Addendum to UGB Expansion Analysis for Employment Land

Through the City of Eugene UGB Expansion Analysis for Employment Land, the City evaluated the area around the current UGB to identify sites that could meet the City’s need for additional industrial land. The City’s need is for eleven (11) total sites, including:

- Two (2) industrial sites of 75 acres or larger
- Three (3) industrial sites of between 50 and 75 acres
- Two (2) industrial sites of between 20 and 50 acres
- Four (4) industrial sites of between 10 and 20 acres

The UGB Expansion Analysis for Employment Land concluded that sites of this size with the characteristics needed could best be accommodated in the Clear Lake area, between the current UGB and Eugene Airport. This area also includes land to meet the City’s need for additional school and park land. The tax lots in this area could be assembled in multiple combinations to meet the identified industrial need. Regardless of configuration, some sites of less than 10 acres in size, in addition to the identified need for 11 large sites, are necessarily included in the expansion area to avoid having islands of rural land inside the UGB.1 In addition, as noted in the Employment Land Supply Study, efficiency measures applied to address commercial land need and public uses on existing industrial land have created a small deficit (26 acres) of industrial sites under 10 acres. This deficit is accommodated by sites that must be brought into the UGB to meet the large lot industrial need.

After reaching the general conclusion of the UGB Expansion Analysis for Employment Land, the City of Eugene engaged in additional analysis and planning in order to preserve the ability of the Clear Lake expansion area to provide the needed portfolio of large industrial lots. This additional analysis examined future services and environmental considerations throughout the Clear Lake expansion area. This Addendum summarizes that analysis and provides a more detailed conclusion to preserve the Clear Lake area for development of the large lot portfolio.

Initial Constraint Analysis

In the UGB Expansion Analysis for Employment Land, land with the following constraints was dismissed as unsuitable for industrial development:

- Land that has a slope of 5 percent or greater
- Land within a Special Flood Hazard Areas (SFHA) (aka floodplain)
- Land subject to Statewide Planning Goal 5 protections
- Tax lots committed to a use or development that is not reasonably likely to be discontinued during the planning period, making industrial redevelopment highly unlikely during planning period

The map below, “Development Constraints within Industrial Expansion Area,” shows the extent of those constraints in the thirteen (13) large tax lots, and eleven (11) small tax lots filling in the spaces between (including one partial tax lot and one small tax lot identified for inclusion in the UGB through the UGB

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1 For a map of these small sites, see the “Contiguous Industrial Expansion Area” map in Section 2.g.5 of the UGB Expansion Analysis for Employment Land.
Expansion Analysis for Park Land). Only two tax lots include any slope in excess of 5%, which constrains only very small areas.

The Special Flood Hazard Area (commonly known as the floodplain or 100-year floodplain) crosses the expansion area in two places. The larger area crosses from Clear Lake Road northeast to the current UGB, bisecting two tax lots, and constraining the northern portion of a third. The smaller area bisects a single industrial tax lot south of Clear Lake Road, with more significant impact on the school and park expansion areas.

The third constraint is land subject to Statewide Planning Goal 5 protections. The areas shown as “land with Goal 5 protections” on the map below are identified by Lane County for Goal 5 protection, based solely on their inclusion on the National Wetlands Inventory.

In response to concerns that the area likely has additional wetlands that could complicate development of the area for industrial uses, the City of Eugene conducted a more detailed analysis of the wetlands in the Clear Lake expansion area. The City contracted with Pacific Habitat Services, Inc. (PHS) to conduct a thorough wetlands inventory of the area, including the school and park expansion areas, and to identify which of those wetlands are “significant.” The City of Eugene then contracted with Winterbrook Planning to prepare a “Goal 5 ESEE (Economic, Social, Environmental, and Energy) Analysis for Significant Wetlands and Riparian Corridors” (Winterbrook, 2016). This ESEE analysis formed the basis for shifting from Lane County’s Goal 5 protections to a Eugene-specific program (upon adoption of the UGB), discussed in more detail below.
The fourth constraint evaluated in the Industrial Expansion Study was for tax lots committed to a use or development that is not reasonably likely to be discontinued during the planning period, making industrial redevelopment highly unlikely during planning period. Two small tax lots in the expansion area are constrained by such uses, including an electric transmission right-of-way owned by the Bonneville Power Administration and a property owned by the Oregon Department of Transportation that contains large ponds.

Updated Wetlands Inventory and Goal 5 ESEE Analysis

As noted above, instead of continuing to rely on the National Wetlands Inventory, the City of Eugene conducted a new analysis of the wetlands in the Clear Lake expansion area. In preparing the local Goal 5 determination of the wetlands and riparian corridors in the expansion area, the City of Eugene relied on an inventory of wetlands and an assessment of the wetlands for their “significance” under Statewide Planning Goal 5, both produced by Pacific Habitat Services, Inc. entitled “City of Eugene Local Wetlands Inventory – Clear Lake Area UGB Expansion” (May 2014). These are shown on the map, “Wetlands Inventory within Industrial Expansion Area.” This served as a foundation for a Goal 5 ESEE analysis of the consequences of local Goal 5 programs for full protection, limited protection, and no local protection of the wetlands.²

² The “ESEE analysis” required by the State’s Goal 5 regulations is different from the “EEES analysis” required by Statewide Planning Goal 14.
These protection options also take into account that certain regulations and protections exist for wetlands beyond the local level. Both the Oregon Department of State Lands and national regulations play a role in determining whether a wetland can be filled, and if so, what mitigation may be required. Local protections of wetlands and other natural resources simply augment other regulations.

Those wetlands determined to be “significant” by Pacific Habitat Services, Inc. were identified as such based on their water quality or hydrological functions, not from fish and wildlife habitat values. In other regards, these wetlands are considerably degraded from agricultural activities in the area over the past several decades. Therefore, the ESEE analysis (to determine the appropriate level of Goal 5 protection for the significant wetlands) resulted in a decision to apply no local Goal 5 protections when the land is added to the Eugene UGB. Instead, wetlands in the area (regardless of local “significance”) will continue to be subject to State and federal wetland protections. Key water quality functions of specific wetlands will be protected through the City’s application of its /WQ water quality management overlay zone. The decision to apply no local Goal 5 protections to these degraded wetlands reflects the balance of the environmental and economic impacts of seeking industrial sites further from the UGB in order to protect relatively low-value wetlands in this area. The map “Updated Development Constraints within Industrial Expansion Area” reflects this more in-depth look and determination about Goal 5 protections, with updated development constraints, including the water quality management area. (The Water Quality Overlay...
Zone does include some limitations on development, so the areas that will receive that overlay zone are added to the constraints map.)

**Transportation Improvements**

In addition to these existing constraints to development, the City of Eugene has engaged in some preliminary planning for the types of transportation improvements that may be needed to better serve this new industrial area. One proposed transportation project would impact the buildable land in the Clear Lake large lot portfolio of industrial land. This project is an extension of Terry Street from its current terminus at the school expansion site north to the current UGB. The specific route for this extension is yet to be determined, and will be based on local planning efforts with residents and businesses in the area as development occurs. The extension will likely occur in phases, first connecting Terry Street to Clear Lake Road, then completing the connection at a later time. The map below, “Long-term Transportation Projects within Industrial Expansion Area” shows a possible path for the street extension.

**Large Lot Accommodation**

The impacts described above should be taken into account as the City identifies strategies for preserving this area to accommodate the 11 sites needed, in the various size categories listed above. The City refers to this as its “large lot industrial portfolio.” The impacted areas are shown together in the map “Large Industrial Lot Considerations.”
Some of the tax lots in the Clear Lake expansion area are large enough to accommodate even the largest needed site (a site of more than 75 acres), while others would need to be assembled with another tax lot to achieve the needed size. As determined in Part II of the Employment Land Supply Study (the Economic Opportunities Analysis), the need to assemble tax lots adds to the cost and complexity of development, particularly when more than two tax lots need to be assembled. This complication can make an otherwise viable development infeasible. Taking this consideration into account, both the Industrial Expansion Study and this Addendum only consider sites that are composed of one or two tax lots.

The City of Eugene cannot require private property owners to buy, sell, or otherwise combine tax lots. With that limitation in mind, the full range of possible ways to accommodate the large lot portfolio in the Clear Lake expansion area is explored in this Addendum, acknowledging that market forces will have a significant impact on ultimate development decisions. City policy, code and programs will then implement strategies for the preservation of the land to accommodate the large lot portfolio in this expansion area, given the uncertainties. The following four maps show all possible locations for each needed size category of industrial sites, considering the location of the constraints discussed above. The fifth map is a composite of the first four maps.

Given the need to preserve large industrial sites, no tax lot is shown as a candidate for a size category smaller than its unconstrained area. For example, the northernmost tax lot is, by itself, larger than 75 acres. While this tax lot could be divided into smaller sites that also meet a portion of the large lot portfolio, doing so would prevent its use for the largest size category, which is the most difficult category to find. Therefore, this tax lot is only shown as a candidate on the 75+ acre sites map. Because of the tentative nature of the transportation corridor, options that cross potential routes are shown as possible options.
City of Eugene Urban Growth Boundary Study Addendum
Industrial Land Evaluation
Large Industrial Lot Considerations: 75+ Acre Sites

75+ Acre Options

Development Constraints
- Slopes in Excess of 5% Grade
- Special Flood Hazard Area
- Constrained by Uses/Development
- Water Quality Management Area
- Proposed Transportation Project

Note: This map is based on imprecise source data, subject to change, and for general reference only.
City of Eugene Urban Growth Boundary Study Addendum
Industrial Land Evaluation
Large Industrial Lot Considerations: 20-50 Acre Sites

20-50 Acre Options

Legend:
- Land Inside UGB
- Tax Lots
- Street Rights of Way
- Tax Lots Selected for School Expansion
- Tax Lots Selected for Park Expansion
- Tax Lots Selected for Industrial Expansion

Development Constraints:
- Slopes in Excess of 5% Grade
- Special Flood Hazard Area
- Constrained by Uses/Development
- Water Quality Management Area
- Proposed Transportation Project

Note: This map is based on imprecise source data, subject to change, and for general reference only.
Conclusion

After further analysis, including conducting a local Goal 5 evaluation and long-range transportation planning for the Clear Lake expansion area, there are multiple possible site configurations to accommodate all needed industrial site sizes. In general, the northwest portion of the area must be preserved for the largest site sizes, while the eastern portion must be preserved for the smaller needed sites. Some tax lots have greater uncertainty than others, particularly those potentially impacted by the future extension of Terry Street. Additionally, while the decision to impose no local Goal 5 protections to the wetlands will allow for filling of some wetlands due to their degraded nature, both the cost of filling wetlands and the requirements of state and federal agencies (which are unknown until a specific development is proposed) may impact the full utilization of the tax lots in this area.³

Through a new overlay zone for the Clear Lake expansion area (the /CL Clear Lake Overlay Zone), the land will be preserved to accommodate the large lot industrial portfolio, consistent with the possible configurations set out in this Addendum.

³ For more information about the potential impact of state and national wetland requirements in this area, see Appendix A to the Clear Lake UGB Expansion Area ESEE Analysis.