We demonstrate expertise in reviewing the full range of land use application types and providing a variety of related services and information in a fair and equitable manner.
- We endeavor to be proactive and creative problem-solvers by contributing innovative ideas and influencing positive outcomes.
- We encourage effective collaboration among City staff, other public agencies, and the public, and an open setting to resolve conflicting ideas.

Current Operating Environment

External Trends

Public Involvement and Increased Complexity

There is a high level of public participation in land use planning and decision-making which requires that extensive staff resources be devoted to providing public information and responding to inquiries and testimony. Staff resources are also increasingly devoted to the balance of competing interests and coordination of extensive and complex analysis required in the land use application process. As a means of maximizing efficiency and effectiveness in this context, and with limited staff resources, greater emphasis has been placed on proactive and creative problem-solving to facilitate the resolution of

increasingly complex issues, meaningful public participation, and efficient implementation of the City's updated Land Use Code.

Concern for Livability and Compatibility

The public's desire for responsible development has resulted in a greater emphasis on managed growth, prescriptive regulations and specific area planning to ensure community livability and the compatibility of new development within existing neighborhoods. More frequently citizens are challenging land use proposals and decisions that are perceived to have adverse effects on livability and compatibility. There is also increasing community desire to address outdated policy direction contained in various neighborhood refinement plans and special area studies that does not adequately address these concerns. These trends require increasing amounts of staff time to interpret, balance, and otherwise implement policy direction and code provisions that are sometimes insufficient or at odds with the goal of ensuring that livability and compatibility concerns are fully addressed on a project-by-project basis.

State and Federal Regulations

City land use planning activities must conform to state and federal laws. A few examples of mandates that affect administration of the Land Use Code and applications include the 120-day statutory time limit for local land use decisions, public notice requirements, and wetland/natural resource regulations. Claims for compensation or waiver of regulations under the statutory provisions of Measure 37 also have the potential for significant staffing and fiscal impacts into the future. Land use applications are typically more complex than in the past but nonetheless are subject to compliance with the 120-day time limit. Operating within the legal context provided through state and federal land use case law has also contributed to increased complexity in the land use application process.

Internal Conditions

Work Program Priorities

Specific high-profile priorities established at the Planning Commission and City Council level are leading the Planning Division work program. These include projects related to Goal 5 natural resource protection, mixed-use development, downtown redevelopment, and post-LUCU code amendments, among others. The community expects land use application approvals to correlate well with these broader work program priorities established at the Planning Commission and City Council level, but procedural requirements typically create lag time between new policy direction and implementation through land use code and permit processes. Land Use Planning staff has experienced a greater demand for their assistance to Metro and Community Planning staff on long-range, high-priority work program items, including the development of new land use code language to translate broader policy into

regulations. Providing the necessary staff resources continues to be a challenge while also managing the primary responsibility of the service to administer the existing code and the land use application process.

Increased Efficiency

Staff has been strategically focused on increasing efficiency in recent years, as a means to address broadened responsibilities in providing Land Use Planning services as a result of the City's updated Land Use Code. Internal efficiencies have been achieved through the implementation of creative procedural changes, interdepartmental coordination efforts, and improved use of technology. These efficiencies have resulted in improvements to customer service, access to information and the land use application process in general. Staff has embraced this strategic effort and achieved a significant decrease (17%) in the average number of hours spent reviewing key land use application types. These efficiencies have also enabled more staff time to fulfill a leadership role with regard to project management and public involvement, and to engage in creative problem-solving.

Information Technology and Communication

The methods of providing information in the Land Use Planning service must continually develop to keep up with available technology and to meet the needs of customers. E-mail and the Internet provide far greater access and analysis of public information and encourage discussion of issues. These avenues of communication also require greater amounts of staff time to update, respond to increased customer requests, and review information that is available electronically. Land Use Planning staff has made significant improvements by providing Internet access to information including land use application status, public hearing notices, staff reports and interactive forms. Additional improvements regarding the use of new technology, and opportunities to provide greater availability of information to the public (and thus greater efficiency for staff) are anticipated with recent funding of a senior-level GIS position (.5 FTE) in the Land Use Planning section.

Performance Measures

Total System:

Effectiveness

- Percent of land use decisions not reversed or overturned on appeal.

Efficiency

- Average number of staff hours per key land use application type.
- Percent of land use decisions issued within code-mandated timelines.

Financial

- Percent of operating budget recovered through land use application fees.

Customer Satisfaction

- Percent of customers who are satisfied with access to information about land use planning activities

- Percent of customers who are satisfied with level of involvement in land use planning activities

Activity Indicators: FY05

1. Total service budget: \$1,126,659 (estimated revenues: \$437,178)
2. Total service FTE: 10.5
3. Total number of land use applications received: 361 (FY01-FY05 average is 354 applications per year)
4. Total number of pre-application conferences conducted: 35
5. Total number of public hearings conducted: 37
6. Total number of walk-in planning customers served at the PIC: 2,327
7. Average planning staff hours per key land use application type: 17% decrease since FY02.

Strategy 1: Increase public access to informational resources and participation in land use planning activities through continued improvements in systems and processes.

Objectives: Improve rating of customer satisfaction with access to information about land use planning activities

Improve rating of customer satisfaction with level of involvement in land use planning activities

Work Activities:

- Determine baseline customer satisfaction level and create a methodology to regularly measure change over time.
- Design and implement a procedure to ensure earlier neighborhood notice and involvement in the land use application process.
- Produce training materials, including handouts, to assist the public in providing effective testimony for land use applications, and to assist design professionals in addressing specific land use approval criteria.
- Increase available information and technology at PIC self-help center, and implement design improvements.
- Provide greater public Internet access to resources, including all refinement plans and the City's zoning map.
- Staff expanded hours at the City's Permit and Information Center (PIC), pending budget approval.
- Maximize use of the new senior-level GIS position as it relates to land use applications and code administration.

Strategy 2: Provide increased staffing assistance for high-priority work program items involving the development and

implementation of new Land Use Code procedures and regulations.

Objective: Assign a lead staff person from the Land Use Planning service to at least one high-priority work program item involving code amendments each year.

Work Activities:

- Forecast opportunities, needs and limitations regarding upcoming long-range, high-priority work program items to determine feasibility of staffing assistance to Metro and Community Planning, while maintaining primary code administration and land use application responsibilities.
- Provide lead staffing and coordination with consulting services as necessary for minor and major post-LUCU code amendments, or otherwise where appropriate for high-priority projects involving code amendments.
- Assist with development and implementation of new code provisions to address Goal 5-related natural resource protection, mixed use centers, asset mapping and alternative path review process, downtown zoning and plan implementation, and other emerging issues.

